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Prepared by:

Ronald R. Dietrich
Mayer, Brown, Rowe & Maw
190 S. LaSalle Street
Chicago, Illinois 60603

0020662221

4435/0007 50 001 Page 1 of 8
2002-06-13 09:57:27
Cook County Recorder 35.50



After Recording return to:

Jeffrey B. Gurian, Esq.
Becker & Gurian
513 Central Avenue, Fifth Floor
Highland Park, Illinois 60035-3264

02-00178 148 SPECIAL WARRANTY DEED

THIS AGREEMENT, made this 4th day of June, 2002, between **NISSAN MOTOR ACCEPTANCE CORPORATION**, a California corporation created and existing under and by virtue of the laws of the State of California ("Grantor"), having an address of 990 West 190th Street, Torrance California 90502, to **CIRCUIT ASSOCIATES, LLC**, an Illinois limited liability company, having an address of c/o Newcastle Properties, L.L.C., 333 Skokie Boulevard, Suite 101, Northbrook, Illinois 60062 and **BALDEN TOWNHOUSE, LLC**, an Illinois limited liability company, having an address of c/o Newcastle Properties, L.L.C., 333 Skokie Boulevard, Suite 101, Northbrook, Illinois 60062, as tenants-in-common each with an undivided fifty percent (50%) interest (collectively, the "Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of \$10.00 Dollars and other good and valuable consideration in hand paid by the Grantee, the receipt whereof is hereby acknowledged, and pursuant to authority of the Board of Directors of the Grantor, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the Grantee, and to its successors and assigns, FOREVER, all the real property, situated in the County of Cook and State of Illinois known and described as set forth on Exhibit A attached hereto and made a part hereof, subject to the exceptions listed on Exhibit B attached hereto and made a part hereof.

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 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 the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, but not otherwise, it WILL WARRANT AND DEFEND, subject to the exceptions listed on Exhibit B attached hereto and made a part hereof.




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IN WITNESS WHEREOF, Grantor has caused its corporate seal to be affixed, caused its name to be signed to these presents by its duly authorized officer, the day and year first above written.

COUNTY TAX

COOK COUNTY
REAL ESTATE TRANSACTION TAX



JUN. 13.02

0000080246

REAL ESTATE TRANSFER TAX

00305.00

FP326670

REVENUE STAMP

NISSAN MOTOR ACCEPTANCE CORPORATION, a California corporation


By: John A. French

Name: John A. French

Title: V.P., CPO & Financial Product

STATE TAX

STATE OF ILLINOIS



JUN. 13.02

0000040533

REAL ESTATE TRANSFER TAX

00610.00

FP326669

REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE

Attest:

Susan M. Derian

Name: Susan M. Derian

Title: Secretary

STATE OF CALIFORNIA)
) SS.
 COUNTY OF LOS ANGELES)

5/23/02

VILLAGE OF NILES, MRS
REAL ESTATE TRANSFER TAX

5701 Touhy

10482 \$13,800.00

I, Brandon Rosin a notary public in and for said County, in the State aforesaid, do hereby certify that John A. French personally known to me to be the Vice President of **NISSAN MOTOR ACCEPTANCE CORPORATION** a corporation, and Susan M. Derian 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 corporation 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 28th day of May, 2002.




Brandon Rosin
Notary Public

Commission expires: March 23, 2006

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STATE TAX  REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE	STATE OF ILLINOIS
	JUN. 13.02
	REAL ESTATE TRANSFER TAX
# 0000060556	03990.00
	FP326669

COUNTY TAX  REVENUE STAMP	COOK COUNTY REAL ESTATE TRANSACTION TAX
	JUN. 13.02
	REAL ESTATE TRANSFER TAX
# 000080289	01995.00
	FP326670

0020662221

LEGAL DESCRIPTION:

PARCEL 1:

LOT 1 IN RAYMOND HARA SUBDIVISION, RECORDED SEPTEMBER 30, 1994 AND RECORDED AS DOCUMENT NUMBER 94847852, BEING A SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY THE AGREEMENT RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, FOR UNDERGROUND UTILITIES UNDER AND THROUGH THE FOLLOWING TRACT:

