

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED

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2002-12-23 11:28:38  
Cook County Recorder 34.00



0021429750

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THIS INDENTURE, made on the 19th day of December, 2002, by and between the **VILLAGE OF LINCOLNWOOD**, an Illinois municipal corporation ("Grantor"), and **LOWE'S HOME CENTERS, INC.**, a North Carolina corporation ("Grantee").

### WITNESSETH:

THAT Grantor, a home rule municipality in accordance with Article VII Section 6(a) of the Constitution of the State of Illinois of 1970, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by Grantee, the receipt of which is hereby acknowledged, does by these presents, sell and convey unto the said Grantee, its respective successors and assigns, all of its right, title and interest in and to the lots, tracts or parcels of land lying, being and situated in the Village of Lincolnwood, County of Cook, State of Illinois described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

BOX 333-CTL

PIN: 10-35-107-012

Common Address: Northeast Parkway and Touhy Avenue  
Lincolnwood, Illinois

#### **PREPARED BY:**

Joan S. Cherry, Esq.  
Johnson and Comar  
300 South Wacker Drive  
Chicago, Illinois 60606

#### **AFTER RECORDING RETURN TO:**

Harold W Francke, Esq.  
Piper Rudnick  
203 North LaSalle, Suite 1800  
Chicago, Illinois 60601

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TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said Grantee and unto Grantee's heirs, successors and assigns forever, the said Grantor hereby covenanting that the Property is free and clear from any encumbrance done or suffered by Grantor except for those items listed on Exhibit "B" attached hereto and incorporated herein by reference (the "Permitted Exceptions"); and that Grantor will warrant and defend the title to the Property unto the said Grantee and unto Grantee's heirs, successors and assigns forever, against the lawful claims and demands of all persons claiming by, under or through Grantor, subject to the Permitted Exceptions.

IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed the day and year above written.

**VILLAGE OF LINCOLNWOOD,**  
an Illinois municipal corporation

By: *Peter Moy*  
Peter Moy  
Village President

By: *Robert S. Bocwinski*  
Robert S. Bocwinski  
Village Administrator

Date of Execution: *Dec. 18, 2002*

ATTEST:

*Carol Krikorian*  
Carol Krikorian  
Village Clerk

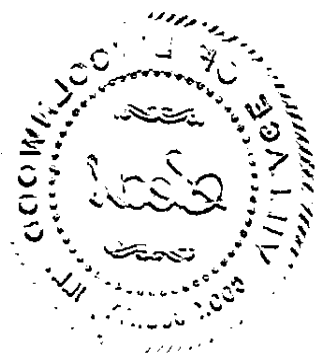
I hereby declare that the attached deed represents a transaction exempt from the provisions of Paragraph 8 Section 4, of the Uniform Gifts to Minors Act.

*Steven Ehrick*      *12/19/02*



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Property of Cook County Clerk's Office



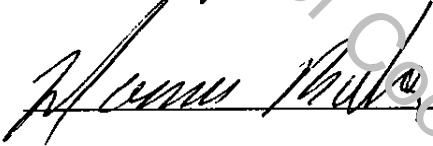
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STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Peter Moy, Robert S. Bocwinski and Carol Krikorian, personally known to me to be the Village President, Village Administrator and Village Clerk, respectively, of the VILLAGE OF LINCOLNWOOD, and personally known to me to be the same persons whose names are subscribed to the foregoing Special Warranty Deed, appeared before me this day in person and severally acknowledged that as such Village President, Village Administrator and Village Clerk, they signed and delivered said Special Warranty Deed as such Village President, Village Administrator and Village Clerk, and caused the corporate seal of said Village to be affixed thereto, pursuant to authority given by the Board of Trustees of said Village, as their free and voluntary act and as the free and voluntary act and deed of said Village, for the purposes therein set forth.

Given under my hand and official seal, this 19 day of DEC, 2002.

  
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## EXHIBIT A

THAT PART OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID NORTHWEST QUARTER AND THE NORTHWESTERLY LINE OF THE 100 FOOT WIDE RAILROAD RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (NOW THE UNION PACIFIC RAILROAD COMPANY), AS OCCUPIED; THENCE SOUTH 67 DEGREES 41 MINUTES 15 SECONDS EAST (ASSUMED BEARING), A DISTANCE OF 18.60 FEET; THENCE SOUTH 22 DEGREES 18 MINUTES 58 SECONDS WEST, A DISTANCE OF 180.57 FEET TO A POINT OF CUSP; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 305.00 FEET, AN ARC LENGTH OF 19.84 FEET, THE CHORD OF SAID ARC HAVING A LENGTH OF 19.84 FEET AND A BEARING OF NORTH 47 DEGREES 14 MINUTES 07 SECONDS WEST; THENCE NORTH 22 DEGREES 18 MINUTES 45 SECONDS EAST ALONG SAID NORTHWESTERLY LINE OF THE 100 FOOT WIDE RAILROAD RIGHT-OF-WAY, A DISTANCE OF 173.64 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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## EXHIBIT B

### PERMITTED EXCEPTIONS

1. Acts of Grantee and those claiming by, through or under Grantee;
2. Reservations contained in deed from Chicago and Northwestern Transportation Company, a Delaware corporation to the Village of Lincolnwood, recorded January 10, 1990 as Document Number 90017152, reserving unto the Grantor, its lessees, licensees, successors and assigns, the right to continue to protect, maintain, operate, and use and all existing drainage, driveways, conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities, and easements of any kind whatsoever on said premises, including the repair, reconstruction and replacement thereof, also provisions regarding erecting and maintaining a fence along the east line of the property and the railroad right of way adjoining, obligations to furnish any driveway or other means of entry and any and all governmental requirements relating to land platting and use.

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## PLAT ACT AFFIDAVIT

STATE OF ILLINOIS

} SS

COUNTY OF COOK

Village of Lincolnwood, an Illinois municipal corporation having an address of 6900 Lincoln Avenue, Lincolnwood, Illinois 60712, being duly sworn on oath, states that the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

OR

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.

2. The division or subdivision of the land into parcels or tracts of five acres or more of size which does not involve any new streets or easements of access.
3. The division of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. 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 public use.
8. Conveyances made to correct descriptions in prior conveyances.
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

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

VILLAGE OF LINCOLNWOOD, an Illinois  
municipal corporation

By: Robert S. Bocwinski  
Name: Robert S. Bocwinski  
Its: Village Administrator

SUBSCRIBED AND SWORN to before me this 18<sup>th</sup>  
day of December, 2002.

Joan S. Cherry  
Notary Public

