

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Claire E. Pensyl  
Bell, Pensyl & Levine  
311 South Wacker Drive, Suite 2600  
Chicago, Illinois 60606



AND MAIL TAX STATEMENT TO:

47<sup>th</sup> & Bishop, L.L.C.  
c/o Matanky Realty Group  
1332 North Halsted, Suite 300  
Chicago, Illinois 60622

Real Estate Index Nos.:  
20-05-310-002, 20-05-310-003,  
20-05-309-40

(Space above this line for recorder's use only)

**SPECIAL WARRANTY DEED**  
ABS #62423 - 1422 West 47<sup>th</sup> Street  
Chicago, Illinois

JETCO PROPERTIES, INC., a Delaware corporation ("Grantor"), does hereby REMISE, RELEASE, ALIEN, CONVEY AND WARRANT against all claiming by, through or under it, but not otherwise, to 47<sup>TH</sup> & BISHOP, L.L.C., an Illinois limited liability company whose address is c/o Matanky Realty Group, 1332 North Halsted, Suite 300, Chicago, Illinois 60622 ("Grantee"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described tract of land ("Property"), in the City of Chicago, County of Cook, State of Illinois, subject to the matters set forth on Exhibit "B" attached hereto and incorporated herein by reference and the deed restriction set forth on Exhibit "C" attached hereto and incorporated herein by reference:

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

Grantor covenants that it will warrant and defend Grantee's title to the Property; provided, the warranties of title by Grantor are limited to a warranty against the acts of Grantor and those claiming by, through or under it and not otherwise.

City of Chicago  
Dept. of Revenue  
273215

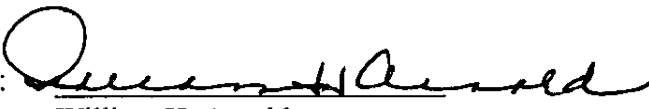


Real Estate  
Transfer Stamp  
\$10,650.00

AMERICAN TITLE Order # 20057944882 of 3

IN WITNESS WHEREOF, Grantor has caused its corporate name to be hereunto affixed by its duly authorized officer this 1<sup>st</sup> day of March, 2002.

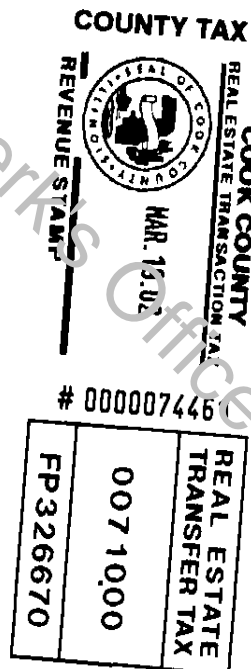
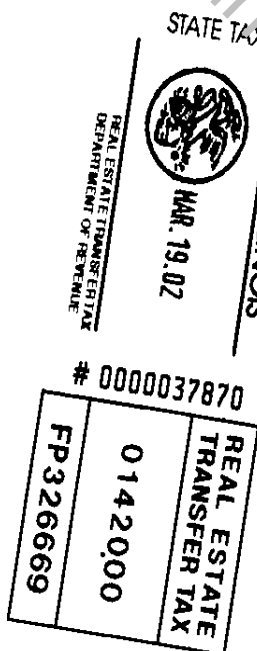
JETCO PROPERTIES, INC.,  
a Delaware corporation

By:   
Name: William H. Arnold  
Title: Vice President

NWC

This instrument was prepared by:

Nicholas W. Cutler, Esq.  
c/o Curtis R. Ward & Associates, P.C.  
265 East 100 South, Suite 250  
Salt Lake City, Utah 84111



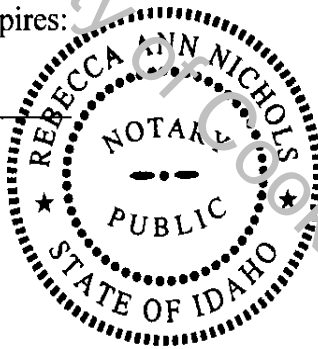
STATE OF IDAHO )  
 ) S.S.  
COUNTY OF ADA )

On this 1st day of March, 2002, before me, the undersigned, a Notary Public in and for such County and State, personally appeared William H. Arnold, known or identified to me to be the Vice President of Jetco Properties, Inc., a Delaware corporation, the corporation that executed the foregoing instrument, and acknowledged to me that such instrument is the free and voluntary act and deed of such corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute such instrument.

WITNESS MY HAND and official seal hereto, affixed the day, month and year in this certificate first above written.

My commission expires:

09-29-06



Rebecca Ann Nichols

Notary Public in and for the State of Idaho.  
Residing at Boise, Idaho.

County Clerk's Office

Exhibit "A"

Legal Description of Property

THE EAST HALF OF THE SOUTH EAST QUARTER OF THE SOUTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXCEPTING FROM ABOVE DESCRIBED PARCEL OF LAND THOSE PARTS THEREOF TAKEN OR USED FOR STREET PURPOSES AS PER DOCUMENT NO. 907217.

ALSO:

LOT 14 (EXCEPT THE SOUTHERLY 8 FEET) IN BLOCK 2 IN S.E. GROSS SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Tax Numbers:

- 20-05-310-002-0000            1440 West 47<sup>th</sup> Street, Chicago, Illinois
- 20-05-310-003-0000            1400 West 47<sup>th</sup> Street, Chicago, Illinois
- 20-05-309-040-0000            4133 South Laflin, Chicago, Illinois

**Exhibit "B"**

All matters of record; private, public and utility easements; roads and highways, if any; real estate taxes and special taxes or assessments, or any installments of any special taxes or assessments, not due and payable on or before the date hereof; rights-of-way; drainage ditches, feeders, laterals, drain tile, pipes or other conduit; zoning laws and ordinances; all matters (including, but not limited to, encroachments) which would be disclosed by an accurate survey and/or physical inspection of the Subject Property; and all acts and/or omissions of Grantee and those acting by, through or under Grantee.

