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SPECIAL
WARRANTY
DEED

(Illinois)



Doc#: 0633133185 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 11/27/2008 01:38 PM Pg: 1 of 6

(Recorder's Stamp)

THIS SPECIAL WARRANTY DEED is made as of the 10th day of November, 2006, by V-Land Orland Park 131st LLC, a Delaware limited liability company (the "Grantor"), having an address of 321 N. Clark Street, Suite 2440, Chicago, Illinois 60610, to Aldi Inc., an Illinois corporation (the "Grantee"), having an address of 1 Aldi Drive, Dwight, Illinois 60420 Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, and pursuant to proper authority, hereby Grants, Bargains, Sells, Aliens, Remises, Releases, Conveys, Specially Warrants and Confirms unto Grantee and its successors, heirs and assigns, all right, title and interest of Grantor in the following described property (collectively the "Property"): b
e

1. The real property described on Exhibit A attached hereto and made a part hereof (the "Land");
2. All buildings, fixtures, structures, parking areas, landscaping and other improvements on the Land;
3. All and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in any matter appertaining to such Land, including any and all mineral rights, development rights, water rights and the like; and
4. All right, title and interest of Grantor in and to all strips and gores and any land lying in the bed of any street, road or alley, open or proposed, adjoining such Land.

TO HAVE AND TO HOLD the Property in fee simple unto Grantee and its successors, heirs and assigns, forever.

AND Grantor hereby covenants with Grantee, and its successors, heirs and assigns, that Grantor will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise, subject to the exceptions listed on Exhibit B attached hereto.

Box 400-CTCC

8351527 2 of 2

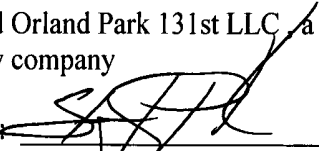
Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, said Grantor has caused this instrument to be duly executed and delivered by its duly authorized officer, as of the day and year first above written.

GRANTOR:

V-Land Orland Park 131st LLC, a Delaware limited liability company

By: 
Steven J. Panko, Manager

THIS INSTRUMENT WAS PREPARED BY:


Marcia Owens
Wildman, Harrold, Allen & Dixon LLP
Suite #2800
225 West Wacker Drive
Chicago, Illinois 60606


AFTER RECORDING RETURN TO:

Todd A. Leeth
Hoepfner Wagner & Evans LLP
103 E. Lincolnway
P.O. Box 2357
Valparaiso, Indiana 4384-2357

SEND SUBSEQUENT TAX BILLS TO:

Aldi Inc.
1 Aldi Drive
Dwight, Illinois 60420

STATE TAX	STATE OF ILLINOIS	# 0000006523	REAL ESTATE TRANSFER TAX
	 NOV. 22. 06		01475.00
	REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE		FP 103024

COUNTY TAX	COOK COUNTY REAL ESTATE TRANSACTION TAX	# 0000004544	REAL ESTATE TRANSFER TAX
	 NOV. 22. 06		00737.50
	REVENUE STAMP		FP 103022

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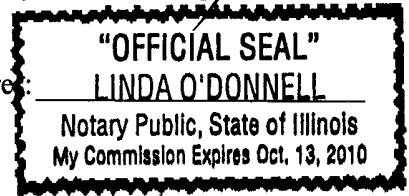
STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, LINDA O'DONNELL, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Steven J. Panko, personally known to me to be the Manager of V-Land Orland Park 131st LLC, a Delaware limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Manager, he signed and delivered the said instrument, pursuant to authority, given by the Members of said limited liability company as his free and voluntary act, and as the free and voluntary act of said limited liability company on behalf of such limited partnership, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 10th day of November, 2006.

Linda O'Donnell
Notary Public

My Commission Expires:



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EXHIBIT A TO DEED LEGAL DESCRIPTION

THAT PART OF LOT 1 OF SOUTHMOOR SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 29, 2003 PER DOCUMENT NUMBER 0324134198 IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 38 MINUTES 21 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 29.15 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 28 SECONDS EAST, A DISTANCE OF 130.71 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 08 SECONDS WEST, A DISTANCE OF 141.70 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 52 SECONDS WEST, A DISTANCE OF 468.72 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 08 SECONDS EAST, A DISTANCE OF 177.29 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE NORTH 00 DEGREES 15 MINUTES 07 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 599.92 FEET TO THE POINT OF BEGINNING, CONTAINING 1.962 ACRES MORE OR LESS.

