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47370001 55 001 Page 1 of 4

2002-06-27 08:19:40

Cook County Recorder 51.00

This Instrument Prepared by
and Return to:

ZIMMERMAN, SHUFFIELD, KISER
& SUTCLIFFE, P.A.
P.O. Box 3000
Orlando, FL 32802-3000
Attn: Sue Schnabel



Property Tax I.D. No.: 12-33-301-027-0000
Property Address: 1935 North Mannheim Road, Melrose Park, Illinois 60160

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made and executed ^{as of} 20th day of June, 2002, by ⁴ (T)
CNL NET LEASE INVESTORS, L.P. a California limited partnership, whose post office address is 450
South Orange Avenue, Orlando, Florida 32801 (hereinafter referred to as the "Grantor"), to BURGER
KING CORPORATION, a Florida corporation, whose post office address is 17777 Old Cutler Road,
Miami, Florida 33157 (hereinafter referred to as the "Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable
considerations, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells,
aliens, remises, releases, conveys and confirms unto Grantee, all that certain real property, together with
all buildings, structures and improvements thereon, situate lying and being in Cook County, Illinois
(hereinafter referred to as the "Property"), and being more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging or in
anywise appertaining and all right, title and interest, if any, of Grantor, in and to all land lying in the bed
of any public street or road, open or proposed, in front of, at the side of, or adjoining the Property to the
centerline thereof.

TO HAVE AND TO HOLD the same in fee simple forever.

GRANTOR covenants with Grantee that Grantor is lawfully seized of the Property in fee simple;
that the Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants
the title to the Property and will defend the same against the lawful claims of all persons whomsoever
lawfully claiming by, through or under Grantor, but against none other. This conveyance is subject to
taxes accruing subsequent to December 31, 2001, and to easements, restrictions, agreements, conditions,
limitations, reservations and matters of record, if any, but this reference to the foregoing shall not operate
to reimpose the same.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and delivered in its

BOX 333-CTI

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8032070
DWI
(TW)

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name by its corporate officer thereunto duly authorized, has caused its corporate seal to be hereunto affixed, and has intended this instrument to be and become effective as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

CNL NET LEASE INVESTORS, L.P.
a California limited partnership

By: CNL Institutional Partners, Inc., a
Florida corporation, General Partner

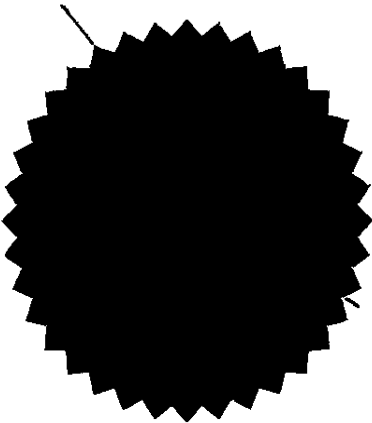
Print Name: LORI HIRT

By: Robert A. Bourne
as its: President

Print Name: Mary Lee Stallings

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 19 day of June, 2002, by Robert A. Bourne as, President of CNL Institutional Partners, Inc., a Florida corporation, General Partner of CNL NET LEASE INVESTORS, L.P. a California limited partnership, on behalf of the partnership. He is personally known to me, and did not take an oath.



sms/sue/BKmelroseDeed.wpd

Print Name: _____
Notary Public, State of Florida
Commission No. _____
My Commission Expires: _____

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Lori Hirt
MY COMMISSION # DD091523 EXPIRES
(February 25, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

STATE TAX
STATE OF ILLINOIS

JUN. 25. 02
REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000031083
REAL ESTATE
TRANSFER TAX
0093200
FP 102808

COUNTY TAX
COOK COUNTY
REAL ESTATE TRANSACTION TAX
JUN. 25. 02
REVENUE STAMP

0000031176
REAL ESTATE
TRANSFER TAX
00466.00
FP 102802

COMMITMENT FOR TITLE INSURANCE
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SCHEDULE A (CONTINUED)

ORDER NO.:

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 6 IN K & M - VENTURE RESUBDIVISION OF LOTS 1 AND 2 IN MANNHEIM-NORTH COMMERCIAL SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID K & M - VENTURE RESUBDIVISION RECORDED DECEMBER 9, 1985 AS DOCUMENT 85316183, AND AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED DECEMBER 19, 1986 AS DOCUMENT NUMBER 86608997, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1, FOR INGRESS AND EGRESS ACROSS A STRIP 30 FEET IN WIDTH RESERVED IN DEED DATED NOVEMBER 30, 1955 FROM INTERNATIONAL HARVESTER COMPANY TO INDIANA HARBOR BELT RAILROAD COMPANY, RECORDED DECEMBER 7, 1955 AS DOCUMENT NO. 26140486 AND AS SET FORTH IN DEEDS DATED AND RECORDED DECEMBER 9, 1984 AS DOCUMENT 85316181 AND AS DOCUMENT 85316182 MADE BY INTERNATIONAL HARVESTER COMPANY TO JOHN M. ZAWALINSKI AND MADE BY JOHN ZAWALINSKI TO AMERICAN NATIONAL BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769 ACROSS LAND DESCRIBED AS:

THE SOUTH 16.50 FEET OF THE NORTH 49.50 FEET OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE COUNTY OF COOK, IN THE STATE OF ILLINOIS, EXCEPT THE WEST 50 FEET THEREOF. DEDICATED FOR THE EAST 1/2 OF MANNHEIM ROAD, AND EXCEPT THEREFROM THAT PART LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT WHICH IS 296.51 FEET WEST OF THE WEST LINE OF CORNELL AVENUE, MEASURED ALONG A LINE PARALLEL TO THE NORTH LINE OF THE SAID SOUTHWEST 1/4, AND 92.2 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST 1/4, AS MEASURED, ALONG A LINE MAKING AN ANGLE WITH THE NORTH LINE OF SAID SOUTHWEST 1/4 OF 90 DEGREES 26 MINUTES DEFLECTED FROM WEST TO SOUTH; THENCE NORTH A DISTANCE OF 92.2 FEET ALONG LAST DESCRIBED LINE TO THE NORTH LINE OF SAID SOUTHWEST 1/4; SAID EASEMENT TO BE AT LOCATION KNOWN AS GATE 5A AS OF THE DATE OF SAID DEEDS OR AT SUCH OTHER RELOCATIONS OF GATE 5A AS MAY BE REQUIRED BY THE GRANTOR FROM TIME TO TIME.

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED, LIMITED AND DEFINED IN CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT DATED DECEMBER 9, 1985 AND RECORDED DECEMBER 9, 1985, AS DOCUMENT 85316185 WHICH ORIGINAL AGREEMENT HAS BEEN SUPPLEMENTED BY JUNIOR DECLARATION OF MUTUAL AND RECIPROCAL EASEMENTS, COVENANTS AND RESTRICTIONS MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769 AND BURGER KING CORPORATION, A CORPORATION OF FLORIDA DATED DECEMBER 11, 1987 AND RECORDED DECEMBER 15, 1987 AS DOCUMENT 87660311 FOR INGRESS AND EGRESS, PASSAGE OF VEHICLES AND PEDESTRIANS, PARKING, UTILITY FACILITIES, CONSTRUCTION, BUILDING ELEMENT AND ROOF FLASHING ENCROACHMENTS, COMMON AREA IMPROVEMENTS AND EXTERIOR LIGHTS IN THOSE LOCATIONS SPECIFIED IN SAID AGREEMENT

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CHICAGO TITLE INSURANCE COMPANY
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COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)

ORDER NO.: _____

AND IN THAT CERTAIN JOINT IMPROVEMENT AGREEMENT DATED DECEMBER 9, 1985, BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769 AND THE MAY DEPARTMENT STORES COMPANY.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN LICENSE AGREEMENT FOR PRIVATE GRADE CROSSING DATED JANUARY 17, 1986 AND RECORDED FEBRUARY 25, 1986 AS DOCUMENT 86077228 MADE BY AND BETWEEN THE INDIANA HARBOR BELT RAILROAD COMPANY AND AMERICAN NATIONAL BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769 TO CONSTRUCT, USE, MAINTAIN, REPAIR, RENEW AND ULTIMATELY REMOVE A TIMBER ASPHALT RAILROAD CROSSING OVER THE INDIANA HARBOR BELT RAILROAD COMPANY TRACKS AS SHOWN ON THE PLANS PREPARED BY MACKIE CONSULTANTS, INC. DATED SEPTEMBER 16, 1985 AND LOCATED ON THAT PORTION OF THE INDIANA HARBOR BELT RAILROAD RIGHT OF WAY AND TRACK LYING (A) SOUTH OF ARMITAGE AVENUE, (B) NORTH OF LOT 1 IN K & M - VENTURE RESUBDIVISION OF LOTS 1 AND 2 IN MANNHEIM-NORTH COMMERCIAL SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND (C) BETWEEN THE EAST LINE OF SAID LOT 1 IN K & M - VENTURE RESUBDIVISION, AS EXTENDED NORTH, AND A LINE 40 FEET TO THE WEST THEREOF, AS SHOWN ON INDIANA HARBOR BELT RAILROAD PLAT NO. 16156-U-4 DATED OCTOBER 16, 1985.

Cook County Clerk's Office

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