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SPECIAL WARRANTY DEED



Doc#: 0636102229 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 12/27/2006 01:58 PM Pg: 1 of 6

THIS SPECIAL WARRANTY DEED, is made as of the 21st day of December, 2006, by ROSE FP LLC., an Illinois limited liability company, party of the first part, hereinafter called the "Grantor," to JCG Industries, Inc., an Illinois corporation party of the second party, of 1300 W. Higgins Road, Suite 100, Park Ridge, Illinois 60068 hereinafter called the "Grantee."

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by the Grantee, the receipt whereof is hereby acknowledged by these presents does **REMISE, RELEASE, ALIEN AND CONVEY** unto Grantee, its successors and assigns, all the following described real estate, situated in the County of Cook and State of Illinois known and described as follows:

See legal description attached hereto and made a part hereof as **Exhibit "A"**.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining (the "Real Estate").

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple and has good right and lawful authority to sell and convey said Real Estate; and hereby warrants title to said land and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor, but not otherwise, subject to the Permitted Exceptions set forth on **Exhibit B** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed as of the day and year first above written.

ROSE FP LLC
An Illinois limited liability company

By: ROSE FPC LLC, an Illinois limited liability company

By: _____
Title: Manager



This stamp processed pursuant to Section 7-109-4 A (2) of the Franklin Park Village Code governing review of documents.

12-20-06 ps

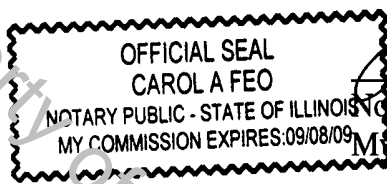
BOX 333-CT

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STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, certify that Craig Whitehead personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instruments as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 26th day of December, 2006.



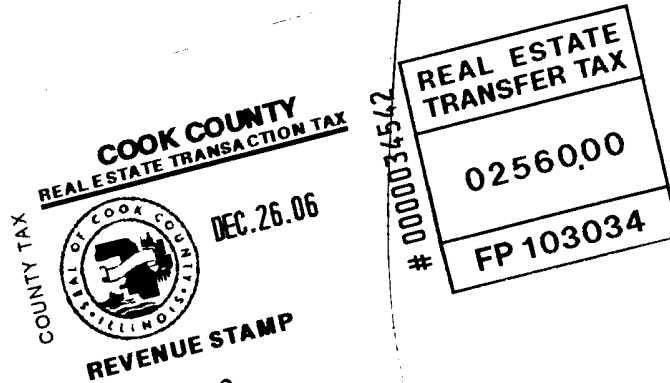
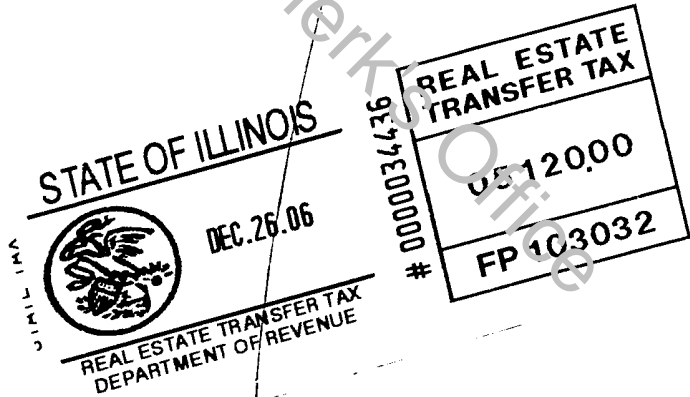
Carol A. Feo
Notary Public, State of ILLINOIS
My commission expires: 9-8-09

This instrument was prepared by:

Kenneth Green
The Crown Group, Inc.
1564 W. Algonquin Road
Hoffman Estates, IL 60192

After recording, this instrument should be returned to:

Joel Goldman
Attorney at Law
5105 Tollview Drive #199
Rolling Meadows, IL 60008



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EXHIBIT A
(Legal Description)

LOT 1 IN KOCH POULTRY SUBDIVISION, BEING A SUBDIVISION OF THE NORTH THREE-QUARTERS OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as 2155 Rose Street, Franklin Park, Illinois

