25341181**83**0

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:

WITNESSET!. 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 Letenaster 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. BARTLETI'S ARGO PARK SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ (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 ½ OF THE SOUTHEAST ¼ (EXCEPT RAILROAD) OF SECTION 13,

0534118103 Page: 2 of 12

UNOFFICIAL COPY

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 v ith (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 Leed is executed by Grantor and is accepted by Grantee subject to the Permitted Exceptions attached need as <u>Exhibit A</u>, to the extent that the same are applicable and validly existing with respect to the <u>Subject Property</u>, it being understood that a reference to a Permitted Exception shall not serve to reimpose 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 SLIT FORTH IN THE REAL ESTATE SALES CONTRACT BETWEEN GRANTOR AND GRANTLI', 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

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 day of 2005. **GRANTOR:** ARIC/PRAIRIELAND III 1 &C, A TEXAS LIMITED LIABILITY COMPANY AmREIT Realty Investment Corporation, By: a Texas corporation, its Member (SEAL) WA By: Name: Chad C. Braun 3/0/4/5 OFFICO Vice President Title: By: TG Real Estate Holdings, LLC, an Illinois limited liability company, its Member (SEAL) By: Larry J. Quinn, Manager **GRANTEE:**









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 Grante through the date hereof and Grantee expressly assumes the payment of all such taxes for 2005. Dated this 2014/10 jay of				
By: AmREIT Realty Investment Corporation, a Texas corporation, its Member				
By:				
GRANTEE:				

0534118103 Page: 5 of 12

UNOFFICIAL COPY

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.

through		lorem taxes for the year 2005 have been prorated between Grantor and Grantee te hereof and Grantee expressly assumes the payment of all such taxes for 2005.			
Dated 1	this L	day of, 2005.			
GRAN	TOX.				
		ILLAND III, LLC, TERY LABILITY COMPANY			
Ву:		IT Realty Investment Corporation, s corporation, nber			
	By: Name: Title:	(SEAL)			
By:		al Estate Holdings, LLC, ois limited liability company, mber			
	By:	Larry J. Quinn, Manager			
GRAN	ITEE:				
TRADE MART ASSOCIATES, LTD., A LIMITED PARTNERSHIP a North Carolina limited partnership					
	Ву:	TRADE MART, INC., a North Carolina corporation, Its General Partner			
		By:(SEAL) Name: Jeffrey Schottenstein Title: President			

STATE OF TEXAS)	SS.		
HARRIS COUNTY)	bb.		
	of AmREIT Realty Investment Corporation, a Texas	; ;	
corporation, in its capacity a liability company on behalf c 2005.	Member of ARIC/PRAIRIELAND III, LLC, a Texas limited such limited liability company this day of,		
0	Notary Public in and for the State of Texas		
DO CONTINUE DE LA CON	My Commission Expires:		
STATE OF ILLINOIS)) SS.		
SANGAMON COUNTY			
Manager of TG Real Estate H	Eknowledged before me by Larry J. Quinn, in his capacity as Idings, LLC, an Illinois limited liability company, in its capacity LAND III, LLC. Texas limited liability company on behalf of his day of, 2005. Notary Public in and for the State of Illinois	y	
	My Commission Expires:		
STATE OF Florida COUNTY OF MIAMI -	yade) 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 131 day of, 2005.			
Gayla Meyer commission # DD1375 Expires July 29, 2000 Bonded Thru Atlantic Bonding Co., I	Nother Public in and for the State of Flyvida		

0534118103 Page: 7 of 12

UNOFFICIAL COPY

STATE OF TEXAS)) SS.
HARRIS COUNTY)
corporation in its capacity	acknowledged before me by Chad C. Braun of Amreit Realty Investment Corporation, a Texas as Member of Aric/PrairieLand III, LLC, a Texas limited of such limited liability company this
STATE OF ILLINOIS SANGAMON COUNTY	SS.
Manager of TG Real Estate	acknowledged before me by Larry J. Quinn, in his capacity as Holdings, LLC an Illinois limited liability company, in its capacity IELAND III, LLC a Texas limited liability company on behalf only this day of, 2005. Notary Public in and for the State of Illinois
	My Commission Expires:

0534118103 Page: 8 of 12

UNOFFICIAL COPY

STATE OF TEXAS)	SS.
HARRIS COUNTY)	55.
	knowledged before me by, of AmREIT Realty Investment Corporation, a Texas
corporation, in its capacity as Miability company on behalf of s 2005.	Member of ARIC/PRAIRIELAND III, LLC, a Texas limited uch limited liability company this day of,
000	Notary Public in and for the State of Texas
DOOP TO	My Commission Expires:
STATE OF ILLINOIS SANGAMON COUNTY	SS.
Manager of TG Real Estate Hold	nowledged before me by Larry J. Quinn, in his capacity as lings, LLC, an Illinois limited liability company, in its capacity AND III, LLC a Texas limited liability company on behalf of day of the da
"OFFICIAL SEAL" ATHERINE M. SLANKENSHIP Notary Public State of Himols	Notary Public in and for the State of Illinois My Commission Expires: 8/11/05
My Commission Expires 08:18:05	

Deed Prepared by: Tiffany DeMangin WILSON, CRIBBS & GOREN 2500 Fannin Street Houston, Texas 77002 0534118103 Page: 9 of 12

UNOFFICIAL COPY

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

0534118103 Page: 10 of 12

NOFFICIAL

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

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.

