

# UNOFFICIAL COPY

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## SPECIAL WARRANTY DEED

THIS INDENTURE, made this 10 day of March 1988

1988, between BOTABA REALTY COMPANY, a General Partnership created and existing under and by virtue of the laws of the State of Texas and duly authorized to transact business in the State of Illinois, party of the first part, and ~~MARGA~~ KUTZER, a spinster, party of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and No/100 Dollars, and other good and valuable consideration, in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and pursuant to authority given by the Board of Directors of Transcontinental Corporation, a California corporation, which corporation is a general partner of party of the first part, by these presents does DEMISE, RELEASE, ALIEN AND CONVEY unto the said party of the second part, and to its heirs, successors and assigns, FOREVER, all the land, situate in the County of Cook and State of Illinois, known and described as follows:

See Exhibit "A" attached hereto and made a part hereof.

Subject to:

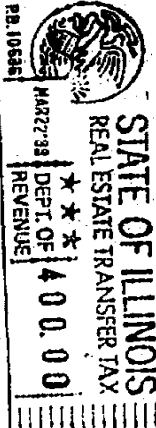
(a) The General Exceptions and Exclusions from Coverage and Conditions and Stipulations contained in the Chicago Title Insurance Company loan policy;

(b) General real estate taxes for 1987 and subsequent years;

(c) Letter attached to Plat of Subdivision recorded August 26, 1976 as Document 23612570 and filed on July 27, 1977 as Document LR2954896 that the State of Illinois, Department of Transportation, has determined that Lots 9 to 15 inclusive will be subject to flood risks, but that there is

COOK  
CO. NO. 018

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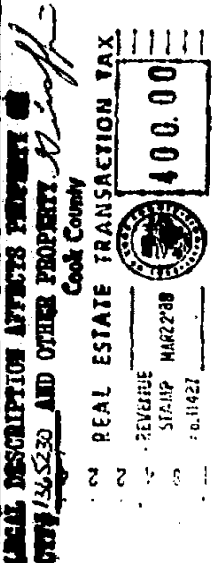


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STATE OF ILLINOIS  
COUNTY OF COOK

11/17/2018

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CLERK OF COOK COUNTY  
JANICE M. KIRBY

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sufficient area above high water for building development on Lots 9 and 10;

(d) The provisions of the Declaration of Protective Covenants for River Oaks West Business Park, recorded with the Recorder of Deeds of Cook County, Illinois, January 22, 1975 as Document No. 22971509 and filed on January 22, 1975 with the Registrar of Titles as Document No. LR-2792268;

(e) Covenants, easements, restrictions, conditions and other matters of record;

(f) Acts and deeds of Purchaser; and

(g) References to registration of all or a portion of the Property under the Torrens Act.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in law or equity, of, in and to the above-described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the said party of the second part, its heirs, successors and assigns forever.

And the said party of the first part, for itself, and its successors and assigns, does covenant, promise and agree, to and with the said party of the second part, its heirs, successors and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited, and to warrant and forever defend such title to the said premises against all persons lawfully claiming, by, through or under party of the first part.

Party of the second part, its heirs, successors and assigns, covenant and agree, that in the event of any actual or alleged failure, breach or default hereunder by Botaba Realty Company:

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(a) The sole and exclusive remedy shall be against the Botaba Realty Company and its partnership assets;

(b) No partner of Botaba Realty Company shall be sued or named a party in any suit or action (except as may be necessary to secure jurisdiction of the Botaba Realty Company partnership);

(c) No service of process shall be made against any partner of Botaba Realty Company (except as may be necessary to secure jurisdiction of the Botaba Realty Company partnership);

(d) No partner of Botaba Realty Company shall be required to answer or otherwise plead to any service of process;

(e) No judgment will be taken against any partner of Botaba Realty Company;

(f) Any judgment taken against any partner of Botaba Realty Company may be vacated and set aside at any time nunc pro tunc;

(g) No writ of execution will ever be levied against the assets of any partner of Botaba Realty Company; and

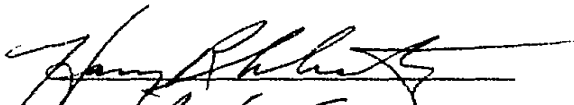
(h) These covenants and agreements are enforceable both by Botaba Realty Company and also by any partner of Botaba Realty Company.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its \_\_\_\_\_ Vice President, and attested by its ~~Assistant~~ Secretary, the day and year first above written.

BOTABA REALTY COMPANY

By Transcontinental Corporation  
its General Partner

ATTEST:

  
Its: Assistant Sec

By: Malville  
Its: Vice President

Date: \_\_\_\_\_

TR APPROVER
LEGAL <u>Ekm</u>
ENG & ARCH <u>[Signature]</u>
FINANCE <u>[Signature]</u>
DEPT. HEAD <u>[Signature]</u>

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## EXHIBIT A

### Legal Description:

All of Lots 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 (except the South 85 feet ~~of a 100 foot~~), in River Oaks West Business Park, being a Subdivision of part of the East half of Section 24, Township 36 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois

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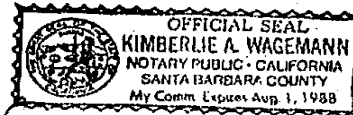
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This instrument was prepared by Elizabeth K. McCloy, Esq.,  
Sidley & Austin, One First National Plaza, Suite 4500, Chicago,  
Illinois 60603.

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) SS

On MARCH 10, 1988, before me, the undersigned, a  
Notary Public in and for said State, personally appeared  
N. A. VALLEE, known to me to be the VICE President  
and HARVEY R. SCHESTAG, known to me to be the ASST.  
Secretary of Transcontinental Corporation, the corporation  
that executed the within instrument and known to me to be the  
persons who executed the within instrument on behalf of said  
corporation, said corporation being known to me to be one of  
the partners of Potaba Realty Company, the partnership that  
executed the within instrument, and acknowledged to me that  
such corporation executed the same as such partner and that  
such partnership executed the same.

WITNESS my hand and official seal.



Signature: Kimberlie A. Wagemann

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IN DUPLICATE *MS*

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1988 MAR 23 PM 3:32  
HARRY (EUS) YOUNG  
REGISTER OF TITLES

3595574

Age of Grantor

Address

*MS*  
3695574

3695574

Sp. Card

CHICAGO TITLE INS.  
G# 7155867

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