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# THIS INSTRUMENT PREPARED BY:

Helen Suh Wildman, Harrold, Allen & Dixon LLP 225 West Wacker Drive, Suite 2800 Chicago, Illinois 60606

AFTER RECORDING THIS INSTRUMENT SHOULD BE RETURNED TO:

SUBSEQUENT TAX BILLS TO BE SENT TO:

Montesano Capital Management, Inc. 330 East Main Street, 3<sup>rd</sup> Floor Barrington, Illir ois 60010 Attention: James Montesano



Doc#: 0629010033 Fee: \$34.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 10/17/2008 11:06 AM Pg: 1 of 6

# **SPECIAL WARRANTY DEED**

THIS INDENTURE, made as of June 13, 2006, from Tinley Park Office Center LLC, an Illinois limited liability company, having an address of 33 North Dearborn Street, Suite #1200, Chicago, Illinois 60602 ("Granter"), to Montesano Capital Management, Inc., an Illinois corporation, having an address of 330 East Main Street, 3rd Floor, Barrington, Illinois 60010 ("Grantee"). WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid, by Grantee, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto Grantee, and to its successors and assigns FOREVER, all of that certain real estate situated in the County of Cook and State of Illinois known and described in Exhibit A attached hereto and made a part hereof, together with all and singular the improvements and fixtures located thereon, the hereditaments and appurtenances thereinto belonging, or in anywise 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 Grantor, either in law or equity of, in and to the above described premises, with the hereditament and appurtenances (collectively, the "Real Property").

TO HAVE AND TO HOLD the Real Property unto Grantee, and to its successors and assigns, in Fee Simple forever.

And Grantor, for itself, and its successors, does covenant, promise and agree to and with Grantee, and to its successors and assigns that Grantor has not done or suffered to be done, anything whereby the Real Property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that it WILL WARRANT AND FOREVER DEFEND, the title and quiet possession to the Real Property against all persons lawfully claiming, or to claim the same, by, through or under Grantor, subject only to all covenants, restrictions, easements, reservations and other exceptions set forth in <a href="Exhibit B">Exhibit B</a> attached hereto and made a part hereof (the "Permitted Title Exceptions").

Box 400-CTCC

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IN WITNESS WHEREOF, Grantor has caused its name to be duly signed to this Special Warranty Deed the day and year first above written.

Tinley Park Office Center LLC

By:

Tinley Park Office Partners LLC

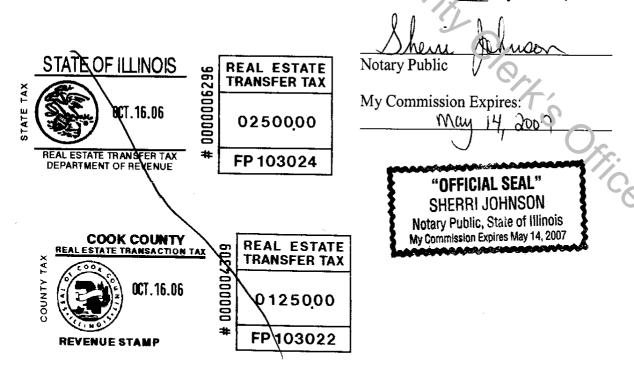
By:

Michael A. Tobin Manager

STATE OF ILLINOIS )
COUNTY OF COOK )
SS.

I, the undersigned, a Notary Public, in and for the State aforesaid, do hereby certify that Michael A. Tobin, a Monager of Tinley Park Office Partners LLC, an Illinois limited liability company, personally known to the same person whose name is subscribed to the foregoing instrument appeared before the and acknowledged that he signed and delivered the said instrument as his own free and voluntary act as a Manager of Tinley Park Office Center LLC, for the uses and purposes therein set forth.

GIVEN under my hand and notarial scalethis 13 day of June, 2006.



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# **EXHIBIT A**

### LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS::

COMMENCING AT THE NORTHEAST CORNER OF SIECLAR SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 19: THENCE NORTH 89 DEGREES, 42 MINUTES, 59 SECONDS WEST ALONG THE NORTH LINE OF SAID SIECLAR SUBDIVISION, 1029.52 FEET TO THE EAST LINE OF HARLEM AVENUE AS DEDICATED, THENCE NORTH O DEGREES, 1 MINUTES, 30 SECONDS EAST ALONG SAID EAST LINE, 1825.41 FEET TO THE SOUTH LINE OF 163RD STREET AS DEDICATED, THENCE SOUTH B9 DEGREES 43 MINUTES OO SECONDS FAST ALONG SAID SOUTH LINE 220 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING ALONG SAID SOUTH LINE 41.51 FEET TO A POINT OF CURVATURE ON SAID SOUTH LINE, THENCE FASTERLY ALONG SAID SOUTH LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 435 FLET, AN ARC DISTANCE OF 129.37 FEET TO THE WEST LINE OF BREMENTOWNE ROAD SOUTH AS DEDICATED; THENCE SOUTH 21 DEGREES, 6 MINUTES, 27 SECONDS EAST ALONG SAID WEST LINE, 114.53 FEET TO A POINT OF CURVATURE ON SAID WEST LINE; THENCE SUUTHERLY ALONG SAID WEST LINE BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 235.04 FIET, AN ARC DISTANCE OF 86.69 FEET TO A POINT OF TANGENCY ON SAID WEST LINE, THENCE SOUTH OO DEGREES, 1 MINUTE, 30 SECONDS WEST ALONG SAID WEST LINE, 97.80 [EET] THENCE NORTH 89 DEGREES, 58 MINUTES, 30 SECONDS WEST 236.97 FEET, NORTH O DEGRE'S, 1 MINUTE 30 SECONDS EAST 299.01 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS

# PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1. AS SET FORTH IN AGREEMENT FOR RECIPROCAL EASEMENT RECORDED OCTOBER 1, 2001 AS DOCUMENT 001092034 AND CREATED BY GRANT OF EASEMENT RECORDED DECEMBER 5, 2001 AS DOCUMENT 0011143840 FOR THE PURPOSE OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND:

### EASEMENT 1:

THE EAST 20 FEET OF THE NORTH 299.01 FEET OF THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:: COMMENCING AT THE NORTHEAST CORNER OF SIECLAR SUBDIVISION BEING A SUBDIVISION OF PART OF THE COUTHWEST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 19, THENCE NORTH 89 DEGREES 42 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE OF SAID SIECLAIR SUBDIVISION 1029.52 FEET TO THE EAST LINE OF HARLEM AVENUE, AS DEDICATED; THENCE NORTH O DEGREES OF MINUTES 30 SECONDS EAST ALONG SAID EAST LINE, 1525.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH O DEGREES, 01 MINUTE, 30 SECONDS EAST ALONG THE LAST DESCRIBED LINE 300 FEET TO THE SOUTH LINE OF 163RD STREET AS DEDICATED; THENCE SOUTH 81 DEGREES, 43 MINUTES, 00 SECONDS EAST ALONG SAID SOUTH LINE 220 FEET, THENCE SOUTH 0 DEGREES, 01 MINUTES 30 SECONDS WEST 299.01 FEET; THENCE NORTH 89 DEGREES, 58 MINUTES, 30 SECONDS WEST 220 FEET TO THE POINT OF BEGINNING. IN COOK COUNTY, ILLINOIS

### EASEMENT 2:

THE WEST 24 FEET OF THE EAST 50 FEET OF THE FOLLOWING DESCRIBED TRACT; THE NORTH

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85.00 FEET OF THE WEST 250.00 FEET OF THAT PART OF THE SOUTHWEST 1/4 OF SECTION 19. TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS::

COMMENCING AT THE NORTHEAST CORNER OF SIECLAR SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 19; THENCE NORTH 89 DEGREES, 42 MINUTES, 59 SECONDS WEST ALONG THE NORTH LINE OF SAID SIECLAR SUBDIVISION, 1029.52 FEET TO THE EAST LINE OF HARLEM AVENUE AS DEDICATED; THENCE NORTH OO DEGREES, O1 MINUTE, 30 SECONDS EAST ALONG SAID EAST LINE, 1202.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH OO DEGREES, O1 MINUTES, 30 SECONDS EAST ALONG THE LAST DESCRIBED LINE 322.54 FEET; THENCE SOUTH 89 DEGREES, 58 MINUTES. 30 SECONDS EAST 456.97 FEET TO THE WEST LINE OF BREMENTOWNE ROAD SOUTH AS DEDICATED; THENCE SOUTH OO DEGREES, O1 MINUTES, 30 SECONDS WEST ALONG SAID WEST LINE 322.54 FEET TO THE NORTH LINE OF STEEPLE RUN UNIT 2, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SAID SECTION 19, THENCE NORTH 89 DEGREES, 58 MINUTES 30 SECONDS WEST, 456.97 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS

# PARCEL 3:

A NON-EXCLUSIVE EXSEMENT FOR THE BENEFIT OF PARCEL 1. AND AS SET FORTH IN AGREEMENT FOR RECIPROCAL EASSMENT RECORDED OCTOBER 1, 2001 AS DOCUMENT 0010912034 AND CREATED BY GRANT OF EASEMENT RECORDED DECEMBER 5, 2001 AS DOCUMENT 0011143840 FOR THE PURPOSE OF PARKING OVER THE FOLLOWING DESCRIBED LAND

### EASEMENT 4:

THE NORTH 85.00 FEET OF THE WEST 250.00 FEET OF THAT PART OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS::

