

# UNOFFICIAL COPY



Doc#: 0534118103 Fee: \$46.50  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 12/07/2005 03:19 PM Pg: 1 of 12

## SPECIAL WARRANTY DEED

### SPECIAL WARRANTY DEED

Document Number

Document Title

#### KNOW ALL MEN BY THESE PRESENTS:

**WITNESSETH** that **ARIC/PRAIRIELAND III, LLC**, a Texas limited liability company, acting by and through its duly authorized representatives ("Grantor"), in consideration of the sum of Ten Dollars (\$10.00) cash and other good and valuable consideration in hand paid by the Grantee hereinafter named, the receipt of which is hereby acknowledged, has **GRANTED, SOLD and CONVEYED** and by these presents does **GRANT, SELL, and CONVEY**, unto, **TRADE MART ASSOCIATES, LTD., A LIMITED PARTNERSHIP**, a North Carolina limited partnership.

whose address is 800 Brickell Avenue, Suite 1111, Miami, FL 38131 ("Grantee"), that certain tract or parcel of land situated in Cook County, Illinois (the "Land") being more particularly described as follows:

Recording Area

Name and Return Address:

Fidelity National Title Company  
Attn: Debbie Barela  
1900 West Loop South, Suite 760  
Houston, Texas 77027

PARCEL 1: (PIN # 18-13-408-005-0000)

THE EAST 125.00 FEET OF LOT 22 (EXCEPT THE NORTH 83.00 FEET THEREOF AND EXCEPT THE EAST 17.00 FEET THEREOF) IN FREDERICK H. BARTLETT'S ARGO PARK SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 (EXCEPT RAILROAD) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: (PIN # 18-13-408-004-0000)

THE NORTH 83.00 FEET OF THE EAST 125.00 FEET OF LOT 22 (EXCEPT THE EAST 17.00 FEET THEREOF) IN FREDERICK H. BARTLETT'S ARGO PARK SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 (EXCEPT RAILROAD) OF SECTION 13,

2260814 zc

BOX 333-11

2

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TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3: (PIN # 18-13-408-001-0000)

THE SOUTH 228.24 FEET OF A VACATED ALLEY LYING WEST OF AND ADJOINING PARCELS 1 AND 2 LOCATED IN LOT 22 OF FREDERICK H. BARTLETT'S ARGO PARK SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER (EXCEPT RAILROAD) IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS VACATED BY ORDINANCE RECORDED SEPTEMBER 3, 2004 AS DOCUMENT NUMBER 0424746105.

Together with (i) all improvements located thereon (collectively with the Land hereinafter referred to as the "Subject Property") and (ii) all and singular the rights, privileges, advantages, and appurtenances pertaining to the Subject Property including all right, title and interest of Grantor, reversionary or otherwise, to all easements upon the Subject Property and all adjacent roads, alleys, streets, strips, gores, or rights of way, if any, on or immediately abutting the Subject Property.

This Special Warranty Deed is executed by Grantor and is accepted by Grantee subject to the Permitted Exceptions attached hereto as Exhibit A, to the extent that the same are applicable and validly existing with respect to the Subject Property, it being understood that a reference to a Permitted Exception shall not serve to re-impose same on the Property if such Permitted Exception is no longer applicable or validly existing with respect to the Subject Property.

**TO HAVE AND TO HOLD** the Subject Property, subject to the Permitted Exceptions, together with all and singular the rights, hereditaments and appurtenances thereto belonging, unto the said Grantee, and Grantee's successors and assigns, forever. Grantor hereby binds itself, its successors and assigns, to warrant and forever defend the title to the Subject Property unto the said Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES SET FORTH IN THE REAL ESTATE SALES CONTRACT BETWEEN GRANTOR AND GRANTEE, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE IS EXPERIENCED IN THE OWNERSHIP AND OPERATION OF PROPERTIES SIMILAR TO THE SUBJECT PROPERTY AND THAT GRANTEE, PRIOR TO THE DATE HEREOF, INSPECTED THE SUBJECT PROPERTY TO ITS SATISFACTION AND IS QUALIFIED TO MAKE SUCH INSPECTION. GRANTEE ACKNOWLEDGES THAT IT IS FULLY RELYING ON GRANTEE'S INSPECTIONS OF THE SUBJECT PROPERTY AND NOT UPON ANY STATEMENTS (ORAL OR WRITTEN) WHICH MAY HAVE BEEN MADE BY GRANTOR OR ANY OF ITS REPRESENTATIVES. AS A MATERIAL PART OF THE CONSIDERATION FOR THIS SPECIAL WARRANTY DEED, GRANTEE HEREBY ACCEPTS THE SUBJECT PROPERTY ON THE DATE HEREOF IN ITS "AS IS" "WHERE IS" CONDITION AND WITH ALL FAULTS, AND WITHOUT REPRESENTATIONS AND WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, OR ARISING BY OPERATION