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH/ RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES 09 MINUTES 10 SECONDS EAST, ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 102.55 FEET TO A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES, 48 MINUTES 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES, 41 MINUTES 00 SECONDS EAST, 59.81 FEET; THENCE SOUTH 44 DEGREES 41 MINUTES 24 SECONDS WEST, 84.63 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN, SAID POINT ALSO BEING A LINE 50.0 FEET NORTHEASTERLY OF (RIGHT ANGLES MEASUREMENT) AND PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD; THENCE CONTINUING SOUTH 44 DEGREES 41 MINUTES 24 SECONDS WEST 54.37 FEET TO THE SAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 22 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE 16.31 FEET; THENCE NORTH 44 DEGREES 41 MINUTES 24 SECONDS EAST, 54.37 FEET TO A LINE 50 FEET NORTHEASTERLY OF (RIGHT ANGLES MEASUREMENT) AND PARALLEL WITH THE SAID EASTERLY RIGHT OF WAY LINE; THENCE SOUTH 22 DEGREES 11 MINUTES 00 SECONDS EAST, ALONG SAID PARALLEL LINE 16.31 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT FOR THE BENEFIT OF PARCEL OF 1, AS DISCLOSED BY AGREEMENT RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, FOR UNDERGROUND UTILITIES UNDER AND THROUGH THE FOLLOWING DESCRIBED TRACT OF LAND:

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LEGAL DESCRIPTION CONTINUED

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES 09 MINUTES 30 SECONDS EAST, ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 102.55 FEET TO A POINT 612.16 FEET MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES 48 MINUTES 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES 41 MINUTES 00 SECONDS EAST, 59.81 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN; THENCE SOUTH 44 DEGREES 41 MINUTES 24 SECONDS WEST, 80.63 FEET TO A POINT ON A LINE 50 FEET NORTHEASTERLY OF (RIGHT ANGLES MEASUREMENT) AND PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD; THENCE NORTH 22 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG SAID PARALLEL LINE 16.31 FEET; THENCE NORTH 44 DEGREES 41 MINUTES 24 SECONDS EAST 95.76 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 00 SECONDS WEST, 21.59 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL OF 1, AS DISCLOSED BY AGREEMENT RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, FOR WATER STORAGE, TANKS AND PUMP HOUSE OVER AND UPON THE FOLLOWING DESCRIBED TRACT OF LAND:

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES 09 MINUTES 30 SECONDS EAST ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 102.55 FEET TO A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES 48 MINUTES 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES 41 MINUTES 00 SECONDS EAST, 125.0 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN; THENCE CONTINUING NORTH 00 DEGREES 41 MINUTES 00 SECONDS EAST 97.0 FEET; THENCE NORTH 89 DEGREES 19 MINUTES 00 SECONDS WEST 41.0 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 00 SECONDS WEST 97.0 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 00 SECONDS EAST, 41.0 FEET TO THE POINT OF

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LEGAL DESCRIPTION CONTINUED

BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND ACCESS BY VEHICULAR TRAFFIC AS GRANTED BY DECLARATION AND GRANT OF EASEMENTS, DATED NOVEMBER 17, 1995 AND RECORDED NOVEMBER 22, 1995 AS DOCUMENT NUMBER 95812459, AND DESCRIBED AS FOLLOWS:

THAT PART OF LOT 2 IN RAYMOND HARA SUBDIVISION, BEING A SUBDIVISION IN THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMENCING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 70.0 FEET TO THE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID LOT 2 A DISTANCE OF 60.0 FEET; THENCE PERPENDICULAR TO THE LAST DESCRIBED COURSE A DISTANCE OF 40.0 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 2 A DISTANCE OF 37.0 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVED LINE CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 30.0 FEET, A DISTANCE OF 28.49 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2, 52.56 FEET EAST OF THE POINT OF BEGINNING; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 52.56 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 5701 WEST TOUHY AVENUE, NILES, ILLINOIS
60714

PERMANENT INDEX NUMBER: 10-32-203-036

EXHIBIT B

PERMITTED EXCEPTIONS

1. General taxes for the year(s) 2001, 2002 and subsequent years.
Permanent Tax Number: 10-32-203-036

2. GRANT OF EASEMENT FROM AT&T TELETYPE CORPORATION FOR SEWER PURPOSES, RECORDED NOVEMBER 24, 1986 AS DOCUMENT 86557548, AND THE TERMS AND PROVISIONS THEREOF.
(AFFECTS THE NORTH 20 FEET)

3. GRANT OF EASEMENT FOR SEWER PURPOSES RECORDED OCTOBER 22, 1973 AS DOCUMENT 22520309, AND THE TERMS AND PROVISIONS THEREOF.
(AFFECTS THE NORTH 20 FEET)

4. GRANT OF EASEMENT FOR SEWER PURPOSES RECORDED SEPTEMBER 25, 1958 AS DOCUMENT 17328706, AND THE TERMS AND PROVISIONS THEREOF.
(AFFECTS THE NORTH 20 FEET)

5. GRANT OF EASEMENT CONTAINED IN GAS PIPE LINE RIGHT FROM TELETYPE CORPORATION TO THE PUBLIC SERVICE COMPANY OF NORTHERN ILLINOIS, RECORDED JULY 24, 1951 AS DOCUMENT 15130217, AND THE TERMS AND PROVISIONS THEREOF.
(AFFECTS THE AREAS DESIGNATED THEREIN)

6. AGREEMENT MADE MARCH 29, 1977, BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED FEBRUARY 15, 1977 AND KNOWN AS TRUST NUMBER 140063, ET AL, RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, AND THE TERMS AND PROVISIONS THEREOF.