- The fivision or subdivision of the land into parcels or tracts of five acres or more in size which does not involve any new street, 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 casements of access.
- 4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
- 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 structs or easement of access.
- 6. The conveyance of land owned by ram oad or other public utility which does not involve any new streets or easements
- The conveyance of land for highway or cather public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
- 8. Conveyances made to correct descriptions in prior con eyarces.
- 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 ATTACTLED DEED.

Affiant further states that ____ makes this affidavit for the purpose of and roing the Recorder of Deeds of Cook County, Clart's Office Illinois, to accept the attached deed for recording.

Plat Act Affidavit - Page 1 of 2

....

CHILATAP

0534118103 Page: 11 of 12

UNOFFICIAL COPY

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

	Ву:	a Texas corporation,	imeni (Corpor	ation,			
		its Member	1				O.11	
			4			· · · · · ·	Sylv	
		By: Name:		Cha	d C. Brau		AL)	
		Title:			Presider			
	Ву:	TG Real Estate Holdin						
		an Illinois limited liab	ility co	ompan	у,			
^		By: Larry J. Quinn	Mans	ager .		(S	EAL)	
		Early 3. Quain	, 14101110	ige:				
		0						
	CT A	TE OF TEXAS)					
	SIA	IE OF IEMAS)	SS.				
	HAR	RIS COUNTY)					_
	. /	This instrument was	ackn	owledg	ged before	e me by	Chad C. B	raur,
		celication in its capacity	. 0	t Am	REH Ke	alty invo	eştment Corporatio	on, a texas
	liabil	ity company on behalf	ع الدين الدين	h limi	ted liabilit	y compan	by this $\frac{1}{1}$ day of	
	2005	•		14			• /	<i>'</i>
					X Als	diah	Karlin	
000			7	Nota		 	he State of Texas	<u> </u>
		BORAH KORKMAS y Public, State of Texas				<i>.</i>		a
i i liter	My	Commission Expires May 21, 2009	1	МуС	Commissio	'. Ex pires:	5-21-200	7
iin _m		Muy 21, 2009						
	CT 4.7	er or it i bloic		,			()	
	51A.	TE OF ILLINOIS)	SS.		0.	
	SAN	GAMON COUNTY)			6/4	
		This instrument was	ackn	owlede	ed before	e me by l		his capacity as
		iger of TG Real Estate	Holdir	ngs, LI	LC, an Illi	nois limit	ed liability compar	ny, in its capacity
		ember of ARIC/PRAIR limited liability compar						nary on tehalf of
	JUCII.	innica natinity compar	1) 4110		<u> </u>			10
								0
				Not	ary Public	in and for	r the State of Illino	is
		Pla	at Act	•	Commissi davit - 1	-		

0534118103 Page: 12 of 12

UNOFFICIAL COPY

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

By:	AmREIT Realty Investment a Texas corporation,	Corporation,
	its Member	
	Ву:	(SEAL)
	Name:	
	Title:	
_		_
By:		
	an Illinois limited liability co	ompany,
	its Member	a
^	Ву:	(SEAL)
A	Larry J. Quinn, Mana	
10),	
	0_	
STA	TE OF IFIAS)	
f# 4 Th) DIG COLLATIV)	SŞ.
HAK	RIS COUNTY)	
	This instrumer, was acknown	owledged before me by,
	0	f AmREIT Realty Investment Corporation, a Texas
corpo	oration, in its capacity 😅 🗺	mber of ARIC/PRAIRIELAND III, LLC, a Texas limited
		! limited liability company this day of,
2005		4
		Notary Public in and for the State of Texas
		My Commission extires:
	·	, 653
STAT	TE OF ILLINOIS	
	a)) SS.
SAN	GAMON COUNTY	<i>*</i>
	This instrument was acknown	owledged before me by Larry J. Quinn in his capacity a
Mana	ger of TG Real Estate Holdin	igs, LLC, an Illinois limited liability company, in its capacit
as Me	ember of ARIC/PRAIRIELAN	ND III, LLC, a Texas limited liability company or behalf of
such l	limited liability company this	16 day of June, 2005.
		(Ledwin M. Rea L. La
		Notary Public in and for the State of Illinois
		140 tally 1 abilio in and for the battle of interiors
		My Commission Expires: 8/18/05
	Plat Act	Affidavit - Page 2 of 2
		300000000000
		"OFFICIAL SEAL"
		CATHERINE M. BLANKENSHIP
		Notary Public. State of Illinois
		My Commission Expires Daylains 9
		The second second second second