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GEORGE E. COLE
LEGAL FORMS

No. 803
November 1994

0001007120

8117/0079 49 001 Page 1 of 5
2000-12-22 15:24:40
Cook County Recorder 29.50

SPECIAL WARRANTY DEED
(Corporation to Individual)
(Illinois)

CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty of merchantability or fitness for a particular purpose.

THIS AGREEMENT, made this 19th day of December,
~~19~~ 2000, between New York Funeral Chapels, Inc.,

a corporation created and existing under and by virtue of the laws of the State of New York and duly authorized to transact business in the State of New York, party of the first part, and Dearborn Maple Venture LLC., an Illinois Limited *
900 N. North Branch Chicago, IL 60622

(Name and Address of Grantee)
party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of ten and 00/100 Dollars and _____ in hand paid by the party of the second part, the receipt of which is hereby acknowledged, and pursuant to authority of the Board of Directors of said corporation, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to _____ heirs and assigns, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois known and described as follows, to wit: *Liability Company



Above Space for Recorder's Use Only

LOTS 1, 2, 3, 4 AND 5 IN SUBDIVISION OF LOT 4 IN BLOCK 16 OF BUSHNELL'S ADDITION TO CHICAGO IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SEE ATTACHED EXHIBIT "B" FOR USE RESTRICTIONS

Together with all and singular the hereditaments and appurtenances therunto 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 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 party of the second part, _____ heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, _____ heirs 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 incumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to:
Permanent Real Estate Number(s): 17-04-424-001, 002, 003, 004 and 005
Address(es) of real estate: 1035 N. Dearborn, Chicago, Illinois

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 _____ President, and attested by its _____ Secretary, the day and year first above written.

NEW YORK FUNERAL CHAPELS, INC.

City of Chicago Real Estate
Dept. of Revenue Transfer Stamp
242272 \$30,000.00
12/22/2000 15:03 Batch 14363 25



(Name of Corporation)
By Michael L. Berell, Vice President
Attest: Josiah M. Marshall
Secretary

This instrument was prepared by JOHN C. GRIFFIN, 10001 S. Roberts Road, Palos Hills, IL 60465
(Name and Address)

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MAIL TO: Richard L. Ingram
 (Name)
Shefsky & Froelich
 (Address)
444 N. Michigan Ave. #2500
Chicago, IL 60606
 (City, State and Zip)

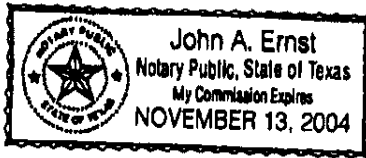
SEND SUBSEQUENT TAX BILLS TO:
JDL DEVELOPMENT
 (Name)
900 N. North Branch
 (Address)
Chicago, IL 60622
 (City, State and Zip)

OR RECORDER'S OFFICE BOX NO. _____

STATE OF Texas
 COUNTY OF Harris } ss.

I, THE UNDERSIGNED a Notary Public
 in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Michael L. Decell
 personally known to me to be the Vice President of New York Funeral Chapels, Inc
 a New York corporation, and Judy Marshall, personally known to me to be the
 Secretary of said corporation, and personally known to me to be the same persons whose
 names are subscribed to the foregoing instrument, appeared before me this day in person, and severally acknowledged that
 as such Vice President and Secretary, they signed and
 delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to
 authority, given by the Board of Directors of said corporation as their free and voluntary
 act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 19th day of December 2002 19__.



John A. Ernst
 Notary Public
 Commission expires 11/13/2002

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Box _____

SPECIAL WARRANTY DEED

Corporation to Individual

NEW YORK FUNERAL CHAPELS, INC.,

TO

Dearborn Maple Venture LLC., an
 Illinois Limited Liability Company

ADDRESS OF PROPERTY:
 1035 North Dearborn
 Chicago, IL

MAIL TO:

GEORGE E. COLE
 LEGAL FORMS

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LOTS 1, 2, 3, 4 AND 5 IN SUBDIVISION OF LOT 4 IN BLOCK 16 OF BUSHNELL'S ADDITION TO CHICAGO IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COOK COUNTY
REAL ESTATE TRANSACTION TAX