Permanent Index Number: 12-34-100-047

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EXHIBIT B

PERMITTED EXCEPTIONS

1. Real estate taxes not yet due and payable.
2. Mortgage and Security Agreement dated June 12, 2002 and recorded June 18, 2002 as Document No. 0020681104, made by Rose FP LLC, an Illinois limited liability company, to the Lincoln National Life Insurance Company, to secure a Note for \$6,500,000.00.
3. Mortgage Modification Recorded January 13, 2006 as Document 061335086.
4. Assignment of Leases, Rents and Profits dated June 12, 2002 and recorded June 18, 2002 and recorded as Document No. 0020681105, made by Rose FP LLC, an Illinois limited liability company, to the Lincoln National Life Insurance Company.
5. Security Interest of Lincoln Life Insurance Company, secured party, in certain described chattels on the Land, as disclosed by Financing Statement naming Rose FP LLC as Debtor and recorded June 13, 2002 as Document No. 0020664836.
6. Easement Agreement contained in Grant between Pyott Foundry and Machine Co., an Illinois corporation, and Clearing Industrial District, Inc., a Delaware corporation, dated July 28, 1953 and recorded September 3, 1953 as Document 15711110, for the purpose of constructing, repairing and maintaining sanitary sewers over the westerly 21 feet of Lot 1 as shown on Plat of Subdivision, and the provisions and conditions contained therein.
7. Grant made by Edwin G. Popp and Elinor E. Popp to the Illinois Bell Telephone Company dated May 9, 1924 and recorded January 10, 1927 as Document 9517309, of the right to construct and maintain its lines, poles, bars, conduits and other equipment, together with the right of access to the same for the maintenance thereof, in, along, upon and over the roads, streets and highways, adjoining the land and other property, together with the right to trim trees on or adjoining said property.
8. Easement over the east 20 feet of the north 120 feet of Lot 1 in favor of a dominant tenement for the purpose of installation, use, abandonment, maintenance, alteration and repair of a railroad sidetrack for ingress and egress and incidental purposes, as created by Grant of Sidetrack Easements made by Penn Mutual Life Insurance Company of Pennsylvania Corporation to Empro Realty, Inc., recorded October 13, 1965 as

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Document 19615862 and as shown on Plat of Subdivision, and the covenants, conditions, and agreements therein contained.

9. Terms, provisions, conditions and limitations of an ordinance, a copy of which was recorded September 10, 1999 as Document 99860546.
10. Terms, provisions, conditions and limitations of an Ordinance, a copy of which was recorded September 10, 1999 as Document 99860547.
11. Terms, provisions, conditions and limitations of an Ordinance, a copy of which was recorded September 10, 1999 as Document 99860548.
12. Easements, terms and provisions contained in the Reciprocal Easement Agreement recorded November 8, 2001 as Document 0011050903.
13. First Amendment to Reciprocal Easement Agreement with covenants, conditions, and restrictions for Koch Poultry Subdivision dated November 22, 2005 and recorded January 17, 2006 as Document Number 0601742040.
14. Lease made by ROSE FP LLC to Koch Foods Incorporated dated October 18, 2001, a Memorandum of which was recorded November 8, 2001 as Document No. 0011050904, demising the land for a term of twenty-five years beginning upon execution and delivery of the Lease and ending 25 years thereafter, and all rights thereunder of, and all acts done or suffered thereunder by, said lessee or by any party claiming by, through, or under said lessee.
15. Mortgagee's Non-Disturbance Agreement and Lessee's Subordination and Agreement to Attorn dated June 12, 2002 and recorded June 18, 2002 as document 0020681106, by and between the Lincoln National Life Insurance Company and Koch Foods Incorporated.
16. Subordination Agreement dated June 12, 2002 and Recorded June 18, 2002 as Document 0020681107, by and between The Lincoln National Life Insurance Company and Koch Foods Incorporated.
17. Water Main Easement over the easterly and northerly 15 feet, and over a 10 foot strip in the northwesterly part of Lot 1, as shown on Plat of Subdivision.
18. Sanitary Sewer Easement over a 10 foot strip across the southwesterly part of Lot 1, as shown on Plat of Subdivision.
19. Building setback line 20 feet northerly of the southerly lot line, as shown on Plat of Subdivision.
20. Notation on Plat of Subdivision:

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Public utility and drainage easement provisions

Easements are reserved for and granted to the Village of Franklin Park, to those public utility companies operating under franchise from the Village of Franklin Park, including but not limited to Ameritech, Nicor, Commonwealth Edison Company, AT&T Broadband and Internet services and their successors and assigns and to Leyden Township for sanitary sewer and water utility purposes, for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain and operate roadway improvements and various utility, transmission and distribution systems including storm and sanitary sewers, water mains, valve vaults and hydrants together with any and all necessary manholes, catch basins, connections, appliances and other structures and appurtenances which may be deemed necessary by said grantee, over, upon, along, under or through the described area, together with the right of access across the property for necessary personnel and equipment to do any of the above work. The right is also granted to cut down, trim, or remove trees, shrubs or other plants on the easement that interfere with the operation of the sewers or other utilities. No permanent buildings or trees shall be placed on said easements, but same may be used for gardens, shrubs, landscaping and other purposes (including parking), that do not then or later interfere with the aforesaid uses or rights. Where an easement is used for both sewer and/or water mains and other utilities, the other utility installations are subject to the requirements of Leyden Township, provided such service is supplied by Leyden Township. Utility installations, other than those managed by Leyden Township, shall be subject to the approval of the Village of Franklin Park as to design and location, and all other installations are subject to the ordinances of the Village of Franklin Park

21. Surveyor notation on Plat of Subdivision that the land herein is "...located in Zone "C" area of minimal flooding identified for the Village of Franklin Park, Cook County, Illinois, by the Federal Emergency Management Agency Flood Insurance Rate Map, Panel Number 170095-0005 C, dated January 18, 1980."
22. Annexation Agreement recorded October 15, 1999 as Document 99968899, Annexation Ordinance recorded October 15, 1999 as Document 99972796, and the terms and provisions contained in aforesaid instruments.
23. Environmental Disclosure Document No. 00547733, recorded July 21, 2000
24. Acts and deeds of Grantee, or anyone acting by, through or on behalf of Grantee.