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2001-02-20 11:21:19
Cook County Recorder 51.00

SPECIAL WARRANTY DEED

THIS DEED is made this 16th day of February, 2001, between 3COM CORPORATION, a Delaware corporation, as Grantor, whose address is 5400 Bayfront Plaza, Santa Clara, CA 95052 and MENARD, INC., a Wisconsin corporation, as Grantee, whose address is 4777 Menard Drive, Eau Claire, WI 54703.

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WITNESSETH:



THAT Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, hereby grants, bargains, sells and conveys unto Grantee the following described real property and premises located in the County of Cook, State of Illinois, to wit:

See legal description attached as **Exhibit "A"**.

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 Grantor, 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 Grantee, its successors and assigns forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with the Grantee, its 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 that it **WILL WARRANT AND DEFEND** the said premises against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to the matters set forth in **Schedule 1** attached hereto.

Permanent Real Estate Index Number: 10-29-100-001-0000 and 10-29-100-020-0000,

Address of real estate: 6201 West Oakton Street, located in the Morton Grove, Cook County, Illinois.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed at Santa Clara, California, the day and year first above written.

GRANTOR:

3COM CORPORATION, a Delaware corporation

VILLAGE OF MORTON GROVE REAL ESTATE TRANSFER STAMP
NO. 005552 AMOUNT 37050.⁰⁰ DATE 2-14-01
ADDRESS 6201 OAKTON
(VOID IF DIFFERENT FROM DEED)
BY J. McDonald

By: [Signature]
Name: Ronald Friedna
Its: Assistant Secretary

7836835, 60R, 02

This instrument prepared by Daniel K. Seubert, Gray Cary Ware & Freidenrich LLP, 400 Hamilton Avenue, Palo Alto, California 94301-1825.

Mail to:

Send subsequent tax bills to:

Menard, Inc.

4777 Menard Drive

Eau Claire, WI 54703-9625

Attn: Paul H. Mahler

Menard, Inc.

4777 Menard Drive

Eau Claire, WI 54703-9625

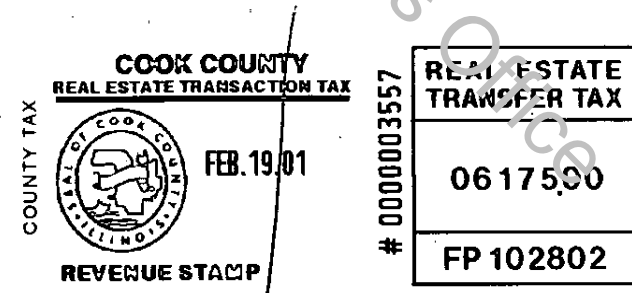
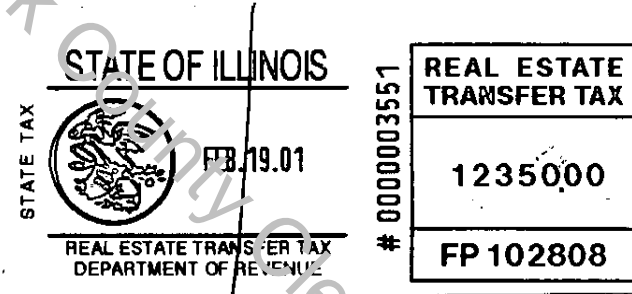
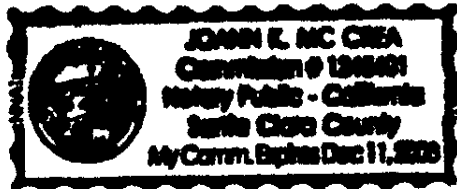
Attn: Ted McClelland

Recorder's Office Box No.: _____

CALIFORNIA)
STATE OF ILLINOIS)
SANTA CLARA) SS.
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 14 day of FEB., 2001, by RONALD B. FRIEDMAN

Joann K. McCre
Notary Public



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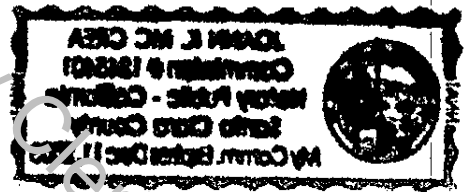


EXHIBIT A

ALL OF LOT 5 AND THAT PART TO LOTS 2, 3 AND 4 LYING WEST OF THE WESTERLY RIGHT OF WAY OF THE CHICAGO MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY IN THE ASSESSOR'S DIVISION OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT PART TAKEN OR USED FOR OAKTON STREET AND LEHIGH AVENUE) IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office

**Schedule 1
Permitted Exceptions**

(1) Grant of easement made by Northern Telecom, Inc. to the Commonwealth Edison Company and the Illinois Bell Telephone Company and their respective successors and assigns for public utilities purposes recorded February 17, 1988 as Document 88069452, and as depicted on Plat of survey Number 9534.3COMG V21 prepared by SDI Consultants, LTD. dated March 23, 2000.

(2) Terms and conditions of the Memorandum of Agreement made by and between Northern Telecom Inc., and U.S. Robotics Access Corporation, Northern Telecom, Inc. and its employees, agents and contractors, as well as their successors and assigns, shall be entitled to access over and upon the Property to fulfill certain post closing obligations, recorded May 24, 1995 as Document 95338905.

In addition to the specific matters referred to above, the following matters also are included in this Schedule 1 to the extent valid, in existence and affecting the real property described in the instrument to which this Schedule 1 is attached, except to the extent created or permitted by Grantor:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Easements, or claims of easements, not shown by the public record.
- (3) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
- (4) Any lien or right to a lien for services, labor, or materials hereafter furnished, imposed by law and not shown by the public records.
- (5) Taxes, or special assessments which are not shown as existing liens by the public records.