



03-29056

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Houston, TX 77010-3095

Doc#: 0411718040
Eugene "Gene" Moore Fee: \$32.50
Cook County Recorder of Deeds
Date: 04/26/2004 11:46 AM Pg: 1 of 5

ILLINOIS SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 15th day of April 2004, between **Archibald Candy Corporation**, a Delaware corporation authorized to transact business in the State of Illinois, having an office at 1137 W. Jackson Blvd., Chicago, IL 60607, as debtor and debtor-in-possession under In Re: Archibald Candy Corporation, et. al., United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, Case No. 04 B 03200 ("**Grantor**"), and **OLB, LLC**, a Delaware limited liability company having an office at c/o North Development, Ltd., 110 North York Road, Elmhurst, Illinois 60126 ("**Grantee**").

WITNESSETH that Grantor, in consideration of the sum of **Ten Dollars (\$10.00)** and other good and valuable consideration paid, the receipt of which are hereby acknowledged, does **SELL AND CONVEY** unto Grantee, its successors and assigns:

ALL THAT CERTAIN tract, parcel or piece of land situated in the County of Cook, State of Illinois, more fully described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

SUBJECT TO those permitted encumbrances shown on **Exhibit "B"** attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto Grantee, its successors and assigns forever, together with all oil, gas and minerals thereon, if any, and the following rights, if any, owned by or in favor of Grantor, all sewer and wastewater discharge capacity allocated or reserved thereto, all potable water capacity allocated or reserved thereto, all other utility rights allocated or reserved thereto, all development rights with respect thereto and any right and interest of Grantor in and to adjacent streets, alleys, rights-of-way and any adjacent strips or gores of real property; Grantor hereby covenants that the said premises are free and clear from any encumbrance made or suffered by Grantor other than those permitted encumbrances described on **Exhibit "B"**; and that it will **WARRANT** and **DEFEND** the title to said premises unto Grantee and its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other.

UNOFFICIAL COPY

IN WITNESS WHEREOF, Grantor has set its hand unto this Special Warranty Deed the day and year written above.

Archibald Candy Corporation,
a Delaware corporation

By: *[Signature]*
Name: Richard J. Anglin
Title: Vice President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

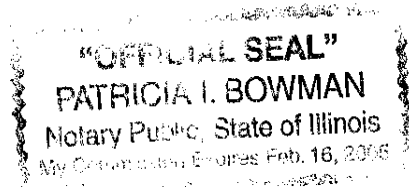
I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Richard J. Anglin personally known to me to be the Vice President of **Archibald Candy Corporation**, a Delaware corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President, he signed and delivered said instrument as Vice President 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 15th day of April, 2004.

Commission expires 02/16, 2005 *Patricia I. Bowman*
Notary Public

Mail Tax Bills To:

OLB, LLC
c/o North Development, Ltd.
110 North York Road
Elmhurst, IL 60126
Attn: Calvin D. Boender



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EXHIBIT A

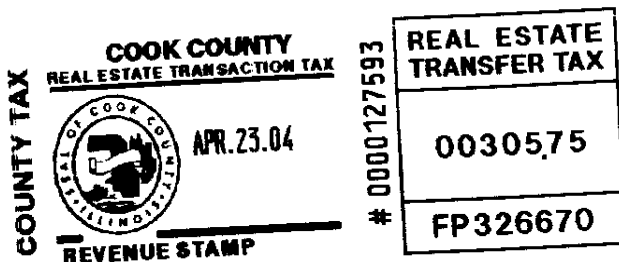
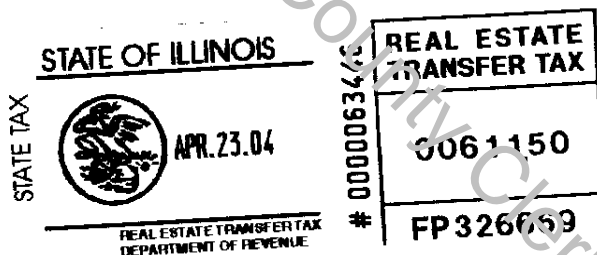
LEGAL DESCRIPTION

Lots 14 to 18, both inclusive, in block 3 in Torrence Bernice addition, (excepting therefrom that part taken by the Department of Transportation in case number 93L50412), being a subdivision of the Southwest 1/4 of the Northwest 1/4 (except the East 16 rods thereof, and except the South 264 feet of the West 165 feet of the East 429 feet of the Southwest 1/4 of the Northwest 1/4 aforesaid, also excepting all that part, if any, falling within the South 16 rods of the West 10 rods of the East 26 rods of the North 80 rods) in Section 30, Township 36 North, Range 15 East of the Third Principal Meridian, in Cook County, Illinois.

