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SPECIAL WARRANTY DEED

AMM
1/21

THIS SPECIAL WARRANTY DEED, made this 29th day of December, 2003, by **FIRST INDUSTRIAL, L.P.**, a Delaware limited partnership, party of the first part, and **MLRP TERMINAL 1 LLC**, a Delaware limited liability company, party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE, ALIENATE AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the following described real estate, situated in the County of Will and State of Illinois known and described as follows, to wit.

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

Nes-5938

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 party of the first part, 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 party of the second part, its successors and assigns forever.

DEC

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, 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, it WILL WARRANT AND DEFEND, subject to: SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF.

Permanent Real Estate Number(s): 16-35-200-009, 16-35-200-010, 16-35-200-011 and 16-35-200-021
Address of real estate: 3110-3250 South St. Louis Avenue, Chicago, Illinois

[Signature Page To Follow]

City of Chicago
Dept. of Revenue
328584



Real Estate
Transfer Stamp
\$39,187.50

01/16/2004 10:40 Batch 05385 7



Doc#: 0401603063
Eugene "Gene" Moore Fee: \$34.00
Cook County Recorder of Deeds
Date: 01/16/2004 12:26 PM Pg: 1 of 6

Above Space for Recorder's Use Only

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EXHIBIT A

PARCEL 1:

THAT PART OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTHERLY LINE OF THE RIGHT OF WAY AS CONVEYED TO THE CHICAGO AND GRAND TRUNK RAILROAD COMPANY BY DEED RECORDED AS DOCUMENT 293080 (THE RIGHT OF WAY CONVEYED BY SAID DEED NOW KNOWN AS THAT OF THE ILLINOIS NORTHERN RAILWAY); EXCEPT THAT PART THEREOF DEDICATED FOR CENTRAL PARK AVENUE BY INSTRUMENT RECORDED JUNE 4, 1875 AS DOCUMENT 32096; AND EXCEPT THE EAST 300 FEET OF THE SOUTH 50 FEET THEREOF CONVEYED TO THE CHICAGO AND ILLINOIS WESTERN RAILROAD BY DEED RECORDED AS DOCUMENT 3815763.

PARCEL 2:

THAT PART OF THE WEST 30 FEET OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE NORTH 33 FEET THEREOF AND NORTH OF THE NORTHERLY LINE OF THE RIGHT OF WAY AS CONVEYED TO THE CHICAGO AND GRAND TRUNK RAILROAD COMPANY BY DEED RECORDED AS DOCUMENT 293080 (RIGHT OF WAY CONVEYED BY SAID DEED NOW COMMONLY KNOWN AS THAT OF THE ILLINOIS NORTHERN RAILWAY).

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY GRANT OF EASEMENT BETWEEN S. A. HEALY COMPANY, A CORPORATION AND MORRIS EISEN AND ETHEL EISEN HIS WIFE AND HARRY EISEN AND NIOMA EISEN HIS WIFE, DATED SEPTEMBER 8, 1959 AND RECORDED SEPTEMBER 16, 1959 AS DOCUMENT NO. 17660116 AND AS CORRECTED BY AMENDMENT RECORDED ON OCTOBER 7, 1959 AS DOCUMENT NO. 17679216 FOR INGRESS AND EGRESS AND FOR THE PASSAGE OF TRAFFIC AND FOR THE INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF PAVEMENT AND ALL UTILITIES ON, OVER, AND UNDER THE FOLLOWING DESCRIBED PROPERTY TO WIT:

A PARCEL OF LAND IN THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 35 DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 35, WITH A LINE 30 FEET (MEASURED PERPENDICULARLY) SOUTHERLY FROM AND PARALLEL WITH THE SOUTHERLY RIGHT OF WAY OF THE ILLINOIS NORTHERN RAILWAY COMPANY, SAID POINT OF INTERSECTION BEING 334.07 FEET MORE OR LESS SOUTH FROM THE NORTHWEST CORNER OF SAID EAST 1/2 AND RUNNING THENCE NORTHEASTWARDLY ALONG SAID PARALLEL LINE, A DISTANCE OF 31.63 FEET TO ITS INTERSECTION WITH A LINE 30 FEET (MEASURED PERPENDICULARLY) EAST FROM AND PARALLEL WITH SAID WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4; THENCE SOUTH ALONG THE LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 5.37 FEET; THENCE SOUTHWESTERWARDLY ALONG THE ARC OF A CIRCLE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 226.30 FEET, A DISTANCE OF 87.99 FEET TO A POINT ON THE WEST LINE OF SAID EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 WHICH IS 77.47 FEET SOUTH FROM THE PLACE OF BEGINNING; AND THENCE NORTH ALONG SAID

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WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4, A DISTANCE OF 77.47 FEET TO THE PLACE OF BEGINNING;

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY GRANT OF EASEMENT BETWEEN S. A. HEALY COMPANY, A CORPORATION AND MORRIS EISEN AND ETHEL EISEN, HIS WIFE, AND HARRY EISEN AND NIOMA EISEN, HIS WIFE, DATED SEPTEMBER 8, 1959 AND RECORDED SEPTEMBER 16, 1959 AS DOCUMENT NO. 17660116 AND AS CORRECTED BY AMENDMENT RECORDED ON OCTOBER 7, 1959 AS DOCUMENT NO. 17679218 FOR INGRESS AND EGRESS AND THE PASSAGE OF TRAFFIC OVER SAME AND FOR INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF PAVEMENT AND ALL UTILITIES ON, OVER AND UNDER A STRIP OF LAND 30 FEET WIDE ACROSS THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 39 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTHERLY OF AND ADJOINING THE 50 FOOT RIGHT OF WAY OF THE ILLINOIS NORTHERN RAILWAY COMPANY;

