

Upon Recording Mail To:

~~Rudnick & Wolfe~~
203 N. LaSalle St., Ste. 1800
Chicago, IL 60601
Attn: ~~Michael Koppersmith, Esq.~~



99971778

AFTER RECORDING, RETURN TO:
COMMONWEALTH LAND TITLE INSURANCE CO.
5949 SHERRY LANE, SUITE 111
DALLAS, TX 75225

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed") is made and delivered this 12 day of October, 1999, by Garden Tanglewood L.P., a Delaware limited partnership, with an address at 10670 North Central Expressway, Dallas, Texas 75231 ("Grantor") to TVO Tanglewood LLC, a Delaware limited liability company, with an address at 70 East Lake Street, Suite 600, Chicago, Illinois 60601 ("Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), receipt of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee all that certain land situated in Cook County, Illinois including the improvements thereon, and being more fully described by metes and bounds on **EXHIBIT A** attached hereto and made a part hereof:

Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining (collectively, the "Real Estate").

TO HAVE AND TO HOLD, the Real Estate in fee simple to Grantee and Grantee's successors and assigns forever.

Grantor covenants and warrants that the Real Estate is free of any encumbrance made by Grantor, except as listed on **EXHIBIT B** attached hereto and made a part hereof, and Grantor does hereby bind itself and its successors and legal representatives to warrant and forever defend, all and singular, the title to said Real Estate unto the said Grantee, its successors, and assigns, against the claims of every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

This Deed is made subject to the easements, encumbrances and other matters of record listed on **EXHIBIT B** attached hereto and made a part hereof.

99-03267


789

PROPERTY TAX DEPARTMENT
100 WEST WASHINGTON STREET, CHICAGO, ILLINOIS 60602
PROPERTY TAX DEPARTMENT
CHICAGO, ILLINOIS

Property of Cook County Clerk's Office

STATE OF ILLINOIS

STATE TAX



OCT. 15.99


REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000004742

REAL ESTATE TRANSFER TAX
1667605
FP326660

STATE OF ILLINOIS

STATE TAX



OCT. 15.99

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE


0000005737

REAL ESTATE TRANSFER TAX
2432395
FP326669

COOK COUNTY

COUNTY TAX

REAL ESTATE TRANSACTION TAX



OCT. 15.99

REVENUE STAMP


0000010588

REAL ESTATE TRANSFER TAX
2027050
FP326670

COOK COUNTY

COUNTY TAX

REAL ESTATE TRANSACTION TAX



OCT. 15.99

REVENUE STAMP

0000010551

REAL ESTATE TRANSFER TAX
0022950
FP326670

IN WITNESS WHEREOF, the Grantor has executed this Deed.

Garden Tanglewood L.P.,
a Delaware limited partnership

By: Garden National Realty, Inc.,
its general partner

By: *Bruce A. Endendyk*
Name: Bruce A. Endendyk
Title: Executive Vice President

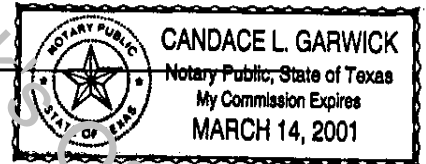
Property of Co. Clerk's Office

STATE OF TEXAS)
) ss.:
COUNTY OF DALLAS)

Before me, the undersigned notary public, this 12 day of October, 1999, personally appeared Bruce A Endendyk, the Executive Vice President of Garden National Realty, Inc., a Nevada corporation, the general partner of Garden Tanglewood L.P., a Delaware limited partnership, and acknowledged the execution of the foregoing instrument on behalf of such partnership.