PERMANENT INDEX NUMBER: 23-34-302-001-0000

ADDRESS: LOT 6, SOUTHEAST CORNER LAGRANGE ROAD AND 131ST STREET, ORLAND PARK, ILLINOIS 60462

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EXHIBIT B TO DEED PERMITTED EXCEPTIONS

1. EASEMENT IN FAVOR OF THE OWNERS OF LOT 4, IN THE PLAT OF SOUTHMOOR SUBDIVISION, ITS EMPLOYEES, AGENTS OR CONTRACTORS, FOR THE PURPOSE OF THE INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF A 12 INCH DIAMETER WATER LINE AND ALL IMPROVEMENTS ASSOCIATED THEREWITH RECORDED/FILED MARCH 21, 2003 AS DOCUMENT NO. 0030385157 AFFECTING THAT PORTION OF THE LAND INDICATED AS 20' PUBLIC UTILITY AND DRAINAGE "EASEMENT NO. 1" ON THE DRAWING PREPARED BY THOMASON SURVEYING LTD., DATED AS OF FEBRUARY 25, 2003 ATTACHED THERETO AS EXHIBIT "C", AND THE TERMS AND PROVISIONS CONTAINED THEREIN.
2. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE ACCESS EASEMENT AGREEMENT EXECUTED BY AND BETWEEN PULTE HOME CORPORATION, A MICHIGAN CORPORATION AND FOUNDERS BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 31, 1999 KNOWN AS TRUST NUMBER 5629 AND FOUNDERS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 15, 2000 KNOWN AS TRUST NUMBER 5751, RECORDED MARCH 21, 2003 AS DOCUMENT 0030385158, WHICH AMONG OTHER MATTERS PROVIDES FOR THE COSTS OF MAINTAINING SAID EASEMENT AREA WHICH SHALL BE A LIEN AGAINST THE LAND.
3. CROSS EASEMENTS FOR THE BENEFIT OF LOTS 1 AND 4 OF SOUTHMOOR SUBDIVISION, THEIR SUCCESSORS AND ASSIGNS, FOR THE PURPOSE OF AN ENTRANCE ROAD FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS TO AND FROM SAID LOTS 1 AND 4, AS SET FORTH IN THE ACCESS EASEMENT AGREEMENT RECORDED AS DOCUMENT 0030385158, OVER THAT PORTION OF THE LAND AS DEPICTED ON THE DRAWING PREPARED BY THOMPSON SURVEYING, DATED AS OF FEBRUARY 25, 2003 ATTACHED THERETO AS EXHIBIT "C".
4. TERMS, PROVISIONS AND CONDITIONS OF THE ANNEXATION AGREEMENT EXECUTED BY AND BETWEEN THE VILLAGE OF ORLAND PARK, FOUNDERS BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 31, 1999 KNOWN AS TRUST NUMBER 5629; FOUNDERS BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 15, 2000 KNOWN AS TRUST NUMBER 5751; EILEEN O'MALLEY AND PULTE HOME CORPORATION, A COPY OF WHICH WAS RECORDED FEBRUARY 25, 2003 AS DOCUMENT 0030266220.
5. 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH AND WEST LINES OF THE LAND AND OVER A PORTION OF THE SOUTH LINE OF THE LAND, AS SHOWN ON THE PLAT OF SOUTHMOOR SUBDIVISION RECORDED AS DOCUMENT 0324134198.
6. EASEMENT IN FAVOR OF VILLAGE OF ORLAND PARK; THE COMMONWEALTH EDISON COMPANY; AMERITECH ILLINOIS AKA THE ILLINOIS BELL TELEPHONE COMPANY AKA SBC AMERITECH, NICOR GAS AND CABLE TV, 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 PLAT RECORDED/FILED AS DOCUMENT NO. 0324134198 AND THE PLAT RECORDED/FILED AS DOCUMENT NO. ~, AFFECTING THOSE PORTIONS OF THE LAND AS SHOWN WITHIN THE DASHED OR DOTTED LINES AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC

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UTILITY EASEMENT", "PUE" OR OTHER DESIGNATION ON SAID PLAT.

7. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AND TO THE SOUTHERLY PORTION AND THE SOUTHEASTERLY PORTION OF THE LAND SHOWN AS SOUTHMOOR DRIVE ON THE PLAT OF SOUTHMOOR SUBDIVISION AFORESAID.

8. 15 FOOT PUBLIC UTILITY EASEMENT OVER THE EAST LINE OF THE LAND AS SHOWN ON THE PLAT OF SOUTHMOOR COMMONS SUBDIVISION RECORDED AS DOCUMENT.

9. TERMS AND CONDITIONS CONTAINED IN THE MUTUAL NON-EXCLUSIVE ROADWAY AGREEMENT DATED OCTOBER 4, 2006 AND RECORDED OCTOBER 17, 2006 AS DOCUMENT 0629042158 MADE BY V-LAND ORLAND PARK 131ST, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND THE SOUTHMOOR HOMEOWNERS' ASSOCIATION.

10. TERMS AND CONDITIONS CONTAINED IN THE DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE AGREEMENT FOR SOUTHMOOR COMMONS DATED JULY 25, 2006 AND RECORDED OCTOBER 17, 2006 AS DOCUMENT 0629042157 MADE BY V-LAND ORLAND PARK 131ST, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND THE SOUTHMOOR HOMEOWNERS' ASSOCIATION.

11. TERMS AND CONDITIONS CONTAINED IN THE RECIPROCAL EASEMENT AND OPERATING AGREEMENT AMONG V-LAND ORLAND PARK 131ST LLC, E.C. STERN ENTERPRISES, INC., JP MORGAN CHASE BANK, N.A. AND ALDI INC.

12. REAL ESTATE TAXES FOR THE YEAR 2006 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE.

13. ACTS DONE OR SUFFERED BY OR THROUGH GRANTEE.