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This Instrument Prepared by:

Shepard Gould, Esq.
DLA Piper Rudnick Gray Cary US LLP
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293

After Recording Return to:

Michael Levick, Esq.
Grobart & Levick, LLC
770 Lake Cook Road, Suite 150
Deerfield, Illinois 60015

Send Subsequent Tax Bills to:
Lori Ann Ogolin
Inland Real Estate Corporation
Property Tax Department
2805 Butterfield Road
Oak Brook, Illinois 60523



Doc#: 0512411465
Eugene "Gene" Moore Fee: \$60.00
Cook County Recorder of Deeds
Date: 05/04/2005 01:32 PM Pg: 1 of 19

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SPECIAL WARRANTY DEED

This Indenture, made this 13th day of April, 2005, between (i) **JES Orland, LLC**, an Illinois limited liability company; (ii) **The Collins Family Limited Partnership**, an Illinois limited partnership; (iii) **The Hulina Family Limited Partnership**, an Illinois limited partnership; (iv) **RES Orland, LLC**, an Illinois limited liability company; (v) **Dennis J. Hiffman**; (vi) **MSP Orland, LLC**, an Illinois limited liability company; (vii) **TCB Orland, LLC**, an Illinois limited liability company; (viii) **Orland II, L.L.C.**, an Illinois limited liability company; and (ix) **WPC-Orland II, L.L.C.**, a Delaware limited liability company; as tenants-in-common, collectively the party of the first part, and **INLAND ORLAND PARK PLACE II, L.L.C.**, a Delaware limited liability company, and having its principal place of business at 2901 Butterfield Road, Oak Brook, Illinois 60523, 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 Dollars (\$10.00) and other good and valuable consideration in hand paid, by the party of the second part, the receipt of which is hereby acknowledged, by these presents does REMISE, RELEASE,

Box 400-CTCC

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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 as follows, to wit: See Exhibit A (the "**Property**").

Together with all and singular hereditaments and appurtenances belonging there, 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, either at law or in equity of, in and to the Property, with the hereditaments and appurtenances:

TO HAVE AND TO HOLD the Property as described above, with the appurtenances, 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 Property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that it WILL WARRANT AND DEFEND, said Property against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to those matters affecting the Property as identified in the attached Exhibit B (the "**Permitted Exceptions**").

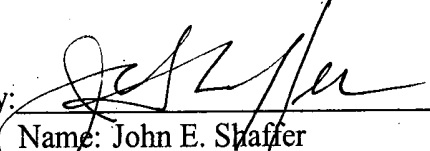
This instrument may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[signature pages follow]

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IN WITNESS WHEREOF, said party of the first part has caused this instrument to be executed as of the day and year first above written.

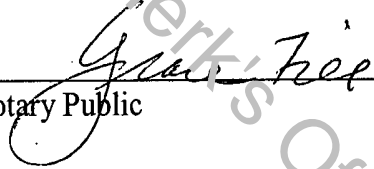
JES ORLAND, LLC, an Illinois limited liability company

By: 
 Name: John E. Shaffer
 Title: Authorized Signatory

Property of Cook County Clerk's Office


STATE OF IL)
) SS.
 COUNTY OF Cook)


I Grace Fill do hereby certify that John E. Shaffer, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 1 day of April, 2005.


 Notary Public

My Commission Expires:
7/28/05

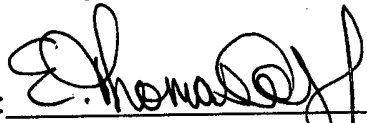


STATE TAX	STATE OF ILLINOIS	# 0000018907	REAL ESTATE TRANSFER TAX
	 MAY.-3.05		4400350
	REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE		FP326660

COUNTY TAX	COOK COUNTY	# 0000158442	REAL ESTATE TRANSFER TAX
	 MAY.-3.05		2200175
	REAL ESTATE TRANSACTION TAX REVENUE STAMP		FP326670

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THE COLLINS FAMILY LIMITED PARTNERSHIP, an Illinois limited partnership

By: 
Name: E. Thomas Collins, Jr.
Title: Authorized Signatory

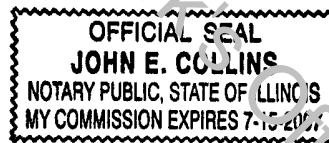
STATE OF IL)
COUNTY OF Cook) SS.