Candace L. Garwick
Candace L. Garwick, Notary Public
(Print Name)

My Commission Expires:



Instrument Prepared By:
Cary L. Newburger, Esq.
333 East 49th Street
New York, NY 10017

Mail Tax Statements To:
TVO Tanglewood LLC
70 East Lake Street, Suite 600
Chicago, IL 60601

Permanent Index Number:
08-15-103-028
08-15-103-029
08-15-103-030
08-15-103-031

LEGAL DESCRIPTION:**Parcel 1 (Phase 1):**

That Parcel of land located in the County of Cook, State of Illinois and described as follows: That part of the North 3/4 of the West 1/2 of the Northwest 1/4 of Section 15, Township 41 North, Range 11 East of the Third Principal Meridian, lying South of Seegers Road, in Cook County, Illinois:

Beginning at the Southeast corner of the North 3/4 of the West 1/2 of the Northwest 1/4 of Section 15, Township 41 North, Range 11 East of the Third Principal Meridian; Thence Westerly along the South line of the North 3/4 of the West 1/2 of the Northwest 1/4 of Section 15, a distance of 858.86 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Northerly, a distance of 441.776 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Easterly, a distance of 120.83 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Northerly, a distance of 436.11 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Easterly, a distance of 546.34 feet; Thence turning a right angle to the course of 90 Degrees, 32 Minutes, 32 Seconds Southerly, a distance of 351.05 feet; Thence turning a left angle to the course 90 Degrees, 00 Minutes, 00 Seconds Easterly, a distance of 200.00 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds southerly, a distance of 525.00 feet to the point of beginning, in Cook County, Illinois, (excepting from the above described tract, the east 40.0 feet, being that part of the land dedicated for public streets by Document Number 21541064).

Parcel 2 (Phase II):

That part of the North 3/4 of the West 1/2 of the Northwest 1/4 of Section 15, Township 41 North, Range 11 East of the Third Principal Meridian, lying South of Seegers Road, in Cook County, Illinois, described as follows:

Beginning at the Southwest corner of the North 3/4 of the West 1/2 of the Northwest 1/4 of Section 15, Township 41 North, Range 11 East of the Third Principal Meridian; Thence Northerly along the West line of said Section 15, a distance of 1168.26 feet; Thence turning a right angle to the course of 89 Degrees, 25 Minutes, 01 Seconds Easterly, a distance of 381.27 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Southerly, a distance of 181.10 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Easterly, a distance of 100.54 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Southerly, a distance of 258.14 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Easterly, a distance of 92.31 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Southerly, a distance of 287.16; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Westerly, a distance of 120.83 feet; Thence turning a left angle to the course 90 Degrees, 00 Minutes, 00 Seconds Southerly, a distance of 441.776 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Westerly, a distance of 464.96 feet to the point of beginning, in Cook County, Illinois, (excepting from the above tract, the west 33 feet, being that part of the land dedicated for public streets by Documents 21541064 and 22568064).

Parcel 3 (Phase III)

That part of the North 3/4 of the West 1/2 of the North 1/4 of Section 15, Township 41 North, Range 11 East of the Third principal Meridian lying South of Seegers Road, in Cook County, Illinois; commencing at the Southwest corner of the North 3/4 of the West 1/2 of the Northwest 1/4 of Section 15, Township 41 North, Range 11 East of the Third Principal Meridian; Thence Northerly along the West line of of the Northwest 1/4 of the said Section 15 a distance of 1168.26 feet to a point of beginning; Thence continuing Northerly along the West line of the Northwest 1/4 of said Section 15, a distance of 239.22 feet; Thence turning a right angle to the course of 71 Degrees, 09 Minutes, 13 Seconds Northeasterly, a distance of 467.09 feet; Thence turning a right angle to the course of 3 Degrees, 41 Minutes, 20 Seconds Northeasterly, a distance of 168.00 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Southeasterly, a distance of 213.00 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Northeasterly a distance of 181.06 feet; Thence turning a right angle to the course of 7 Degrees, 10 Minutes, 00 Seconds NorthEasterly, a distance of 290.87 feet; Thence turning a right angle to the course of 97 Degrees, 57 Minutes, 00 Seconds Southerly, a distance of 595.10 feet; Thence turning a right angle to the course of 89 Degrees, 27 Minutes, 28 Seconds Westerly, a distance of 546.34 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Southerly, a distance of 148.95 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Westerly, a distance of 92.31 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Northerly, a distance of 258.14 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Westerly, a distance of 100.34 feet; Thence turning a right angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Northerly, a distance of 181.10 feet; Thence turning a left angle to the course of 90 Degrees, 00 Minutes, 00 Seconds Westerly, a distance of 381.27 feet to the point of beginning in Cook County, Illinois (excepting from the above described tract, the northerly 40.0 feet and the west 33.0 feet, right angle measure of that part of the land dedicated for public streets by Document Numbers 21541064 and 22568065).

