

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 Berkshire 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.

Box 400-CTCC

Da AS 8351141 1/2

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

IBC Sales Corporation, a Delaware Corporation

By: J. Randall Vance JSM
Name: J. Randall Vance
Title: Senior Vice President – Finance and Treasurer

STATE OF MISSOURI)
)
COUNTY OF JACKSON) SS

I, TERRY E. HUMPHREY, a Notary Public in and for said County, in the State aforesaid, do hereby certify that J. Randall Vance, personally known to me to be the Senior Vice President – Finance and Treasurer of IBC Sales Corporation, a Delaware corporation and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed the 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 18th day of August, 2006.


My Commission Expires:
10/13/09

Terry E. Humphrey
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

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

STATE OF ILLINOIS	
	AUG. 28. 06
STATE TAX	REAL ESTATE TRANSFER TAX
# 000006013	0130000
	FP 103024
REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE	

COOK COUNTY	
REAL ESTATE TRANSACTION TAX	
	AUG. 28. 06
COUNTY TAX	REAL ESTATE TRANSFER TAX
# 000004023	0065000
	FP 103022
REVENUE STAMP	

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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 $\frac{1}{4}$ 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.

Property of Cook County Clerk's Office

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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).
3. THE FOLLOWING TO THE EXTENT APPLICABLE TO THE PROPERTY:
(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 OR 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.

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PLAT ACT AFFIDAVIT

STATE OF MISSOURI
COUNTY OF COOK } SS.

J Randall Vance, being duly sworn on oath, states that he 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 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 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 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 easements 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 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 he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

IBC SALES CORPORATION

J Randall Vance
J. Randall Vance
Sr. Vice President – Finance and Treasurer

SUBSCRIBED and SWORN to before me
this 18th day of August, 2006.

Terry E. Humphrey
Notary Public

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