I JOHN E. COLLINS do hereby certify that E. Thomas Collins, Jr., 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 5th day of APRIL, 2005.


Notary Public

My Commission Expires:

7-15-07



UNOFFICIAL COPY

THE HULINA FAMILY LIMITED PARTNERSHIP, an Illinois limited partnership

By: *Richard E. Hulina*

Name: Richard E. Hulina
Title: Authorized Signatory

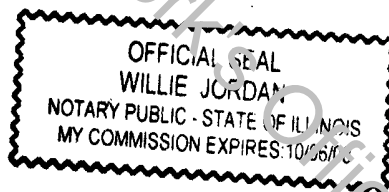
Property of Cook County Office

STATE OF IL)
) SS.
COUNTY OF Cook)

I *Willie Jordan* do hereby certify that Richard E. Hulina, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 1 day of April, 2005.

Willie Jordan
Notary Public

My Commission Expires:
10/06/08



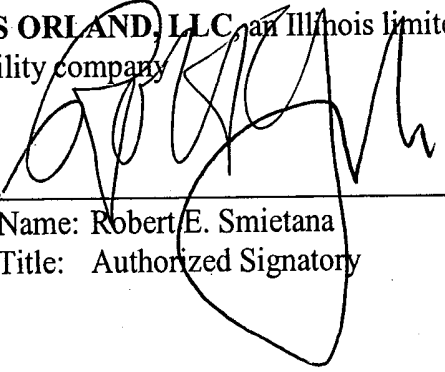
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RES ORLAND, LLC, an Illinois limited liability company

By: _____

Name: Robert E. Smietana

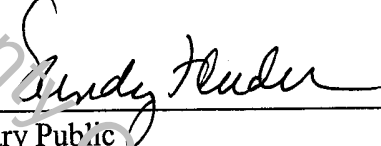
Title: Authorized Signatory



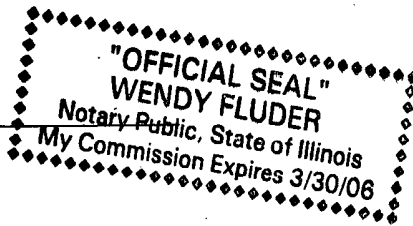
STATE OF IL)
) SS.
COUNTY OF COOK)

I the undersigned do hereby certify that Robert E. Smietana, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 1 day of April, 2005.

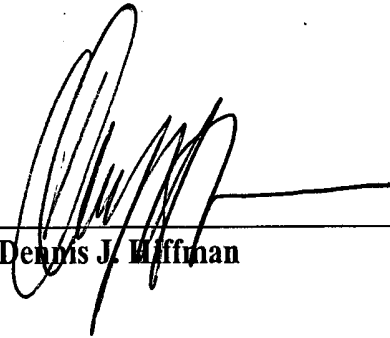
Notary Public



My Commission Expires:



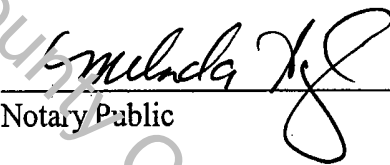
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Dennis J. Hiffman

STATE OF IL)
)
COUNTY OF COOK) SS.

I Melinda Aguilar do hereby certify that Dennis J. Hiffman, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 4th day of April, 2005.



Notary Public

My Commission Expires:

07-09-06



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MSP ORLAND, LLC, an Illinois limited liability company

By: *Melissa S. Pielet*
Name: Melissa S. Pielet
Title: Authorized Signatory

STATE OF IL)
)
COUNTY OF Cook) SS.

I Grace Fill do hereby certify that Melissa S. Pielet, 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 she signed and delivered the said instrument as her free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 1 day of April, 2005.

