

This instrument prepared by:
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25 East Washington Street
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2006 046969

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDING

2006 JUN - 2 AM 9:45

MICHAEL A. BROWN
RECORDER

After recording, please mail to:
Jerrold M. Peven
Schwartz Cooper Chartered
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
CM 020061974

SPECIAL WARRANTY DEED

This Indenture, made as of the 26th day of May, 2006 between BROADMOOR I ASSOCIATES, LTD., an Illinois limited partnership, having an address at 345 North Canal Street, Suite 201, Chicago, Illinois 60606 ("Grantor"), and BROADMOOR COUNTRY CLUB APARTMENTS, L.L.C., a Delaware limited liability company, having an address of 903 Commerce Drive, Suite 100, Oak Brook, Illinois 60523 ("Grantee").

Chicago Title Insurance Company

WITNESSETH is

That Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby conveys and warrants specially unto Grantee all right, title and interest which Grantor has in the following described real property and rights and interests in real property situate, lying and being in Lake County, Indiana, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference

(The foregoing real property together with all improvements and fixtures located thereon are sometimes collectively referred to herein as the "Property.")

Together with all of the right, title and interest of Grantor, if any, in and to the following as the same pertains to the Property: (a) all improvements and fixtures located thereon, and (b) all easements, rights-of-way, streets and other appurtenances.

The conveyance of the Property is subject only to those encumbrances set forth on Exhibit "B" attached hereto and incorporated herein by reference, without intending to reimpose same.

And Grantor does covenant, promise and agree, to and with the Grantee, its heirs and assigns, that it has not done or suffered to be done, anything whereby the real estate hereby granted is, or may be, in any manner encumbered or charged, except as herein recited, and that

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A63823
05/17/06

DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

JUN - 2 2006

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

08640

①

Grantor will warrant and defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has hereunto executed this Special Warranty Deed as of the day and year first above written.

BROADMOOR I ASSOCIATES, LTD., an Illinois limited partnership

By: BR I Associates, L.L.C., an Illinois limited liability company
Its: General Partner

By: ChrisKen Residential Trust, a Maryland real estate investment trust
Its: Manager

By: *Robert Mayer*
Its: Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Document is NOT OFFICIAL!

This Document is the property of the Lake County Recorder

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Robert Mayer, personally known to me to be the Secretary of ChrisKen Residential Trust, a Maryland real estate investment trust, Manager of BR I Associates, L.L.C., an Illinois limited liability company, General Partner of Broadmoor I Associates, Ltd., an Illinois limited partnership., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of the partnership, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 26 day of May, 2006



Mary Jo Noble
Notary Public

My Commission Expires: December 5, 2007

EXHIBIT "A"

A63823
05/17/06

OFFICIAL SEAL
MARY JO NOBLE
Notary Public - State of Illinois
My Commission Expires
December 5, 2007

LEGAL DESCRIPTION

3944 WEST 77TH PLACE
MERRILLVILLE, INDIANA 46410

PARCEL 5:

LOTS 19 TO 46, BOTH INCLUSIVE, IN BROADMOOR, A PLANNED UNIT DEVELOPMENT, IN THE TOWN OF MERRILLVILLE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 51, PAGE 39, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

PARCEL 6:

A PERPETUAL, NON-EXCLUSIVE EASEMENT, FOR THE BENEFIT OF LOTS 19, AND 22 THROUGH 46, BOTH INCLUSIVE, OF PARCEL 1, FOR THE PURPOSE OF HANDLING STORM WATER RUNOFF, ON THE COMMUNITY DETENTION POND ON LOTS 15 AND 16, IN BROADMOOR, A PLANNED UNIT DEVELOPMENT, IN THE TOWN OF MERRILLVILLE, AS PER PLAT THEREOF, RECORDED IN THE PLAT BOOK 51, PAGE 39, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.



EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Acts of Purchaser and/or its agents.
 2. Rights or claims of tenants in possession on the date of this instrument, as tenants only, under unrecorded residential leases.
 3. Taxes for the year 2005 due and payable in 2006 are a lien not yet due and payable.
 4. Taxes for the year 2006 due and payable in 2007 are a lien not yet due and payable.
 5. Covenants, conditions, and restrictions contained in the plat of Broadmoor, a Planned Unit Development, in the Town of Merrillville, recorded in Plat Book 51, page 39.
 6. Covenants, conditions, restrictions, and easements contained in Declaration of Rights and Easements, dated June 29, 1973, and recorded July 24, 1973, as Document No. 212635, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130.
 7. Covenants, conditions, restrictions, and easements contained in Declaration of Covenants, dated July 30, 1984, and recorded July 31, 1984, as Document No. 766946, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130.
 8. Building setback lines over the East 30 feet of the land, as shown on the plat of Broadmoor, a Planned Unit Development, in the Town of Merrillville, recorded in Plat Book 51, page 39, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130. (Affects Lots 19, 23, 28, 29, 30, 45 and 46 of the land.)
 9. Easements for utility, drainage, and access purposes, granted and shown on the plat of Broadmoor, a Planned Unit Development, in the Town of Merrillville, recorded in Plat Book 51, page 39, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130.
 10. Easement for underground electrical lines, communication lines and gas mains in favor of Northern Indiana Public Service Company and Indiana Tell Telephone Company, Incorporated, and to their respective successors and assigns, dated March 12, 1980 and recorded March 18, 1980, as Document No. 579261, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130.
 11. Easement for electrical and gas purposes in favor of Northern Indiana Public Service Company, its successors and assigns, dated June 26, 1979, and recorded June 28, 1979, as Document No. 536159 as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130. (Affects a strip 14 feet wide to be installed upon subject premises location of which is to be determined by the grantee.)
 12. Easement for sanitary sewer and storm water drainage made by and between Kinner, Inc., and Broadmoor-Oxford Associates, dated September 6, 1979, and recorded October 16, 1979, as Document No. 554973, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130.
- Note: By instrument recorded July 27, 1984, as Document No. 766579, it is established that obligations of Kinner, Inc., under said agreement, have been fulfilled and that the easements granted therein are limited to the utility and drainage easements shown on the plat of Broadmoor recorded in Plat Book 19, page 46.
13. Community Detention Pond affecting Lots 15 and 16 of Parcel 1 and 20 and 21 of Parcel 5 of the land, contained on the plat of Broadmoor, a Planned Unit Development, in the Town of Merrillville, recorded in Plat

Book 51, page 39.

14. Community Tennis Courts and Recreational Easement affecting Lots 43, 44, and 45, of Parcel 5 of the land as shown on the plat of Broadmoor, a Planned Unit Development, in the Town of Merrillville, recorded in Plat Book 51, page 39, as shown on survey of the land prepared by Anthony W. Kollak, Registered Professional Land Surveyor, certified May 9, 2006 as Project No. C0510-56-0130.
15. Rights of public and quasi-public utility companies in and to portions of the land as evidenced by storm sewer lines, water lines, underground electric, underground telephones, sanitary sewers, catch basins, manholes, water valves, utility poles, area lights, telephone boxes, cable boxes, Water Hose, Bib & Electric Outlet, and transformers as shown on ALTA/ACSM Land Title Survey dated May 9, 2006, prepared by McMahon Associates, Inc., Project No. C0510-56-0136.
16. Encroachments of stoops, pads, overhangs and balconys over the various building lines and utility easements, as shown on an ALTA/ACSM Land Title Survey by Anthony W. Kollak of McMahon Associates, Inc., dated May 9, 2006, Project No. C0510-56-0130.
17. Encroachment of concrete pad located on Lot 34 of Parcel 1 of the land over and upon real estate lying south of said Lot 34 as shown on an ALTA/ACSM Land Title Survey by Anthony M. Kollak of McMahon Associates, Inc., dated May 9, 2006, Project No. C0510-56-0130.
18. Encroachment of shed, carports and parking spaces, ramps, fences, and stone posts, as shown on a ALTA/ACSM Land Title Survey by Anthony M. Kollak, of McMahon Associates, Inc., dated May 9, 2006, Project No. C0510-56-0130.