Permanent Tax ID#:
 30-30-108-015
 30-30-108-016
 30-30-108-017
 30-30-108-018
 30-30-108-019

Common Address: 17245 S. Torrence Avenue, Lansing, IL 60438

Store No. 213



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EXHIBIT B

PERMITTED EXCEPTIONS

- 1) REAL ESTATE TAXES FOR THE YEAR 2003 AND SUBSEQUENT YEARS.
- 2) COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN INSTRUMENT RECORDED AS DOCUMENT NUMBER 10488011 DATED SEPTEMBER 24, 1929, RELATING TO, AMONG OTHER THINGS, USE AND ONLY BRICK OR SIMILAR CONSTRUCTION IS TO BE USED IN IMPROVING SAID LOT. (AFFECTS LOT 14).
- 3) COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DEED FROM UNION BANK OF CHICAGO, AS TRUSTEE, TO ALBERT GEORGE WENNINGER, WILLIAM C. TURK AND WILLIAM KLEIN DATED MARCH 7, 1928 AND RECORDED JUNE 2, 1928 AS DOCUMENT NUMBER 10041890, RELATING TO, AMONG OTHER THINGS, USE, CHARACTER, AND CONSTRUCTION OF BUILDINGS TO BE ERECTED ON THE LAND. (AFFECTS LOTS 17 AND 18).
- 4) COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DEED FROM UNION BANK OF CHICAGO, AS TRUSTEE, TO EMIL G. FORMHALS DATED AUGUST 27, 1929 AND RECORDED OCTOBER 2, 1929 AS DOCUMENT NUMBER 10495411, RELATING TO, AMONG OTHER THINGS, USE OF THE LAND AND CONSTRUCTION OF BUILDINGS TO BE ERECTED ON THE LAND. (AFFECTS LOT 15).
- 5) TERMS, PROVISIONS, COVENANTS, CONDITIONS AND LIMITATIONS OF THE ABROGATION AGREEMENT DATED JULY 30, 1975 AND RECORDED JULY 31, 1975 AS DOCUMENT NUMBER 23171724.
- 6) TERMS, PROVISIONS, COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN WARRANTY DEED RECORDED AS DOCUMENT NUMBER 25298774 MADE BY MARATHON OIL COMPANY TO FANNIE MAY CANDY SHOPS, INC., BY WHICH: GRANTEE AGREES THAT FOR A PERIOD OF 25 YEARS FROM AND AFTER THE DATE OF THIS CONVEYANCE, THE PREMISES SHALL NOT BE USED FOR THE SALE, MARKETING, STORAGE OR ADVERTISING OF PETROLEUM FUELS, AND THAT THIS RESTRICTION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE CONTAINED IN AND MADE A PART OF EVERY DEED, MORTGAGE, LEASE OR OTHER INSTRUMENT AFFECTING THE TITLE TO SAID PREMISES, SUCH RESTRICTION SHALL NOT, HOWEVER, PROHIBIT THE STORAGE OF PETROLEUM FUELS ON THE PROPERTY FOR THE PURPOSE OF USE OR CONSUMPTION BY OCCUPANTS. (AFFECTS ALL).

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- 7) RIGHTS OF THE PUBLIC OR QUASI-PUBLIC UTILITIES AS DISCLOSED BY SURVEY MADE BY GREMLEY & BIEDERMANN INC. DATED JUNE 29, 2001, ORDER NUMBER 1011255, DEPICTING THE FOLLOWING:

OVERHEAD WIRES, UTILITY POLES, AND ILLINOIS BELL TELEPHONE BOX.
- 8) ENCROACHMENT OF THE FENCE LOCATED MAINLY ON THE LAND AND ONTO THE PROPERTY EAST AND ADJOINING BY APPROXIMATELY 1.00 FEET, AS DISCLOSED BY SURVEY MADE BY GREMLEY & BIEDERMANN INC. DATED JUNE 29, 2001, ORDER NUMBER 1011255.

Property of Cook County Clerk's Office