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OF LAW, EXCEPT ONLY THE TITLE WARRANTIES EXPRESSLY SET FORTH ABOVE. GRANTEE ACKNOWLEDGES THAT ANY CONDITION OF THE SUBJECT PROPERTY WHICH GRANTEE DISCOVERS OR DESIRES TO CORRECT OR IMPROVE SHALL BE AT GRANTEE'S SOLE EXPENSE. GRANTEE EXPRESSLY WAIVES (TO THE EXTENT ALLOWED BY APPLICABLE LAW) ANY CLAIMS UNDER FEDERAL LAW, STATE OR OTHER LAW THAT GRANTEE MIGHT OTHERWISE HAVE AGAINST GRANTOR RELATING TO THE USE, CHARACTERISTICS OR CONDITION OF THE SUBJECT PROPERTY.

Ad Valorem taxes for the year 2005 have been prorated between Grantor and Grantee through the date hereof and Grantee expressly assumes the payment of all such taxes for 2005.

Dated this 30th day of June, 2005.

**GRANTOR:**

**ARIC/PRAIRIELAND II, LLC,  
A TEXAS LIMITED LIABILITY COMPANY**

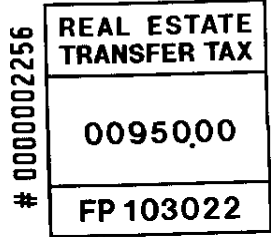
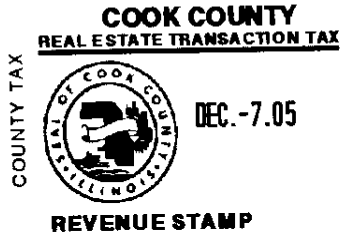
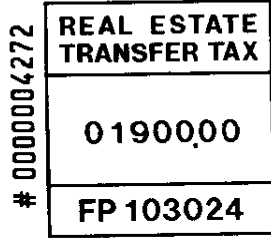
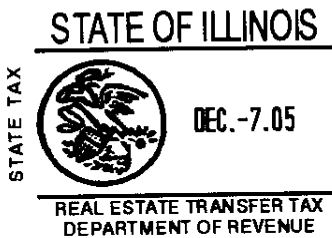
By: AmREIT Realty Investment Corporation,  
a Texas corporation,  
its Member

By: [Signature] (SEAL) *DVA*  
Name: Chad C. Braun  
Title: Vice President

By: TG Real Estate Holdings, LLC,  
an Illinois limited liability company,  
its Member

By: \_\_\_\_\_ (SEAL)  
Larry J. Quinn, Manager

**GRANTEE:**



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OF LAW, EXCEPT ONLY THE TITLE WARRANTIES EXPRESSLY SET FORTH ABOVE. GRANTEE ACKNOWLEDGES THAT ANY CONDITION OF THE SUBJECT PROPERTY WHICH GRANTEE DISCOVERS OR DESIRES TO CORRECT OR IMPROVE SHALL BE AT GRANTEE'S SOLE EXPENSE. GRANTEE EXPRESSLY WAIVES (TO THE EXTENT ALLOWED BY APPLICABLE LAW) ANY CLAIMS UNDER FEDERAL LAW, STATE OR OTHER LAW THAT GRANTEE MIGHT OTHERWISE HAVE AGAINST GRANTOR RELATING TO THE USE, CHARACTERISTICS OR CONDITION OF THE SUBJECT PROPERTY.

Ad Valorem taxes for the year 2005 have been prorated between Grantor and Grantee through the date hereof and Grantee expressly assumes the payment of all such taxes for 2005.

Dated this 30th day of June, 2005.

