UNOFFICIAL COPY

SPECIAL WARRANTY DEED

This Document Prepared By and After Recording Should Be Returned To: Jordan H. Peters, Esq. Freeborn & Peters LLP 311 South Wacker Drive Suite 3000 Chicago, Illinois 60606



Doc#: 0624133151 Fee: \$32.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 08/29/2006 01:22 PM Pg: 1 of 5

THIS INDENTURE WITNESSETH, that IBC SALES CORPORATION, A CORPORATION OF DELAWARE, ("Grantor"), having an address 12 E. Armour Blvd., Kansas City, MO 64111, by these presents does hereby REMISE, RELEASE, ALIEN AND CONVEY unto **REALTY AMERICA GROUP (LINCOLN MALL) LP** ("Grantee"), having an address of c/o Freehold Capital Advisors, Ltd. 5950 Perkshire Lane, Suite 410, Dallas, TX 75225, for and in consideration of TEN and No/100 (\$10.00) DOLLARS, and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, all interest in the Real Estate situated in the County of Cook, in the State of Illinois, and legally described on Exhibit A attached hereto and by this reference made a part hereof (the "Premises"), and subject those certain permitted title exceptions described on Exhibit B attached hereto and by this reference made a part hereof.

Permanent Index Number:

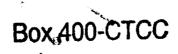
31-22-300-007-0000

Property Address:

21403 Cicero Avenue, Matteson, Illinois

Together with all and singular the hereditaments and appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto Grantee, its heirs, successors and assigns forever.

And Grantor, for itself and its successors does covenant, promise and agree, to and with Grantee, Grantee's successors and assigns, that Grantor has not done or suffered to be done anything whereby the Premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that Grantor will warrant and forever defend title to the Premises, against all persons lawfully claiming or who may claim the same, by, through or under Grantor but not otherwise.





IBC Sales Corporation, a Delaware Corporation

UNOFFICIAL COPY

IN WITNESS WHEREOF, this Special Warranty Deed is executed as of the 18 day of August, 2006.

	By: Name: J. Randall Vance Title: Senior Vice President – Finance and
	Treasurer
aforesaid, do hereby certify that J Randall Val President – Finance and Treasurer of IBC Sa same person whose name is subscribed to the	Notary Public in and for said County, in the State nce, personally known to me to be the Senior Vice ales Corporation, a Delaware corporation and the foregoing instrument, appeared before me this day a foregoing instrument as his free and voluntary act
and as the act and deed of such corporation for	the uses and purposes therein set forth.
GIVEN under my hand and seal this _/	18 day of August, 2006.

Notary Public

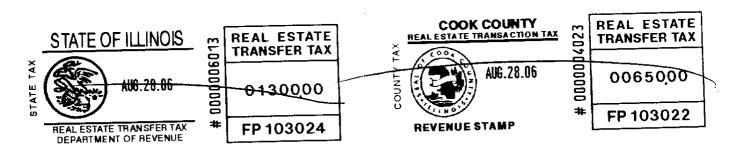
Please Mail Tax Bills To:
Realty America Group (Lincoln Mall), LP c/o Freehold Capital Advisors, Ltd.
5950 Berkshire Lane, Suite 410
Dallas, TX 75225

Attn: Rives E. Castleman

My Commission Expires:

TERRY E. PUMPHREY
Notary Public Notary Seal
STATE OF MISSOURI
Jackson Counts
My Commission Expires Ost. 13, 2009
Commission #05517466

Humphrey



UNOFFICIAL COPY

EXHIBIT A

LEGAL DESCRIPTION

THE NORTH 260 FEET OF THE SOUTH 510 FEET OF THE WEST 522.72 FEET OF THAT PART OF THE SOUTHWEST ¼ OF SECTION 22 LYING NORTH OF THE RAILROAD RIGHT OF WAY OF MICHIGAN CENTRAL RAILROAD, IN TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART TAKEN OR USED FOR CICERO AVENUE), IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY

EXHIBIT B

PERMITTED EXCEPTIONS

- 1. GENERAL REAL ESTATE TAXES FOR THE YEAR 2006 AND SUBSEQUENT YEARS.
- 2. EASEMENT IN FAVOR OF THE VILLAGE OF MATTESON, AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN A 16 INCH WATER MAIN WITH APPURTENANCES THERETO, FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED/FILED AS DOCUMENT NO. 21036087, AFFECTIVE THE WEST 70 FEET OF THE LAND (EXCEPT THAT PART TAKEN FOR CICERO AVENUE).
- THE FOLLOWING TO THE EXTENT APPLICABLE TO THE PROPERTY: 3. (I) LIENS AND EXCEPTIONS FOR TAXES AND OTHER GOVERNMENTAL CHARGES AND ASSESSMENTS (INCLUDING SPECIAL ASSESSMENTS) THAT ARE NOT YET DUE AND PAYABLE, (II) OTHER LIENS OR IMPERFECTIONS OF TITLE THAT DO NOT MATERIALLY DETRACT FROM THE VALUE OF OR MATERIALLY IMPAIR THE USE OF THE PROPERTY FOR ITS INTENDED PURPOSE, (III) LOCAL, COUNTY, STATE AND FEDERAL LAWS, ORDINANCES OF GOVERNMENTAL REGULATIONS NOW OR HEREAFTER IN EFFECT RELATING TO THE PROPERTY, (IV) VIOLATIONS OF LAWS, REGULATIONS, ORDINANCES, ORDERS OR REQUIREMENTS, IF REINTERPRETATION OF ANY LAW, RULE, REGULATION, ORDINANCE OR ORDER OF ANY FEDERAL, STATE, COUNTY OR LOCAL GOVERNMENT, GOVERNMENTAL AGENCY, COURT, COMMISSION, DEPARTMENT OR OTHER SUCH ENTITY WHICH OCCURS SUBSEQUENT TO THE EXECUTION DATE, (V) LIENS, TITLE EXCEPTIONS OR IMPERFECTIONS OF TITLE CAUSED BY OR RESULTING FROM THE ACTS OF PURCHASER OR ANY OF ITS AFFILIATES, EMPLOYEES, OFFICERS, DIRECTORS, AGENT, CONTRACTORS, INVITEES OF LICENSEES, (VI) ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES AND ANY OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PROPERTY AND THAT DO NOT MATERIALLY DETRACT FROM THE VALUE OF OR MATERIALLY IMPAIR THE USE OF THE PROPERTY FOR ITS TENDED PURPOSE.

0624133151 Page: 5 of 5

UNOFFICIAL COPY

PLAT ACT AFFIDAVIT

STATE OF MISSOURI
COUNTY OF COOK
J Randall Vance , being duly sworn on oath, states that resides at IBC Sales Corporation, 12 East Armour Boulevard, Kansas City, MO 64111 That the
attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:
(1.) Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;
-OR
the conveyance fails in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.
2. The division or subartision of the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of acres
3. The divisions 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 1 nd 1 etween owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interest, therein for use as right of way for railroads or other public utility facilities, which does not involve any new sure to or easements of access.
 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 vacation 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 <u>he</u> makes this affidavit for the purpose of inducing the Recorder or Deeds of Cook County Illinois, to accept the attached deed for recording.
IBC SALES CORPORATION
J. Randall Vance Sr. Vice President – Finance and Treasurer
SUBSCRIBED and SWORN to before me
this 18th day of August 2006.
Jerry & Auntholy Notary Public

TERRY E. HUMPHREY
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Oct. 13, 2009
Commission #05517439