


# UNOFFICIAL COPY

Date: September 20, 2004

  
Signature of Grantor or Attorney

This document was prepared by and upon recording return to:



Kutak Fock LLP  
Suite 2100  
225 Peachtree Street, N.E.  
Atlanta, GA 30303-1731  
Attention: Drew Marlar, Esq.

Doc#: 0502627103  
Eugene "Gene" Moore Fee: \$70.50  
Cook County Recorder of Deeds  
Date: 01/26/2005 03:49 PM Pg: 1 of 8

P.I.N.: 14-28-302-002-0000; 14-28-302-003-0000; 14-28-302-004-0000;  
14-28-302-007-0000; 14-28-302-056-0000; 14-28-302-057-0000;  
14-28-302-060-0000; 14-28-302-062-0000

## WARRANTY DEED

THIS DEED IS CONVEYED FROM GRANTOR TO GRANTEE FOR NO (\$0) ACTUAL CONSIDERATION AND THEREFORE IS EXEMPT FROM ALL STATE, COUNTY, AND REAL ESTATE TRANSFER TAX. See 35 ILCS 200/31-45(e); 55 ILCS 5/5-1031. *9-20-04 H.A. Moore*

THIS INDENTURE, made this 20 day of September, 2004, between HOME DEPOT U.S.A., INC., a Delaware corporation, whose address is 2455 Paces Ferry Road, Atlanta, Georgia 30339, party of the first part, and HD DEVELOPMENT OF MARYLAND, INC., a Maryland corporation, whose address is c/o Home Depot U.S.A., Inc., 2455 Paces Ferry Road, Atlanta, Georgia 30339, party of the second part.

WITNESSETH, that the party of the first part, for and in consideration of the sum of \$0.00, by the party of the second part, the receipt of which is hereby acknowledged, by these presents does **REMISE, RELEASE, ALIENATE AND CONVEY** unto the party of the second part, **FOREVER**, all the following described real estate, situated in the County of Cook and State of Illinois, known and described on Exhibit A attached hereto and made a part hereof (Permanent Real Estate Index Numbers 14-28-302-002-0000; 14-28-302-003-0000; 14-28-302-004-0000; 14-28-302-007-0000; 14-28-302-056-0000; 14-28-302-057-0000; 14-28-302-060-0000; 14-28-302-062-0000), together with all and singular the hereditaments and appurtenances belonging thereto, or in anyway appertaining, and the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part,

Real Estate  
Transfer Stamp  
\$0.00  
City of Chicago  
Dept. of Revenue  
366595  
01/26/2005 12:27 Batch 053/7 64

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P-7  
S-Y  
M-Y  
M.T. 8*

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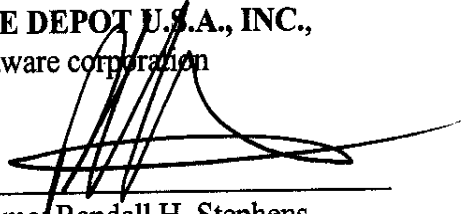
either at law or in equity of, in and to the above-described premises. No personalty is conveyed or is intended to be conveyed hereby.

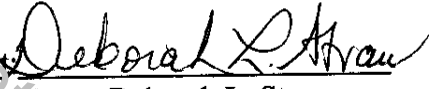
**TO HAVE AND TO HOLD** the said premises as described above, unto the party of the second part, forever.

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 and its successors 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 it **WILL WARRANT AND DEFEND** said premises against the claims of all persons whomsoever.

**IN WITNESS WHEREOF**, said party of the first part has executed and sealed this Deed, the day and year first above written.

**HOME DEPOT U.S.A., INC.**,  
a Delaware corporation

By:   
Name: Randall H. Stephens  
Title: Senior Director – Real Estate Law

  
Name: Deborah L. Straw  
Title: Assistant Secretary

(AFFIX CORPORATE SEAL)



Send Subsequent Tax Bills to:

HD Development of Maryland, Inc.  
c/o Home Depot U.S.A., Inc.  
a Delaware corporation  
2455 Paces Ferry Road  
Atlanta, Georgia 30339

Mail recorded document to:

Kutak Rock LLP  
Suite 2100  
225 Peachtree Street, N.E.  
Atlanta, GA 30303-1731  
Attention: Drew Marlar, Esq.

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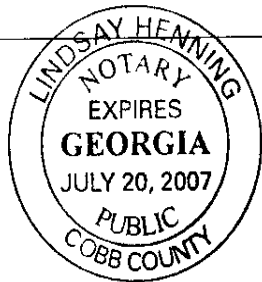
STATE OF GEORGIA )  
 )  
COUNTY OF COBB )

I, Lindsay Henning, a Notary Public in and for said State aforesaid, do hereby certify that Randall H. Stephens and Deborah L. Straw, personally known to me to be the Senior Director – Real Estate Law and Assistant Secretary respectively of Home Depot U.S.A., Inc., a Delaware corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such officers, they signed and delivered the said instrument as their 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 notarial seal this 20 day of September, 2004.