Grace Fill
Notary Public

My Commission Expires:
7/28/05



UNOFFICIAL COPY

TCB ORLAND, LLC, an Illinois limited liability company

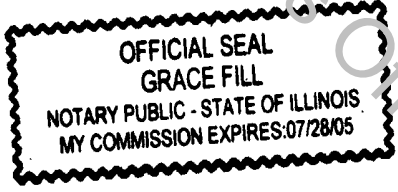
By: *[Signature]*
Name: Timothy C. Blum
Title: Authorized Signatory

STATE OF FL)
COUNTY OF Cook) SS.

I Grace Fill do hereby certify that Timothy C. Blum, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 1 day of April, 2005.

Grace Fill
Notary Public

My Commission Expires:
7/28/05



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ORLAND II, L.L.C., an Illinois limited liability company

By: *TC Blum*

Name: Timothy C. Blum

Title: Authorized Signatory

STATE OF IL)

COUNTY OF Cook)

SS.

I Grace Fill do hereby certify that Timothy C. Blum, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 1 day of April, 2005.

Grace Fill
Notary Public

My Commission Expires:

7/28/05



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WPC-ORLAND II, L.L.C., a Delaware
limited liability company

By: *William P. Colson*
Name: William P. Colson
Title: Sole Equity and Managing Board
Member

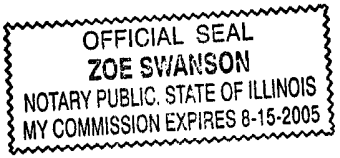
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I Zoe Swanson do hereby certify that William P. Colson, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth. Given under my hand and seal this 7th day of April, 2005.

Zoe Swanson
Notary Public

My Commission Expires:

8-15-05



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EXHIBIT A

LEGAL DESCRIPTION

TRACT 1:

LOT 2 IN ORLAND COURT SUBDIVISION, A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1981 AS DOCUMENT 25811986, IN COOK COUNTY, ILLINOIS, (EXCEPT THEREFROM THAT PART OF LOT 2 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, THENCE SOUTH 0 DEGREES 00 MINUTES 22 SECONDS EAST ALONG THE WEST BOUNDARY OF SAID LOT 2 FOR A DISTANCE OF 237.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 11.89 FEET TO THE POINT OF BEGINNING, SAID POINT LYING 60.00 FEET (MEASURED PERPENDICULARLY) EAST OF THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 15; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 189.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 260.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 189.00 FEET TO A POINT WHICH LIES 60.00 FEET (MEASURED PERPENDICULARLY) EAST OF SAID WEST LINE OF THE NORTHWEST 1/4 OF SECTION 15; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG A LINE WHICH LIES 60.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE OF THE NORTHWEST 1/4 OF SECTION 15 FOR A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING.

TRACT 2:

LOT 1 IN ORLAND COURT SUBDIVISION, A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF RECORDED MARCH 20, 1981 AS DOCUMENT 25811936, IN COOK COUNTY, ILLINOIS.

TRACT 3:

LOT 12 IN ORLAND COURT SUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1981 AS DOCUMENT 25811986, IN COOK COUNTY, ILLINOIS.

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TRACT 4:

EASEMENTS FOR THE BENEFIT OF PARCELS 3, 4, 5 AND 6 CONTAINED IN THE DECLARATION OF RESTRICTIONS AND EASEMENTS FOR ORLAND PARK PLACE DATED APRIL 17, 1995 AND RECORDED APRIL 18, 1995 AS DOCUMENT 95255390.

TRACT 5:

EASEMENTS FOR THE BENEFIT OF PARCELS 3, 4, 5 AND 6 CONTAINED IN AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT RECORDED JULY 21, 1998 AS DOCUMENT 98630610, BY KOHL'S DEPARTMENT STORES, INC., MONTGOMERY WARD & CO., INCORPORATED, MONTGOMERY WARD DEVELOPMENT CORPORATION, AND ORLAND, L.L.C., AMENDING THAT AGREEMENT RECORDED AS DOCUMENT NUMBER 25230921 AND AMENDMENT RECORDED AS DOCUMENT NUMBER 25811985; AND