ADDRESS. 2134 S. GOEBBERT RD. ARLINGTON HTS.

Clerk's Office

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES) WHICH ARISE BY REASON OF:

1. General taxes for the year(s) 1999 and subsequent years, not yet due and payable.

- Permanent Index Number: 08-15-103-028
- 08-15-103-029
- 08-15-103-030
- 08-15-103-031

2. Terms, Limitations and Conditions contained in the Ordinance of the Village of Arlington Heights Recorded November 12, 1970 as Document Number 21315295.

3. Easement in favor of Northern Illinois Gas for the installation, maintenance, repair, relocation, removal and renewal of gas mains granted by Document Number 21440248 on April 5, 1971, and as shown on survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates, and the terms and conditions thereof.

(Affects the areas within Parcel 1 designated on the Plat attached thereto).

4. Easement in favor of Commonwealth Edison Company and Illinois Bell Telephone Company for pole lines, conduits and maintenance purposes granted by Document Number 21448888, Recorded on April 14, 1971, and as shown on the survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates, and the terms and conditions thereof.

(Affects the areas within Parcel 1 designated on the Plat attached thereto).

5. Easement in favor of Commonwealth Edison Company and Illinois Bell Telephone Company for Pole lines, conduits and maintenance purposes granted by Document Number 21894125, Recorded on May 8, 1972, and as shown on the survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates, and the terms and conditions thereof.

(Affects the areas within Parcel 2 designated on the Plat attached thereto).

6. Easement in favor of Northern Illinois Gas for the installation, maintenance, repair, relocation, removal and renewal of gas mains granted by Document Number 22257280 on March 21, 1973, and as shown on the survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates, and the terms and conditions thereof.

(Affects the areas within Parcels 2 and 3 designated on the Plat attached thereto).

7. Easement in favor of Commonwealth Edison Company and Illinois Bell Telephone Company for pole lines, conduits and maintenance purposes granted by Document Number 22258633, Recorded on March 22, 1973, and as shown on the survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates, and their terms and conditions thereof.

(Affects the areas within Parcel 3 designated on the Plat attached thereto).

8. Easement for creation of recreational area, and ingress and egress to recreation area as created by Grant of Easement Dated June 29, 1972 and Recorded August 7, 1972 as Document Number 22004577, made by Lincoln Property Company Number 40 and between Lincoln Property I, and as amended by Document Number 22101090 Recorded October 30, 1972, and as shown on survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates.

(affects parcel 1)

UNOFFICIAL COPY

9. Easement for creation of recreational area, and ingress and egress to recreation area as created by Grant of Easement Dated June 29, 1972 and Recorded August 7, 1972 as Document Number 22004578, made by Lincoln Property Company Number 40 and between LaSalle National Bank, as Trustee under Trust Agreement Dated April 24, 1967 and known as Trust Number 36341, and as amended by Document Number 22101091 Recorded October 30, 1972, and as shown on survey dated October 7, 1999, order number 990132 ALTA, by George D. Harker & Associates.

(affects parcel 1)

10. Easement for creation of recreational area, and ingress and egress to recreational area as created by Grant of Easement made by Lincoln Property Company Number 40 and Property Capital Trust Recorded December 27, 1972 as Document Number 22168881, and as shown on the survey dated October 7, 1999, order number 990132, by George D. Harker & Associates.

(affect the southernmost portion of parcel 3)

11. Right of Access Agreement Dated January 8, 1996 and Recorded May 10, 1996 as Document Number 96356979 between Garden Tanglewood L.P. and TVMAX Telecommunications, Inc., granting an exclusive "blanket" right of access over a portion of the land for access, ingress, egress and use in connection with the installation, operation, maintenance and repair of a cable system.

12. Encroachment by 1 story brick laundry and pool building (no. 375), onto the 10 foot easement by approximately 1 1/2 foot, as shown on survey aforesaid.

NOTE: The building is located within the most southerly portion of parcel 1

13. Rights of parties in possession, as tenants only, under unrecorded leases or rental agreements, as listed on rent roll dated ____, attached ----

END OF SCHEDULE B

PROPERTY OF COOK County Clerk's Office