COUNTY TAX

REVENUE STAMP

DEC. 22. 00

0000043960

REAL ESTATE TRANSFER TAX
00450.00
FP326670

STATE OF ILLINOIS

STATE TAX

REVENUE STAMP

DEC. 22. 00

0000022466

REAL ESTATE TRANSFER TAX
00900.00
FP326669

Property of Cook County Clerk's Office

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EXHIBIT B

USE RESTRICTIONS

The following is a list of the USE RESTRICTIONS affecting the Property that will be included in the Deed and run with the Property:

- (i) Any warehousing, assembling, manufacturing, distilling, refining, smelting, agricultural or mining operations;
- (ii) Any "second hand" store, Army, Navy, or governmental "surplus" store;
- (iii) Any mobile home or trailer court, labor camp, junkyard, stockyard, or animal raising (except that this provision shall not prohibit the temporary use of construction trailers during the periods of construction, reconstruction, or maintenance);
- (iv) Any fire or bankruptcy sale (unless pursuant to court order) or auction house operation;
- (v) Any dry cleaning outlet (other than pick-up and drop-off facilities only), central laundry or Laundromat; provided, that, such facilities may be used on the Property in connection with laundry services provided solely to owners or occupants of the Property;
- (vi) Any automobile, truck, trailer, heavy equipment, mobile home or recreational vehicle sales, leasing or display, including body repair facilities;
- (vii) Any bowling alley or skating rink;
- (viii) Any pet shop, pet quarters, or veterinary service within 250 feet of Seller's Retained Property;
- (ix) Any mortuary, cemetery or location used to sell or solicit sales of pre-need agreements for cemetery or funeral merchandise or services except for any such business owned and operated by Seller, its successors and assigns;
- (x) Any establishment selling or exhibiting pornographic materials;
- (xi) Any gasoline, diesel or other fuel or automotive service stations, or any facility providing automotive repairs or services; provided, that, such facilities may be located on the Property so long as they are no closer than 250 feet to the western boundary of the Property and so long as they are part of an office development, are screened such that they cannot be seen from outside the boundary of the Property, and then only to the extent the same provide services to owners or occupants of the Property;
- (xii) Any bar, tavern, or other establishment which sells alcoholic beverages for on or off premises consumption (a restaurant shall be deemed a bar or tavern if more than 50% of gross annual sales therefrom are attributable to the sale of alcoholic beverages);
- (xiii) Any massage parlor, modeling studio or establishment where women or men are engaged in other salacious activities;
- (xiv) Any public or private nuisance;
- (xv) Any use which generates or causes to be generated any noise or sound that is objectional due to intermittence, beat, frequency, shrillness or loudness;

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(xvi) Any use which generates or causes to be generated any obnoxious odor;

(xvii) Any use which generates or causes to be generated any noxious, toxic caustic, or corrosive fuel or gas; or any facility used primarily for the storage, use or disposal, whether temporary or permanent, of any Hazardous Substance. For the purposes of this subsection, "Hazardous Substance" means any substance which is (1) toxic, ignitable, reactive, corrosive, radioactive, flammable, explosive, or a human health or safety hazard, including but not limited to asbestos (friable or non-friable), petroleum products, by-products and wastes, polychlorobiphenyls ("PCB's"), (2) defined as "hazardous substances", "hazardous materials", "toxic substances" or "hazardous wastes" in the Environmental Laws, or (3) prohibited or regulated or which requires redemption under any of the Environmental Laws. "Environmental Laws" means the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq.; the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq.; the Clean Water Act, 33 U.S.C. Section 1251, et seq.; the Toxic Substances Control Act, 15 U.S.C. Section 2601, et seq.; the Clean Air Act; the Federal Water Pollution Control Act; the Safe Drinking Water Act; the William Steiger Occupational Safety and Health Act, and any other applicable statutes, laws, ordinances, rules and regulations of any federal, state or local governmental or quasi-governmental authority or body having jurisdiction over the property;

(xviii) Any use which generates or causes to be generated any dust, dirt, or fly ash in excessive quantities;

(xix) Any use which generates or causes to be generated any unusual fire, explosion, or other damaging or dangerous hazard including the storage, display or sale of explosives or fireworks;

(xx) Any dumping, disposal, incineration, reduction of garbage or refuse (exclusive of garbage containers properly screened); or

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