FIRST AMENDMENT TO AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT DATED AS OF DECEMBER 31, 1999 AND RECORDED MARCH 9, 2000 AS DOCUMENT 00171863, BY KOHL'S DEPARTMENT STORES, INC., MONTGOMERY WARD, LLC, SUCCESSOR IN INTEREST TO MONTGOMERY WARD & CO., INCORPORATED, MONTGOMERY WARD DEVELOPMENT, LLC, SUCCESSOR IN INTEREST TO MONTGOMERY WARD DEVELOPMENT CORPORATION, AND ORLAND, L.L.C.; AND

SECOND AMENDMENT TO AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT RECORDED JULY 27, 2001 AS DOCUMENT 0010677502; AND THIRD AMENDMENT TO AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT RECORDED AUGUST 11, 2003 AS DOCUMENT 0322316090.

PIN: 27-15-100-013; 27-15-100-030; 27-15-100-031; 27-15-100-023

Address: Orland Park Place Shopping Center, 151st Street and LaGrange Road, Orland Park, Illinois

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(II)

PERMITTED EXCEPTIONS

1. GENERAL REAL ESTATE TAXES NOT YET DUE AND PAYABLE.
2. EXISTING UNRECORDED LEASES.
3. LEASE MADE BY ORLAND II, L.L.C. TO OFFICE DEPOT. INC., A DELAWARE CORPORATION DATED DECEMBER 9, 2002, A MEMORANDUM OF WHICH WAS RECORDED JANUARY 29, 2003 AS DOCUMENT NO. 0030135183, DEMISING A PORTION OF THE LAND FOR A INITIAL TERM OF TEN YEARS, SUBJECT TO EXTENSION (AT TENANT'S OPTION) AS PROVIDED THEREIN FOR FOUR SUCCESSIVE ADDITIONAL PERIODS OF FIVE YEARS EACH, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY, SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE.
4. EASEMENT OVER THE SOUTH 60 FEET OF THE NORTH 566 FEET OF THE WEST 520 FEET OF THE EAST 570 FEET OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN FAVOR OF A DOMINANT TENEMENT DESCRIBED AS FOLLOWS:

THE NORTH 506 FEET OF THE EAST 860 FEET (EXCEPT THOSE PORTIONS DEDICATED FOR 151ST STREET AND 94TH AVENUE) OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, FOR THE PURPOSE OF INGRESS AND EGRESS AND INCIDENTAL PURPOSES AS CREATED BY EASEMENT AGREEMENT MADE BY AMALGAMATED TRUST AND SAVINGS BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 8, 1978 AND KNOWN AS TRUST NUMBER 3557 AND THE TRUSTEES OF SCHOOLS OF TOWNSHIP 36 NORTH, RANGE 12, EAST, COOK COUNTY, ILLINOIS, FOR THE BENEFIT OF SCHOOL DISTRICT NO. 135, COOK COUNTY, ILLINOIS DATED JULY 31, 1979 AND RECORDED NOVEMBER 7, 1979 AS DOCUMENT 25230919 AND THE COVENANTS, CONDITIONS AND AGREEMENTS THEREIN CONTAINED.
5. TERMS, PROVISIONS, CONDITIONS AND AGREEMENTS CONTAINED IN THE ANNEXATION AGREEMENT ENTERED INTO BY AND BETWEEN THE VILLAGE OF ORLAND PARK AND PULLMAN BANK AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 3, 1957 AND KNOWN AS TRUST NUMBER 5096 DATED SEPTEMBER 23, 1974 AND RECORDED APRIL 21, 1975 AS DOCUMENT 23055864, AS AMENDED BY AN UNRECORDED AMENDATORY AGREEMENT DATED APRIL 30, 1979 BETWEEN AND AMONG THE VILLAGE OF ORLAND PARK, AMALGAMATED TRUST AND SAVINGS BANK, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 8, 1978 AND KNOWN AS TRUST NUMBER 3557, ORLAND GREENS ASSOCIATES, AN

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(II)

ILLINOIS LIMITED PARTNERSHIP AND AMERICAN INCOME PROPERTIES OF ILLINOIS, INC., A CORPORATION OF ILLINOIS.