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCEL 1 DATED FEBRUARY 19, 1960 AND RECORDED MARCH 8, 1960 AS DOCUMENT 17798729 CREATED BY GRANT MADE BY THE ATCHISON TOPEKA AND SANTA FE RAILWAY COMPANY AND ILLINOIS NORTHERN RAILWAY COMPANY TO NEAR SOUTH CO., INC., FOR A PRIVATE ROAD UPON AND ACROSS THE TRACKS AND THE FOLLOWING DESCRIBED LAND:

A STRIP OF LAND 33 FEET IN WIDTH, BEING ALL THAT PART OF THE PROPERTY OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WESTERLY OF AND ADJOINING THE EAST LINE OF THE WEST 1/2 OF SAID QUARTER SECTION;

PARCEL 6:

EASEMENT FOR THE BENEFIT OF PARCEL 1 DATED FEBRUARY 19, 1960 AND RECORDED MARCH 8, 1960 AS DOCUMENT NO. 17798730 CREATED BY GRANT MADE BY THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY AND THE ILLINOIS NORTHERN RAILWAY COMPANY TO NEAR SOUTH CO., INC., FOR PRIVATE ROAD UPON AND ACROSS THE TRACKS AND FOLLWOING DESCRIBED LAND:

A STRIP OF LAND 33 FEET IN WIDTH, BEING ALL THAT PART OF THE PROPERTY OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WESTERLY OF A LINE 33 FEET EASTERLY OF AND PARALLEL TO THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF SAID QUARTER SECTION; ALL IN COOK COUNTY, ILLINOIS

TAX NO.: 16-35-200-009	VOL. NO.: 580	(AFFECTS PART PARCEL 1)
TAX NO.: 16-35-200-010	VOL. NO.: 580	(AFFECTS PART PARCEL 1)
TAX NO.: 16-35-200-011	VOL. NO.: 580	(AFFECTS THE REMAINDER OF PARCEL 1)
TAX NO.: 16-35-200-021	VOL. NO.: 580	(AFFECTS PARCEL 2)

3110-3250 S. ST. LOUIS, CHICAGO, IL

UNOFFICIAL COPY**EXHIBIT B****PERMITTED EXCEPTIONS**

1. GENERAL TAXES FOR THE YEAR(S) 2002, 2003 AND SUBSEQUENT YEARS, NOT YET DUE OR PAYABLE.
2. RIGHT OF ILLINOIS NORTHERN RAILWAY TO CONSTRUCT, OPERATE AND MAINTAIN LEAD SWITCH TRACKS; TO EXTEND LATERAL SLOPES OF THE EMBANKMENT OR TO CONSTRUCT AND MAINTAIN A RETAINING WALL OR OTHER NECESSARY CONSTRUCTION FOR THE CONFINEMENT OF SAID EMBANKMENT UPON A TRIANGULAR STRIP OF LAND SOUTH OF AND ADJOINING THE RAILROADS RIGHT-OF-WAY AS SET FORTH AND DEFINED IN INSTRUMENT RECORDED NOVEMBER 1, 1923 AS DOCUMENT 8169645. (AFFECTS PARCEL 1)
3. EASEMENT IN FAVOR OF THE SANITARY DISTRICT OF CHICAGO FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN INTERCEPTING SEWER AS SET FORTH AND DEFINED IN DOCUMENTS RECORDED NOVEMBER 25, 1927 AS DOCUMENT 9238237, MAY 9, 1928 AS DOCUMENT 10017119 AND JUNE 7, 1928 AS DOCUMENT 10048604. (AFFECTS PARCEL 1)
4. EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY FOR POLE LINES, CONDUITS AND INCIDENTAL PURPOSES AS SET FORTH AND DEFINED IN INSTRUMENT RECORDED FEBRUARY 8, 1960 AS DOCUMENT 17776354. (AFFECTS PARCEL 1)
5. TERMS, CONDITIONS AND PROVISIONS OF THE DOCUMENT CREATING THE EASEMENTS DESCRIBED AS PARCEL 3 (DOCUMENT 17660116 AMENDED BY DOCUMENT 17679218) AND PARCEL 4 (DOCUMENTS 17798729 AND 17798730), TOGETHER WITH THE RIGHTS OF THE ADJOINING OWNERS IN AND TO THE CONCURRENT USE OF SAID EASEMENT. (AFFECTS PARCELS 1 AND 2)
6. EASEMENT FOR INGRESS AND EGRESS FOR TRUCK TRAFFIC OVER UPON AND THROUGH THAT PORTION OF THE LAND AS SET FORTH AND DEFINED IN EASEMENT AGREEMENT RECORDED SEPTEMBER 15, 1959 AS DOCUMENT 17658787. (AFFECTS PARCEL 2)
7. EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY FOR POLE LINES, CONDUITS, AND INCIDENTAL PURPOSES RECORDED SEPTEMBER 30, 1959 AS DOCUMENT 17673264. (AFFECTS PARCEL 3)

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8. EASEMENTS FOR INGRESS AND EGRESS AND CONSTRUCTION, OPERATION AND MAINTENANCE OF SIDE TRACKS RECORDED JANUARY 6, 1938 AS DOCUMENT 12103549 AND RECORDED MARCH 3, 1931 AS DOCUMENT 10839000. (AFFECTS PARCEL 3)
9. EASEMENT IN FAVOR OF THE SANITARY DISTRICT OF CHICAGO FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN INTERCEPTING SEWER AS SET FORTH AND DEFINED IN DOCUMENT JUNE 7, 1928 AS DOCUMENT 10048604. (AFFECTS PARCELS 3 AND 4)

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2024