Property of Cook County Clerk's Office

**Exhibit "C"**

The Property (or any part thereof) hereby conveyed shall not be used or occupied, for a period of twenty (20) years from and after the date of this conveyance: (i) as a supermarket, which shall be defined as any store or department containing more than twenty thousand (20,000) square feet of floor area, including aisle space and storage, primarily devoted to the retail sale of food for off-premises consumption; or (ii) for the sale or offer for sale of any pharmaceutical products requiring the services of a registered pharmacist. Furthermore, in addition, no portion of the Property hereby conveyed shall be used for parking, ingress or egress for any property owned, used or occupied for any of the foregoing uses. This deed restriction shall be a burden on the Property hereby conveyed as the servient estate, shall run with the land, and shall be for the benefit of the property located at 6057 South Western Avenue, Chicago, Illinois and legally described as follows: All that certain parcel or parcels of land located in the City of Chicago, County of Cook, State of Illinois, more particularly described as follows:

That part of the following: Lots 95 through 97 (both inclusive), vacated West 61<sup>st</sup> Street, vacated South Claremont Avenue, the vacated 16 foot alley West of and adjoining Lots 98 through 100 (both inclusive), together with Lots 49 through 65 (both inclusive) and the vacated 16 foot alley West of and adjoining Lots 58 through 65 aforesaid (vacated September 10, 1956, and recorded as Document 16781935) in Leighton's Subdivision of Lots 3 and 4 of Block 5, except the South 125 feet thereof, and all of Block 4 in the Subdivision of the South ½ of the South West ¼ of Section 18, Township 38 North, Range 14 East of the Third Principal Meridian; vacated West 61<sup>st</sup> Street, Block 4 and the vacated alley therein (vacated June 11, 1917 and recorded as Document Number 6139010) in the vacated Subdivision known as Dewey's Subdivision in the North West ¼ of the South West ¼ of Section 18 aforesaid (vacated by instrument recorded May 20, 1914, as Document Number 5379834); lying within the following described parcel of land:

Beginning at the North West corner of Lot 57 in said Leighton's Subdivision; thence Southerly 210.68 feet along the West line of Lots 49 through 57 (being the East line of South Western Avenue) in Leighton's Subdivision, aforesaid; thence Easterly along a line forming an angle of 90 degrees 6 minutes 5 seconds to the left with the said West line of Lots 49 through 57 a distance of 304.67 feet to a point on the center line of said vacated South Claremont Avenue; thence Northerly along the said center line 130.5 feet to a point; thence Easterly along a line drawn 145.0 feet South of and parallel with the North line of vacated West 61<sup>st</sup> Street aforesaid, a distance of 166.0 feet to a point on the center line of the vacated 16 foot alley West of and adjoining the West line of Lots 98 through 100, aforesaid; thence Northerly on said center line 65.0 feet to a point 80.0 feet South of the North line of vacated West 61<sup>st</sup> Street, aforesaid; thence Westerly parallel with said North line of vacated West 61<sup>st</sup> Street 140.58 feet to a point of curve of a curved line convex Southwesterly having a radius of 80.0 feet; thence Northwesterly along said curved line 125.65 feet to a point on a line drawn 250.0 feet East of and parallel with the East line of South Western Avenue (being the West line of vacated Block 4); thence Northerly along said parallel line 249.74 feet to a point; thence Westerly 250.0 feet along a line drawn parallel with the North line of said vacated West 61<sup>st</sup> Street to the East line of Western Avenue aforesaid; thence Southerly along said East line of Western Avenue 315.74 feet to the point of beginning.

## PLAT ACT AFFIDAVIT

STATE OF ILLINOIS )  
 )SS.  
 COUNTY OF COOK )

William H. Arnold ("**Affiant**"), Vice President of Jetco Properties, Inc., a Delaware corporation ("**Grantor**"), being duly sworn on oath, states that he resides at Boise, Idaho, and that the attached special warranty deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

Section A<sup>NWC</sup>. Said Act is not applicable as Grantor owns no adjoining property to the premises described in said special warranty deed.

OR

Section B. The conveyance falls in one (1) of the following exemptions as shown by Amended Act which became effective July 17, 1959:

1. The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easement of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configurations of the larger tract on October 1, 1973; and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

***CIRCLE LETTER OR NUMBER WHICH IS APPLICABLE TO ATTACHED DEED.***

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached special warranty deed for recording.

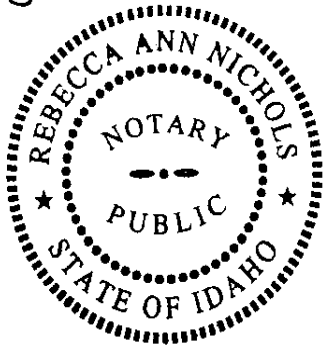
JETCO PROPERTIES, INC.,  
a Delaware corporation

By: *William H. Arnold*  
Name: William H. Arnold  
Title: Vice President

NWC

SUBSCRIBED AND SWORN to before me  
This 1st day of March, 2002

*Rebecca Ann Nichols*  
Notary Public  
My Commission Expires: 09.19.06



Property of Cook County Clerk's Office