COMMENCING AT THE NORTHEAST CORNER OF SIECLAR SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SAID SOUTHWEST 1/4 OF SECTION 19. THENCE NORTH 89 DEGREES, 42 MINUTES, 59 SECONDS WEST ALONG THE NORTH LINE OF SAID SIECLAR SUBDIVISION, 1029.52 FEET TO THE EAST LINE OF HARLEM AVENUE AS DEDICATED; THENCE NORTH OO DEGREES, O1 MINUTES, 30 SECONDS EAST ALONG SAID EAST LINE, 1202.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH OF DEGREES OF MINUTES 30 SECONDS EAST ALONG THE LAST DESCRIBED LINE 322.54 FEET: THENCE SOUTH 89 DEGREES, 58 MINUTES, 30 SECONDS EAST ALONG THE LAST DESCRIBED LINE 322.54 FEET; THENCE SOUTH 89 DEGREES, 58 MINUTES 30 SECONDS EAST 456.97 FEET TO THE WEST LINE OF BREMENTOWNE ROAD SOUTH AS DEDICATED; THENCE SOUTH OO DEGREES, O1 MINUTES 30 SECONDS WEST ALONG SAID WEST LINE 322.54 FEET TO THE NORTH LINE OF STEEPLE RUN UNIT 2. A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE NORTH 89 DEGREES, 58 MINUTES 30 SECONDS WEST, 456.97 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING, WIL IN COOK COUNTY, ILLINOIS ),;;;c

Common Address: 16325 Harlem Avenue Road, Tinley Park, Illinois

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# **EXHIBIT B**

### PERMITTED EXCEPTIONS

1. GENERAL REAL ESTATE TAXES FOR THE YEAR(S) 2005 AND 2006. 2006 TAXES ARE NOT YET DUE OR PAYABLE.

1A. NOTE: 2005 FIRST INSTALLMENT WAS DUE MARCH 01, 2006 NOTE: 2005 FINAL INSTALLMENT NOT YET DUE OR PAYABLE

- 2. GRANT OF ESMT MADE BY FIRST UNITED BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 3, 1993 AS TRUST NO. 1641 TO THE COMMONWEALTH EDISON COMPANY AND AMERITECH THEIR SUCCESSORS AND ASSIGNS TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, AND FROM TIME TO TIME EMOVE TREES, BUSHES AND SAPLINGS ETC. RECORDED DECEMBER 5, 1994 AS DOCUMENT 04017268.
- 3. EASEMENT IN FAYOR OF COMMONWEALTH EDISON AND AMERITECH AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY 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/FILES: AS DOCUMENT NO. 95106518 AND 95107229, AFFECTING THE SOUTH 10 FEET OF THE LAND. (ALSO A SMALL PORTION AT THE SOUTHWEST CORNER AS SHOWN ON EXHIBIT A ATTACHED TO THE ABOVE REFERENCED DOCUMENTS.
- 4. TERMS, PROVISIONS AND CONDITIONS OF 1HF EASEMENT FOR INGRESS AND EGRESS AS SHOWN IN RECIPROCAL EASEMENT AGREEMENT RECORDED OCTOBER 1, 2001 AS DOCUMENT 0010912034 AND AS CREATED BY GRANT AND REAFFIRMATION OF RECIPROCAL EASEMENT AGREEMENT RECORDED DECEMBER 5, 2001 AS DOCUMENT 0011143840
- 5. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUN DER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.

  NOTE: ABOVE MENTIONED LESSEES ARE AS TENANTS ONLY, WITH NO OPTION TO PURCHASE.
- 6. EASEMENT IN FAVOR OF THE COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY FOR THE PURPOSE OF POLE LINES, CONDUITS AND INCIDENTAL PURPOSES RECORDED JULY 26, 1990 AS DOCUMENT LR3899757, AFFECTING THE SOUTH 10 FEET AND THE WEST 10 FEET, MORE OR LESS, OF THE EAST 105 FEET OF THE SOUTH 30 FEET MORE OR LESS OF THE LAND AND THE TERMS AND PROVISIONS CONTAINED THEREIN.

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STATE OF		O(4)		/ <b>\</b> L	OOI	
<del></del>	} SS					
COUNTY OF	·				DOCUMEN	T NO.

Michael A. Tobin, on behalf of Tinley Park Office Center LLC, an Illinois limited liability company, being duly sworn on oath, states that the company's principal office address is 33 North Dearborn Street, Suite #1200, Chicago, Illinois 60602 and that the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

- The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
- 2. The division or subdivision of the land into parcels or tracts of five acres or more of size which does not involve any new streets or easements of access
- 3. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access
- The sale or exchange of pa cels of land is between owners of adjoining and contiguous land.
- The conveyance is of parcels of and or interests therein for use as right of way for railroads or other public utility facilities, which 5. does not involve any new streets or assement of access.
- The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
- The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for 7. public use or instruments relating to the vacation of land impressed with a public use.
- The conveyance is made to correct descriptions in prior conveyances. 8.
- 9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
- The sale is of a single lot of less than five acres from a larger tract, the divinensions and configurations of said larger tract having 10. been determined by the dimensions and configurations of said larger tract on October 1, 1973, and no sale prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

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 Cook County, Illinois, to accept the attached deed for recording.

TINLEY PARK OFFICE CENTER LLC

BY: TINLEY PARK OFFICE PARTHERS LLC

SUBSCRIBED AND SWORN TO BEFORE ME

this 13 day of June, 2006.

Notary public

Doc. No.: 1672649

"OFFICIAL SEAL" SHERRI JOHNSON Notary Public, State of Illinois

My Commission Expires May 14, 2007