6. EASEMENTS GRANTED TO THE COMMONWEALTH EDISON COMPANY AND THE ILLINOIS BELL TELEPHONE COMPANY OVER PORTIONS OF LAND AND OTHER PROPERTY RECORDED NOVEMBER 18, 1980 AS DOCUMENT 25673165 AND SHOWN ON PLAT OF SUBDIVISION RECORDED MARCH 20, 1981 AS DOCUMENT 25811986.
7. TERMS, PROVISIONS, CONDITIONS AND LIMITATIONS OF A FRINGE TRACTS AGREEMENT RECORDED NOVEMBER 7, 1979 AS DOCUMENT 25230922 AND AMENDMENT TO FRINGE TRACTS AGREEMENT DATED MARCH 19, 1981 AND RECORDED MARCH 20, 1981 AS DOCUMENT 25811984 MADE BY AND BETWEEN AMALGAMATED TRUST AND SAVINGS BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 8, 1978 AND KNOWN AS TRUST NUMBER 3557 C/O AMERICAN INCOME PROPERTIES OF ILLINOIS (DEVELOPER) WIEBOLDT STORES, INC., A CORPORATION OF ILLINOIS, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, RELATING TO THE ADDITION OF TWO PARCELS OF LAND TO THOSE ALREADY GOVERNED BY THE PROVISIONS OF THE ORIGINAL FRINGE TRACTS AGREEMENT.
8. EASEMENT AGREEMENT FOR INGRESS AND EGRESS, ACCESS AND PARKING DATED MARCH 23, 1981 AND RECORDED MARCH 25, 1981 AS DOCUMENT 25817872 BY AND BETWEEN AMALGAMATED TRUST AND SAVINGS BANK, AN ILLINOIS BANKING CORPORATION AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 8, 1978 AND KNOWN AS TRUST NUMBER 3557 AND MARNO FOODS, INC., A KENTUCKY CORP (CHI-CHI).
9. EASEMENT CREATED BY AGREEMENT RECORDED OCTOBER 9, 1981 AS DOCUMENT 26023961 BY THE RECORD OWNERS OF THE LAND AND THE VILLAGE OF ORLAND PARK FOR THE PURPOSE OF OPERATING, MAINTAINING, REPAIRING AND REMOVING CERTAIN WATER MAIN LINES, CONDUITS AND OTHER FACILITIES AND THE AGREEMENTS AND CONDITIONS THEREIN CONTAINED.
10. 12 FOOT WATER LINE EASEMENT LYING 6 FEET ON EITHER SIDE OF A LINE ACROSS LOT 2 AND OTHER PROPERTY MADE BY AND BETWEEN VILLAGE OF ORLAND PARK, GRANTEE AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 109425 AND MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION RECORDED MAY 9, 1989 AS DOCUMENT 89209093.
11. TERMS, PROVISIONS, CONDITIONS OF THE PARKING AGREEMENT MADE BY AND BETWEEN THE VILLAGE OF ORLAND PARK, A MUNICIPAL

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(II)

CORPORATION AND SPATZ AND CO RECORDED NOVEMBER 21, 1988 AS DOCUMENT 88536681.

12. 60 AND 47 FOOT EASEMENTS FOR INGRESS AND EGRESS GRANTED TO TRUSTEES OF SCHOOLS TOWNSHIP 36 NORTH, RANGE 12 FOR USE AND BENEFIT OF SCHOOL DISTRICT NO. 135 OVER THE NORTHEAST LINE AS SHOWN ON PLAT OF ORLAND COURT SUBDIVISION RECORDED MARCH 20, 1981 AS DOCUMENT 25811986.
13. AMENDMENT TO ANNEXATION AGREEMENT ORLAND GREENS REGIONAL SHOPPING CENTER RECORDED DECEMBER 15, 1981 AS DOCUMENT 2606291.
14. EASEMENT AGREEMENT DATED NOVEMBER 16, 1992 AND RECORDED DECEMBER 8, 1992 AS DOCUMENT 92918874 MADE BY AND BETWEEN HELLER FINANCIAL, INC., AND LEAPS AND BOUNDS, INC., FOR NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, PARKING AND ACCESS TO PUBLIC ROADS IN, THROUGH, ACROSS AND ALONG THE LAND AND FOR THE USE OF SUCH PORTIONS OF THE LAND AS MAY BE REASONABLY REQUIRED FOR THE USE OF SUCH PORTIONS OF THE LAND AS MAY BE REASONABLY REQUIRED FOR THE INSTALLATION, MAINTENANCE, AND REPAIR OF SEWER, WATER, GAS, ELECTRIC UTILITIES, DRAINAGE, AND RELATED FACILITIES.
15. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE DECLARATION OF RESTRICTIONS AND EASEMENTS FOR ORLAND PARK PLACE DATED APRIL 17, 1995 AND RECORDED APRIL 18, 1995 AS DOCUMENT 95255390.
16. AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT RECORDED JULY 21, 1996 AS DOCUMENT 98630610, BY KOHL'S DEPARTMENT STORES, INC., MONTGOMERY WARD & CO., INCORPORATED, MONTGOMERY WARD DEVELOPMENT CORPORATION, AND ORLAND, L.L.C., AMENDING THAT AGREEMENT RECORDED AS DOCUMENT NUMBER 25230921 AND AMENDMENT RECORDED AS DOCUMENT NUMBER 25811985.

