



1 OF 2
03-24256

SPECIAL WARRANTY DEED

Doc#: 0435627055
Eugene "Gene" Moore Fee: \$54.50
Cook County Recorder of Deeds
Date: 12/21/2004 12:08 PM Pg: 1 of 4

THIS DEED, dated as of the 15th day of December, 2004, by and between WINTHROP PARTNERS 79 LIMITED PARTNERSHIP, a Massachusetts limited partnership, formerly known as Winthrop Partners 79, a Massachusetts limited partnership having its principal place of business at 7 Bulfinch Place, Suite 500, P.O. Box 9507, Boston, MA 02114-9507 (hereinafter "Grantor"), and FRANK'S NURSERY & CRAFTS, INC., a Delaware corporation whose mailing address is 580 Kirts Boulevard, Suite 300, Troy, Michigan 48084 (hereinafter "Grantee").

WITNESSETH:

THAT said Grantor, in consideration of the sum of Ten Dollars and No/100 (\$10.00) and other good and valuable consideration to it paid by Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and warrant unto the said Grantee, its successors and assigns, the lots, tracts or parcels of land lying, being and situated in the County of Cook, State of Illinois, and described on Exhibit A attached hereto and incorporated herein by reference, subject to any and all validly existing encumbrances, easements, conditions and restrictions relating to the hereinabove described Property as now reflected by the land records of Cook County, Illinois.

TOGETHER WITH, all buildings, improvements and fixtures now located on the premises and hereafter erected thereon, whether below or above grade level which are intended to be and remain real property, and to become and remain the sole and exclusive property of the Grantee and its successors and assigns.

TO HAVE AND TO HOLD, the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever.

Grantor hereby covenants that the premises are free and clear from any encumbrance done or suffered by Grantor, and that Grantor will warrant and defend the title to said premises unto the said Grantee and unto Grantee's heirs, successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under Grantor, but not otherwise. Grantor hereby expressly limits the covenants of the deed to those expressed herein and excludes all covenants arising or to arise by statutory or other implication.

PREPARED BY:

William W. Post, Esquire
Post Heymann & Koffler LLP
Two Jericho Plaza, Wing A, Suite 111
Jericho, New York 11753

UNOFFICIAL COPY

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

SELLER:

WINTHROP PARTNERS 79 LIMITED PARTNERSHIP,
a Massachusetts limited partnership, formerly known as
Winthrop Partners 79, a Massachusetts limited partnership

By: One Winthrop Properties, Inc.,
its managing general partner

By: _____
John Alba,
Vice President

ATTEST:

By: Allison Forrester
Allison Forrester,
Assistant Secretary

Patricia Jannette
Witness

David Kar
Witness

AFTER RECORDING, RETURN TO:

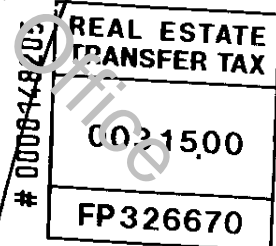
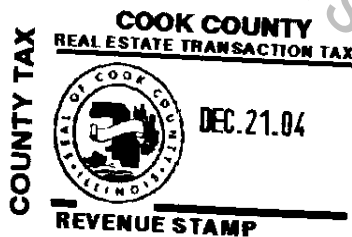
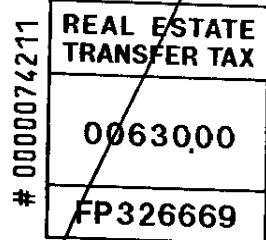
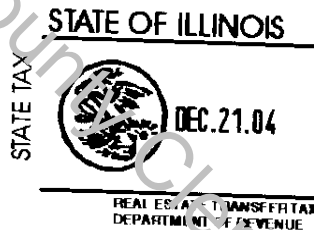
LandAmerica Financial Group, Inc.
One Market, Spear Tower, Suite 1850
San Francisco, CA 94105

SEND SUBSEQUENT TAX BILLS TO:

Frank's Nursery & Crafts, Inc.,
580 Kirts Blvd., Suite 300
Troy, Michigan 48084

COMMON ADDRESS:
4500 West Roosevelt
Hillside, Illinois

PERMANENT TAX INDEX NO.: 15-17-304-089; 15-17-304-090;

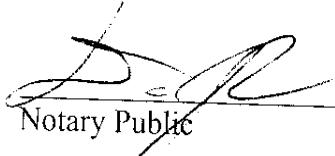


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STATE OF NEW YORK)
)
 COUNTY OF NASSAU) ss:

BE IT REMEMBERED, that on this 10th day of December, before me, the subscriber, a Notary Public in and for said County and State, personally came John Alba and Allison Forrester, the Vice President and Assistant Secretary, respectively, of One Winthrop Properties, Inc., the managing general partner of Winthrop Partners 79 Limited Partnership, a Massachusetts limited partnership, the limited partnership which executed the foregoing instrument, who acknowledged that they did sign said instrument in such capacities on behalf of said limited partnership, duly authorized; that said instrument was signed as their free act and deed individually and the free act and deed of said limited partnership.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.



 Notary Public

My Commission Expires:

DAVID J. HEYMANN
Notary Public State of New York
No. 02HE5039009
Qualified in Nassau County
Commission Expires February 13, 20____

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EXHIBIT A

LEGAL DESCRIPTION

Lot 4 (except the North 80 feet thereof and except the East 149.89 feet thereof) and Lot 5 (except the North 318 feet thereof and except the West 76.86 feet thereof) in Hillside Congress Executive Park, being a subdivision of part of the South West $\frac{1}{4}$ of Section 17, Township 39 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded December 6, 1966, as Document No. 20016140, in Cook County, Illinois.

Property of Cook County Clerk's Office