7. GRANT OF EASEMENT FOR ROAD PURPOSES, AS CONTAINED IN THE PLAT OF SUBDIVISION RECORDED DECEMBER 22, 1933 AS DOCUMENT 11333778.

8. GRANT OF EASEMENT FOR WATERMAIN PURPOSES RECORDED NOVEMBER 9, 1989 AS DOCUMENT 89535700, AND THE TERMS AND PROVISIONS THEREOF.
(AFFECTS THE SOUTH 10 FEET OF THE NORTH 73.08 FEET)

9. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND TAKEN OR USED FOR ROAD PURPOSES.

13. Terms, provisions and conditions contained in Lease by and between American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated July 7, 1987, and known as Trust Number 102992-04, lessor, and Circuit City Stores, Inc., a Virginia corporation, lessee, dated February 18, 1994 and recorded March 2, 1994 as Document 94195862, demising the land for a term of 17 years, and all rights thereunder of and all acts done or suffered thereunder of said lessee or any parties claiming by, through or under said lessee.

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NON-DISTURBANCE AND ATTORMENT AGREEMENT MADE FEBRUARY 18, 1994, BY AND BETWEEN NISSAN MOTOR ACCEPTANCE CORPORATION AND CIRCUIT CITY STORES, INC., RECORDED MARCH 2, 1994 AS DOCUMENT 94195863, AND THE TERMS AND PROVISIONS THEREOF.

14. Declaration and Grant of Easements made by American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated July 7, 1987 and known as Trust Number 102992-04, dated November 17, 1995 and recorded November 22, 1995 as Document Number 95812459, and the terms and provisions contained therein.

15. Declaration of Covenants, Conditions, Restrictions and Easements made and entered into by American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated July 7, 1987 and known as Trust Number 102992-04, dated November 17, 1995 and recorded November 22, 1995 as Document Number 95812460, and the terms and provisions contained therein.

16. Terms, provisions, covenants, conditions and easements as contained in Easement Agreement dated November 17, 1995 and recorded November 22, 1995 as Document Number 95812462.

17. Easements as shown on the plat of Raymond Hara Subdivision recorded as Document Number 94847852. (Affects 7 feet along the West line; 20 feet along the North line and 10 feet along the East line).

18. 30 foot access easement as shown on plat of Raymond Hara Subdivision recorded as Document Number 94847852. (Affects along the Westerly 30 feet)

19. Easement for the purpose of installing, operating and maintaining all equipment necessary for the purpose of serving the subdivision and other property with telephone and electric service and also with right of access thereto as granted to the Illinois Bell Telephone Company and the Commonwealth Edison Company and their respective successors and assigns, as shown on the plat of subdivision recorded as Document Number 94847852.

20. Easement reserved and granted to the Northern Illinois Gas Company, its successors and assigns, in all platted easement areas, streets, alleys and other public ways and places as shown on the plat of said subdivision, said easement to be for installation, maintenance, relocation, renewal and removal of gas mains and appurtenances, as shown on the plat of said subdivision recorded as Document Number 94847852.

21. Utility and drainage easement provisions contained on the plat of subdivision recorded as Document Number 94847852 reserving and granting all easements within the areas shown by dashed lines and marked "easement" on said plat to the Village of Niles and those public utility companies operating under franchise from said municipality including but not limited to the Illinois Bell Telephone Company, Northern Illinois Gas Company, and Commonwealth Edison Company, and their successors and assigns.

22. Declaration of Easement as shown on plat of Raymond Hara Subdivision recorded as Document Number 94847852, recites the following:

American National Bank and Trust Company of Chicago, not individually, but solely as title owner of record of the property described as Lots 1 and 2 hereon pursuant to the provisions of Trust Number 102992-04, does hereby declare and covenant that upon conveyance of Lot 1 or 2 there shall exist in perpetuity a non-exclusive easement on and over that part of lot 1 designated hereon as "Lot 2 Access Easement (non-exclusive)" for the non-exclusive use and benefit of owners, occupants, and tenants of Lot 2, and their agents, guests, customers and invitees, for pedestrian, vehicular, and construction equipment access to Lot 2. Upon improvement of Lot 1, the area of such easement shall be maintained in a manner reasonably appropriate for such use by the title holder of Lot 1.

23. No Further Remediation Letter with the Illinois Environmental Agency, dated June 27, 2001 and recorded July 17, 2001 as Document Number 0010633270.

Property of Cook County Clerk's Office