

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED (Corporation to Corporation)

0020872385

9925/0112 11 001 Page 1 of 6  
2002-08-08 15:01:20  
Cook County Recorder 31.50



0020872385

~~MAIL TO:~~

Law Office of Carol Lavender  
4553 La Granada Way  
La Canada, California 91011-2017  
Attn.: Carol Lavender

NAME & ADDRESS OF TAXPAYER:

IHOP Realty Corp.  
Attn.: Tax Department  
450 North Brand Blvd., 7th Floor  
Glendale, California 91203-2306

01-10686A  
1072

THIS INDENTURE, made as of this 1<sup>st</sup> day of August, 2002, between OPUS NORTH CORPORATION, an Illinois corporation ("**Grantor**"), and IHOP REALTY CORP., a Delaware corporation, having an address of 450 North Brand Blvd., 7th Floor, Glendale, California 91203-2306 ("**Grantee**"), WITNESSETH, that Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, and pursuant to authority given by the Board of Directors of said corporation, by these presents does GRANT, BARGAIN AND SELL unto Grantee, and to its successors and assigns, FOREVER, all the following described Real Estate (the "**Premises**") situated in the County of Cook, the State of Illinois, known and described as follows, to wit:

Outlot 3 of Willow Creek Center, being a resubdivision of Lots R-1, R-2, and R-3 in North Shore Corporate Park, being a resubdivision recorded December 23, 1999, as Document No. 09192216, all in the Southeast 1/4 and the Northeast 1/4 of Section 22, Township 42 North, Range 12 East of the Third Principal Meridian, in the Village of Glenview, Cook County, Illinois, said plat having been amended by Certificate of Revision and Correction recorded December 29, 1999 as Document 09204789, and further amended by Affidavit recorded April 12, 2001 as Document 0010296621

Permanent Index No.: 04-22-202-016

Property Address: Vacant land located South of Willow Road and West of Ravine Way, Glenview, Cook County, Illinois

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 Grantor, either in law or equity, of, in and to the Premises, with the hereditaments and

AFTER RECORDING, RETURN TO:

Attn: Christine A. Hathaway  
LandAmerica - Nat'l Commercial Svcs.  
10 South LaSalle Street, Suite 2500  
Chicago, IL 60603 CHI-29403

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appurtenances: TO HAVE AND TO HOLD the Premises, with the appurtenances, unto Grantee, its successors and assigns forever.

And Grantor, for itself and its successors, does covenant, promise and agree to and with Grantee, its successors and assigns that it has not done or suffered to be done anything whereby the 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 Premises against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to those matters set forth in Exhibit A attached hereto and made a part hereof.

Property of Cook County Clerk's Office

**COOK COUNTY**  
**REAL ESTATE TRANSACTION TAX**  
AUG. - 8.02  
**REVENUE STAMP**



**REAL ESTATE TRANSFER TAX**  
0043750  
# 0000084775  
FP326670

**STATE OF ILLINOIS**  
AUG. - 8.02  
**REAL ESTATE TRANSFER TAX**  
**DEPARTMENT OF REVENUE**



**REAL ESTATE TRANSFER TAX**  
0087500  
# 0000042509  
FP326669

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In Witness Whereof, said Grantor has caused its name to be signed to these presents by its \_\_\_\_\_ President the day and year first above written.

OPUS NORTH CORPORATION, an Illinois corporation

CRS By: John M. Crocker Jr.  
Name: John M. Crocker, Jr.  
Its: President

Property of Cook County Notary Public's Office

STATE OF ILLINOIS  
COUNTY OF COOK

ss.

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that John M. Crocker Jr., personally known to me to be the \_\_\_\_\_ President of OPUS NORTH CORPORATION, an Illinois corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such \_\_\_\_\_ President, he signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

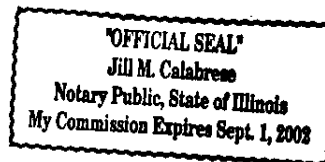
Given under my hand and official seal, this 30<sup>th</sup> day of July, 2002.

Jill M. Calabrese  
Notary Public

[NOTARIAL SEAL]

My Commission Expires: \_\_\_\_\_

PREPARED BY:  
D. Albert Daspin  
McBride Baker & Coles  
One Mid America Plaza, Suite 1000  
Oakbrook Terrace, Illinois 60181-4710