**GRANTOR:**

**ARIC/PRAIRIELAND II, L.L.C.,**  
A TEXAS LIMITED LIABILITY COMPANY

By: AmREIT Realty Investment Corporation,  
a Texas corporation,  
its Member

By: \_\_\_\_\_ (SEAL)  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: TG Real Estate Holdings, LLC,  
an Illinois limited liability company,  
its Member

By:  (SEAL)  
Larry J. Quinn, Manager

**GRANTEE:**

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ALLOWED BY APPLICABLE LAW) ANY CLAIMS UNDER FEDERAL LAW, STATE OR OTHER LAW THAT GRANTEE MIGHT OTHERWISE HAVE AGAINST GRANTOR RELATING TO THE USE, CHARACTERISTICS OR CONDITION OF THE SUBJECT PROPERTY.

Ad Valorem taxes for the year 2005 have been prorated between Grantor and Grantee through the date hereof and Grantee expressly assumes the payment of all such taxes for 2005.

Dated this 30th day of June, 2005.

**GRANTOR:**

**ARIC/PRAIRIELAND III, LLC,  
A TEXAS LIMITED LIABILITY COMPANY**

By: AmREIT Realty Investment Corporation,  
a Texas corporation,  
its Member

By: \_\_\_\_\_ (SEAL)  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

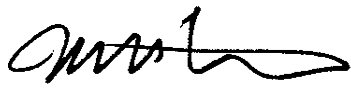
By: TG Real Estate Holdings, LLC,  
an Illinois limited liability company,  
its Member

By: \_\_\_\_\_ (SEAL)  
Larry J. Quinn, Manager

**GRANTEE:**

**TRADE MART ASSOCIATES, LTD., A LIMITED PARTNERSHIP  
a North Carolina limited partnership**

By: TRADE MART, INC.,  
a North Carolina corporation,  
Its General Partner

By:  \_\_\_\_\_ (SEAL)  
Name: Jeffrey Schottenstein  
Title: President

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STATE OF TEXAS )  
 )  
HARRIS COUNTY ) SS.

This instrument was acknowledged before me by \_\_\_\_\_,  
\_\_\_\_\_ of AmREIT Realty Investment Corporation, a Texas  
corporation, in its capacity as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited  
liability company on behalf of such limited liability company this \_\_\_\_ day of \_\_\_\_\_,  
2005.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

STATE OF ILLINOIS )  
 )  
SANGAMON COUNTY ) SS.

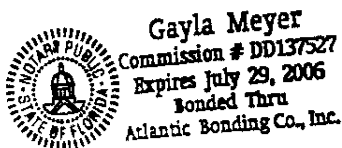
This instrument was acknowledged before me by Larry J. Quinn, in his capacity as  
Manager of TG Real Estate Holdings, LLC, an Illinois limited liability company, in its capacity  
as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited liability company on behalf of  
such limited liability company this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Notary Public in and for the State of Illinois

My Commission Expires: \_\_\_\_\_

STATE OF Florida )  
 )  
COUNTY OF Miami-Dade ) SS.

This instrument was acknowledged before me by Jeffrey Schottenstein, in his capacity as  
President of TRADE MART, INC., a North Carolina corporation, in its capacity as General  
Partner of TRADE MART ASSOCIATES, LTD., A LIMITED PARTNERSHIP, a North  
Carolina limited partnership, on behalf of such limited partnership this 13<sup>th</sup> day of  
June, 2005.



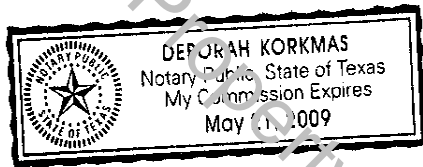
[Signature]  
\_\_\_\_\_  
Notary Public in and for the State of Florida

My Commission Expires: 7/29/06

# UNOFFICIAL COPY

STATE OF TEXAS            )  
  )  
  )        SS.  
HARRIS COUNTY            )

This instrument was acknowledged before me by Chad C. Braun,  
Vice President of AmREIT Realty Investment Corporation, a Texas  
corporation, in its capacity as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited  
liability company on behalf of such limited liability company this 17 day of June,  
2005.



Deborah Korkmas  
\_\_\_\_\_  
Notary Public in and for the State of Texas  
My Commission Expires: 5-21-2009

STATE OF ILLINOIS        )  
  )  
  )        SS.  
SANGAMON COUNTY

This instrument was acknowledged before me by Larry J. Quinn, in his capacity as  
Manager of TG Real Estate Holdings, LLC, an Illinois limited liability company, in its capacity  
as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited liability company on behalf of  
such limited liability company this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Notary Public in and for the State of Illinois  
My Commission Expires: \_\_\_\_\_

# UNOFFICIAL COPY

STATE OF TEXAS            )  
  )  
HARRIS COUNTY            )

SS.