FIRST AMENDMENT TO AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT DATED AS OF DECEMBER 31, 1999 AND RECORDED MARCH 9, 2000 AS DOCUMENT 00171863, BY KOHL'S DEPARTMENT STORES, INC., MONTGOMERY WARD, LLC, SUCCESSOR IN INTEREST TO MONTGOMERY WARD & CO., INCORPORATED, MONTGOMERY WARD DEVELOPMENT, LLC, SUCCESSOR IN INTEREST TO MONTGOMERY WARD DEVELOPMENT CORPORATION, AND ORLAND, L.L.C.

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(II)

SECOND AMENDMENT TO AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT RECORDED JULY 27, 2001 AS DOCUMENT 0010677502.

THIRD AMENDMENT TO AMENDED AND RESTATED RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT RECORDED AUGUST 11, 2003 AS DOCUMENT 0322316090.

17. DEVELOPMENT AGREEMENT MADE BY AND BETWEEN THE VILLAGE OF ORLAND PARK ("VILLAGE"), GMRI, INC. ("DEVELOPER"), ORLAND II, LLC AND WPC-ORLAND II LLC ("OWNER") DATED AUGUST 4, 2003 AND RECORDED AUGUST 21, 2003 AS DOCUMENT NUMBER 0323319127.
18. TERMS, PROVISIONS AND CONDITIONS OF THE DEVELOPMENT AGREEMENT (RETAIL OUTLET, EAST SIDE LAGRANGE ROAD, 153RD STREET) DATED APRIL 5, 2004 AND RECORDED MAY 12, 2004 AS DOCUMENT NUMBER 0413312114 BETWEEN THE VILLAGE OF ORLAND PARK AND ORLAND II, LLC AND WPC-ORLAND II, LLC.
19. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE MEMORANDUM OF LEASE RECORDED JANUARY 29, 2003 AS DOCUMENT 0030135183 RELATING TO THE USE AND OCCUPANCY OF THE REMAINDER OF THE SHOPPING CENTER.
20. EASEMENT RIGHTS FOR INGRESS, EGRESS, PARKING AND UTILITIES AS GRANTED TO GMRI, INC., A FLORIDA CORPORATION, IN THE MEMORANDUM OF LEASE RECORDED AUGUST 11, 2003 AS DOCUMENT 0322316089, OVER THAT PORTION OF THE LAND SHOWN CROSS-HATCHED ON EXHIBIT "B" ATTACHED THERETO.
21. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE MEMORANDUM OF LEASE RECORDED AUGUST 11, 2003 AS DOCUMENT 0322316089 RELATING TO NO-BUILD AREAS AS MORE FULLY SET FORTH THEREIN.
22. A CERTIFICATE OF ADMINISTRATIVE DISSOLUTION WAS RECORDED OCTOBER 20, 1997 AS DOCUMENT NUMBER 97793619 DISSOLVING T-L ORLAND PARK INC.
23. FRANCHISE TAX IN FAVOR OF THE STATE OF ILLINOIS, AGAINST T-L ORLAND PARK, INC., A CORPORATION OF ILLINOIS.
24. OUTSTANDING TAX TITLE IN CITY SITES, L.L.C., ACQUIRED BY TAX DEED DATED JANUARY 5, 1997 AND RECORDED JANUARY 7, 1998 AS DOCUMENT 98015915.