*Lindsay Henning*  
Notary Public

My Commission expires:



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## EXHIBIT A

### PARCEL 1:

THE SOUTH 20 FEET OF LOT 2, ALL OF LOTS 3 TO 16, TOGETHER WITH THAT PART OF LOT 17 LYING NORTH OF A LINE 1.85 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOT 17, ALL IN BLOCK 2 IN THE SUBDIVISION OF OUTLOT 'E' IN WRIGHTWOOD IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

EXCEPT THAT PART LYING BETWEEN THE ELEVATIONS OF 17.99 FEET AND 34.14 FEET (CHICAGO CITY DATUM), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 2; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID BLOCK, 325.24 FEET

TO THE WESTERLY EXTENSION OF THE CENTERLINE OF A PARTY WALL; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID WESTERLY EXTENSION, 3.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 50.33 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 14.31 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 50.97 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 4.31 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 4.02 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 16.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 5.51 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 2.00 FEET; THENCE SOUTH 39 DEGREES 42 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 22.94 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 16.71 FEET; THENCE NORTH 57 DEGREES 22 MINUTES 03 SECONDS WEST ALONG SAID CENTERLINE, 33.28 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 32.94 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 0.79 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 18.50 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 26.83 FEET TO THE POINT OF BEGINNING;

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AND ALSO EXCEPT THAT PART LYING BETWEEN THE ELEVATIONS OF 35.45 FEET AND 51.51 FEET (CHICAGO CITY DATUM), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 2; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID BLOCK, 307.24 FEET TO THE WESTERLY EXTENSION OF THE CENTERLINE OF A PARTY WALL; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST, 0.76 FEET ALONG SAID WESTERLY EXTENSION TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 5.00 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 0.69 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 94.84 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 27.29 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 4.65 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 16.02 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 9.62 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 1.86 FEET; THENCE SOUTH 39 DEGREES 42 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 23.12 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 15.20 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 29.37 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 29.56 FEET TO THE CENTERLINE OF A PARTY WALL; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 8.79 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 32.79 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 37.20 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 21.66 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 47.00 FEET TO THE POINT OF BEGINNING;

ALL IN COOK COUNTY, ILLINOIS.

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PARCEL 2:

EASEMENTS AND RIGHTS FOR THE BENEFIT OF PARCEL 1 CONTAINED IN THE CONSTRUCTION, OPERATION, RESTRICTION AND EASEMENT AGREEMENT DATED FEBRUARY 11, 2002 AND RECORDED MAY 8, 2003 AS DOCUMENT 0312844087 MADE BY AND BETWEEN HOME DEPOT U.S.A., INC. AND 2665 NORTH HALSTED LLC OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF BLOCK 2 IN THE SUBDIVISION OF OUTLOT 'E' IN WRIGHTWOOD IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING BETWEEN THE ELEVATIONS OF 17.99 FEET AND 34.14 FEET (CHICAGO CITY DATUM), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 2; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID BLOCK, 325.24 FEET TO THE WESTERLY EXTENSION OF THE CENTERLINE OF A PARTY WALL; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID WESTERLY EXTENSION, 3.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 50.33 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 14.31 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 50.97 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 4.31 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 4.02 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 16.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 5.51 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 2.00 FEET; THENCE SOUTH 39 DEGREES 42 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 22.94 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 16.71 FEET; THENCE NORTH 57 DEGREES 22 MINUTES 03 SECONDS WEST ALONG SAID CENTERLINE, 33.28 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 32.94 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 0.79 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 18.50 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 26.83 FEET TO THE POINT OF BEGINNING;

AND ALSO

THAT PART OF BLOCK 2 IN THE SUBDIVISION OF OUTLOT 'E' IN WRIGHTWOOD IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING BETWEEN THE ELEVATIONS OF 35.45 FEET AND 51.51 FEET (CHICAGO CITY DATUM), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 2; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID BLOCK, 307.24 FEET TO THE WESTERLY EXTENSION OF THE CENTERLINE OF A PARTY WALL; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST, 0.76 FEET ALONG SAID WESTERLY EXTENSION TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 5.00 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 0.69 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 94.84 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 27.29 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 4.65 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10

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SECONDS EAST ALONG SAID CENTERLINE, 16.02 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 50 SECONDS EAST ALONG SAID CENTERLINE, 9.62 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 1.86 FEET; THENCE SOUTH 39 DEGREES 42 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 23.12 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 15.20 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 10 SECONDS EAST ALONG SAID CENTERLINE, 29.37 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 29.66 FEET TO THE CENTERLINE OF A PARTY WALL; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST ALONG SAID CENTERLINE, 8.79 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST ALONG SAID CENTERLINE, 32.79 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 37.20 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 50 SECONDS WEST, 21.66 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 10 SECONDS WEST, 47.00 FEET TO THE POINT OF BEGINNING;

ALL IN COOK COUNTY, ILLINOIS.

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## STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated January 26, 2005 Signature [Handwritten Signature]  
Agent

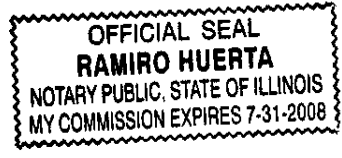
Subscribed and sworn to before me

by the said Gary J. Cichon

this 26<sup>th</sup> day of January, 2005

[Handwritten Signature]

Notary Public



The grantee or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated January 26, 2005 Signature [Handwritten Signature]  
Agent

Subscribed and sworn to before me

by the said Gary J. Cichon

this 26<sup>th</sup> day of January, 2005

[Handwritten Signature]

Notary Public



NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C Misdemeanor for the first offence and of a Class A Misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if except under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)