This instrument was acknowledged before me by \_\_\_\_\_,  
\_\_\_\_\_ of AmREIT Realty Investment Corporation, a Texas  
corporation, in its capacity as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited  
liability company on behalf of such limited liability company this \_\_\_\_ day of \_\_\_\_\_,  
2005.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

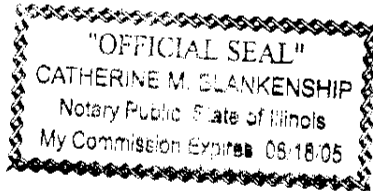
STATE OF ILLINOIS        )  
  )  
SANGAMON COUNTY        )

SS.

This instrument was acknowledged before me by Larry J. Quinn, in his capacity as  
Manager of TG Real Estate Holdings, LLC, an Illinois limited liability company, in its capacity  
as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited liability company on behalf of  
such limited liability company this 9<sup>th</sup> day of June, 2005.

Catherine M. Blankenship  
\_\_\_\_\_  
Notary Public in and for the State of Illinois

My Commission Expires: 8/17/05



Deed Prepared by:  
Tiffany DeMangin  
WILSON, CRIBBS & GOREN  
2500 Fannin Street  
Houston, Texas 77002



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## EXHIBIT A PERMITTED EXCEPTIONS

COVENANTS AND RESTRICTIONS (BUT OMITTING ANY SUCH COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS), CONTAINED IN THE AGREEMENT DATED JUNE 9, 1919 AND RECORDED JUNE 14, 1919 AS DOCUMENT 6550058 RELATING TO THE LOCATION AND CHARACTER OF BUILDINGS ON THE LAND.

TERMS, POWERS, PROVISIONS, CONDITIONS AND LIMITATIONS CONTAINED IN ORDINANCE RECORDED SEPTEMBER 3, 2004 AS DOCUMENT 0424746105

Property of Cook County Clerk's Office

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PLAT ACT AFFIDAVIT

STATE OF ILLINOIS

COUNTY OF COOK

Chad C. Braun, Vice President of AmREIT Realty Investment Corporation, a Texas corporation, Member of ARIC/PrairieLand III, LLC, a Texas limited liability company, and Larry J. Quinn, Manager of TG Real estate Holdings, LLC, an Illinois limited liability company, Member of ARIC/PrairieLand III, LLC, a Texas limited liability company, being duly sworn on oath, states ARIC/PrairieLand III, LLC corporate offices are located at 2937 Old Rochester Road, Springfield, IL 67203, That the

1. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

- OR -

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.

2. The division or subdivision of the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
3. The division of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the variation of land impressed with a public use.
8. Conveyances made to correct descriptions in prior conveyances.
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that seller makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

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ARIC/PRAIRIELAND III, LLC,  
A TEXAS LIMITED LIABILITY COMPANY

By: AmREIT Realty Investment Corporation,  
a Texas corporation,  
its Member

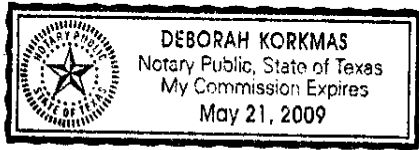
By: [Signature] (SEAL) <sup>DJK</sup>  
Name: Chad C. Braun  
Title: Vice President

By: TG Real Estate Holdings, LLC,  
an Illinois limited liability company,  
its Member

By: \_\_\_\_\_ (SEAL)  
Larry J. Quinn, Manager

STATE OF TEXAS        )  
                                  )     SS.  
HARRIS COUNTY        )

This instrument was acknowledged before me by Chad C. Braun  
Vice President of AmREIT Realty Investment Corporation, a Texas  
corporation, in its capacity as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited  
liability company on behalf of such limited liability company this 17 day of June,  
2005.



[Signature]  
Notary Public in and for the State of Texas  
My Commission Expires: 5-21-2009

STATE OF ILLINOIS     )  
                                  )     SS.  
SANGAMON COUNTY     )

This instrument was acknowledged before me by Larry J. Quinn, in his capacity as  
Manager of TG Real Estate Holdings, LLC, an Illinois limited liability company, in its capacity  
as Member of ARIC/PRAIRIELAND III, LLC, a Texas limited liability company on behalf of  
such limited liability company this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Notary Public in and for the State of Illinois  
My Commission Expires: \_\_\_\_\_