## Exhibit A

### PERMITTED EXCEPTIONS

1. General taxes for the year 2001 and subsequent years.
  2. Amended and Restated Declaration of Protective Covenants for Glenview North Shore Park recorded August 1, 1996 as Document 96590155 and amended by First Amendment to Amended and Restated Declaration of Protective Covenants for Glenview North Shore Park recorded January 12, 1998 as Document 98027733 and Second Amendment recorded August 1, 2001, as Document 0010696675.
  3. Amended and Restated Annexation Agreement made by and between the Village of Glenview, Missionary Sisters Servants of the Holy Spirit and Martathon U.S. Realities, Inc., recorded August 1, 1995 as Document 96590154.
  4. Easement in favor of Ameritech, the Commonwealth Edison Company, Nicor Gas, Chicago Cable TV and the Village of Glenview, and their respective successors and assigns, and the provisions relating thereto contained in the Plat recorded as Document No. 98201977, affecting the west 16 feet of Lots R-2 and R-3, the north 15 feet of Lots R-1 and R-2, and 15 feet along the east line of Lots R-1 and R-2 some of which falls in Ravine Way.
  5. Declaration of Protective Covenants for North Shore Corporate Park recorded April 15, 1998 as Document 98299149.
  6. Tenants' rights in the common areas defined in the unrecorded leases listed below and to those portions of said leases which address prohibited uses and tenant exclusives:
    - A. Memorandum of Lease by and between Opus North Corporation and Officemax, Inc., dated March 13, 2000, recorded April 17, 2000, as Document No. 00268013.
    - B. Lease made by Kohl's Department Stores, Inc., a Delaware corporation and Opus North Corporation dated February 26, 1998, a Memorandum of which was recorded April 23, 1998, as Document No. 98326512.
- Note: Said leases do not include any possessory rights in or to Outlot 3.
7. Easement in favor of Northern Illinois Gas Company recorded as Document No. 99454618, affecting the land described as follows:

The south 5 feet of the north 75 feet lying between the east line of the 16 foot Public Utilities Easement east of Old Willow Road and the west line of the 15 foot Public Utilities Easement lying west of Ravine Way, said Easements created by Document Number 98201977, dated March 13, 1998, all in the South  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 22, Township 42 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois

and also other land.

8. Rights of the adjoining owner(s) to the concurrent use of, and terms, provisions, covenants and restrictions (but omitting any such covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of the United States Code or (B) relates to handicap but does not discriminate against handicapped persons), contained in the Operation and Easement Agreement Between Dayton Hudson Corporation and Opus North Corporation, recorded April 20, 1998 as Document 98312944 which does not contain a reversionary or forfeiture clause. First Amendment to Operation and Easement Agreement Recorded December 29, 1999, as Document No. 09204790 by and between Dayton Hudson Corporation and Opus North Corporation. Assignment of Operation and Easement Agreement and assumption Agreement recorded April 12, 2001, as Document 0010296624, from Opus North Corporation to Pera Willow Creek, Inc.

9. Terms, provisions, covenants and restrictions (but omitting any such covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of the United States Code, or (B) relates to handicap but does not discriminate against handicapped persons), contained in the Declaration of Proration of Cost Allocation under OEA made by Opus North Corporation, and dated as of December 22, 1999, recorded December 29, 1999, as Document Number 09204791 which does not contain a reversionary or forfeiture clause.

10. Terms, provisions, covenants and restrictions (but omitting any such covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of the United States Code, or (B) relates to handicap but does not discriminate against handicapped persons), contained in the Declaration of Water Main Easement made by Opus North Corporation, an Illinois corporation and dated December 22, 1999, recorded December 29, 1999, as Document 09204792, which does not contain a reversionary or forfeiture clause.

11. Terms, provisions, covenants and restrictions (but omitting any such covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of the United States Code, or (B) relates to handicap but does not discriminate against handicapped persons), contained in the Declaration of Restrictive Use made by Opus North Corporation, an Illinois corporation and dated as of December 22, 1999, recorded December 29, 1999, as Document 09204793, which does not contain a reversionary or forfeiture clause.

12. Terms, provisions, covenants and restrictions (but omitting any such covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of the United States Code, or (B) relates to handicap but does not discriminate against handicapped persons), contained in the Declaration of Restrictive Use made by Opus North Corporation and dated as of December 22, 1999, recorded December 29, 1999 as Document 09204794, which does not contain a reversionary or forfeiture clause.

13. Restrictions, covenants, building lines, and easements shown on the Plat of Subdivision recorded December 23, 1999 as Document 09192216.

14. Restrictive Covenant Agreement made by Opus North Corporation and PERA Willow Creek, Inc., dated as of April 12, 2001 as Document 0010296623 and the terms and conditions contained therein.

15. Ten foot (10') Easement in favor of Commonwealth Edison recorded on March 3, 1999 as document 99205676.

16. Rights of others, other than the insured, for concurrent use of the private asphalt driveway lying along the Easterly line of the premises and the asphalt parking area located along the Westerly line of the premises as disclosed by survey prepared by International Land Surveyors as Job No. 02-02-024, dated March 11, 2002 and last revised May 13, 2002.

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