UNOFFICIAL COPY

(II)

25. EASEMENTS GRANTED TO THE COMMONWEALTH EDISON COMPANY AND THE ILLINOIS BELL TELEPHONE COMPANY OVER PORTIONS OF LAND AND OTHER PROPERTY RECORDED NOVEMBER 18, 1980 AS DOCUMENT 25673165 AND SHOWN ON PLAT OF SUBDIVISION RECORDED MARCH 20, 1981 AS DOCUMENT 25811986.

AGREEMENT RELATING TO SAID EASEMENT RECORDED DECEMBER 17, 1980 AS DOCUMENT 25709372 BY THE ILLINOIS BELL TELEPHONE COMPANY AND ON NOVEMBER 20, 1981 AS DOCUMENT 26065711 BY THE COMMONWEALTH EDISON COMPANY.

26. EASEMENT FOR THE BENEFIT OF THE LAND TO LAY, CONSTRUCT, ALTER, REPAIR, OPERATE, REMOVE AND REPLACE AND MAINTAIN A 12-INCH SANITARY SEWER PIPELINE, AS CREATED BY EASEMENT AGREEMENT DATED NOVEMBER 1, 1979 AND RECORDED NOVEMBER 7, 1979 AS DOCUMENT 25230920 MADE BY AND BETWEEN HERITAGE PULLMAN BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 3, 1957 AND KNOWN AS TRUST NUMBER 5096, AND AMALGAMATED TRUST AND SAVINGS BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 8, 1978 AND KNOWN AS TRUST NUMBER 3557, OVER THE FOLLOWING DESCRIBED LAND:

THE WEST 20.00 FEET OF THE SOUTH 70.00 FEET OF THE NORTH 2517.35 FEET (AS MEASURED ALONG THE WEST LINE OF THE NORTHWEST ¼) OF THAT PART OF THE NORTHWEST ¼ OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EAST LINE OF LAGRANGE ROAD (100 FEET WIDE), IN COOK COUNTY, ILLINOIS.

27. THE RECIPROCAL AND NON-EXCLUSIVE RIGHTS, PRIVILEGES, AND EASEMENTS FOR THE BENEFIT OF PARCEL 1 ABOVE FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIANS FOR CONSTRUCTION, ERECTION, MAINTENANCE, REPAIR AND REPLACEMENT OF FOOTINGS, FOUNDATIONS, SUPPORTS AND WALLS, SIGNS, LIGHTS, ENTRANCES, DOORS, MARQUEES, CANOPIES, OVERHANGS, OR OTHER IMPROVEMENTS OF LIKE NATURE, AND TO INSTALL, USE INTO, USE, MAINTAIN, REPAIR, AND REPLACE UNDERGROUND UTILITY FACILITIES SUCH AS WATER, GAS, ELECTRIC AND TELEPHONE LINES, STORM AND SANITARY SEWER LINES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS CREATED AND GRANTED AS APPURTENANCES TO PARCEL, ALL CREATED, DEFINED, AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION, OPERATION, AND EASEMENT AGREEMENT DATED AUGUST 1, 1979 AND RECORDED NOVEMBER 7, 1979 AS DOCUMENT 25230921, AND AMENDED BY DOCUMENT 25811985.

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(II)

28. DECLARATION RECORDED DATED AUGUST 11, 1980 AND RECORDED MARCH 18, 1981 AS DOCUMENT 25809045 BY VILLAGE OF ORLAND PARK, AND OTHERS, FOR CLARIFICATION FOR INSTALLATION OF SIDEWALKS, ETC.
29. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS DATED MARCH 20, 1981 AND RECORDED MARCH 24, 1981 AS DOCUMENT 25815445 MADE BY AMALGAMATED TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 5, 1978 AND KNOWN AS TRUST NUMBER 3557 TO MARNO FOODS, INC.

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