



Doc#: 0704741092 Fee: \$36.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 02/16/2007 12:41 PM Pg: 1 of 7

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made as of this 8th day of Feb, 2007, between WHITEHORSE PROPERTIES, INC., an Illinois corporation, duly authorized to transact business in the State of Illinois, party of the first part, and DTE CHICAGO FUELS TERMINAL, LLC, a Michigan limited liability company, party of the second part, of 425 South Main Street, Suite 201, Ann Arbor, Michigan

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid, and pursuant to authority given by the board of directors of said corporation, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its heirs and assigns, FOREVER, all the following described land, situated in the County of Cook and State of Illinois known and described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or in equity, of, in and to the above described premises, with the hereditaments and appurtenances including without limitation and subject to those items set forth on Exhibit "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its heirs and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND FOREVER DEFEND.

Permanent Index Numbers: Part of 26-18-200-028-0000

Address of Property: The Southwesterly 0.016 acres of the parcel commonly known as 10740 S. Burley Avenue, Chicago, Illinois

[SIGNATURE AND NOTARY PAGE FOLLOWS]

8342825024  
See deed # for winter court

Handwritten signature

# UNOFFICIAL COPY

In Witness Whereof, said Grantor has caused its name to be signed to these presents by its President as of the day and year first above written.

WHITEHORSE PROPERTIES, INC.,  
An Illinois corporation

By: *Alan C. Beemsterboer*  
Name: ALAN C. BEEMSTERBOER  
Its: AUTHORIZED MEMBER

State of Illinois )  
) ss.  
County of Cook )

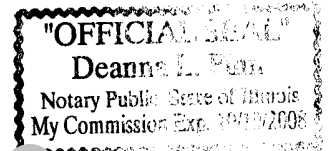
I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Alan Beemsterboer, personally known to me to be the President of WHITEHORSE PROPERTIES, INC., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 8th day of Feb, 2007.

Commission expires 10/10/08

*Alanna Fern*  
Notary Public

This instrument was prepared by: Arlene B. Richman, Esq.  
Latham & Watkins LLP  
233 S. Wacker Drive  
Suite 5800  
Sears Tower, Chicago, IL 60606



AFTER RECORDING MAIL TO:

Arlene B. Richman, Esq.  
Latham & Watkins LLP  
233 S. Wacker Drive  
Suite 5800  
Sears Tower, Chicago, IL 60606

SEND SUBSEQUENT TAX BILLS TO:


Account Manager  
DTE Chicago Fuels Terminal, LLC  
c/o DTE Coal Services, Inc.  
425 S. Main Street, Suite 201  
Ann Arbor, Michigan 48104


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## EXHIBIT A TO DEED

THAT PART OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; THENCE NORTH 00 DEGREE, 14 MINUTES, 58 SECONDS WEST (SAID BEARINGS BASED ON THE BEARING OF THE CALUMET RIVER DOCK LINE BEING NORTH 62 DEGREES 30 MINUTES 29 SECONDS EAST AND THE SUBSEQUENT BEARINGS IN THIS DESCRIPTION ARE RELATIVE THERETO), A DISTANCE OF 8.58 FEET ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SAID NORTHEAST 1/4 OF SECTION 18; THENCE NORTH 89 DEGREES 18 MINUTES 29 SECONDS EAST, A DISTANCE OF 42.18 FEET; THENCE NORTH 71 DEGREES 03 MINUTES 08 SECONDS EAST A DISTANCE OF 44.13 FEET; THENCE SOUTH 27 DEGREES 36 MINUTES EAST A DISTANCE OF 15.00 FEET; THENCE SOUTH 27 DEGREES 19 MINUTES 47 SECONDS EAST (DEED) SOUTH 26 DEGREES 48 MINUTES 18 SECONDS EAST (MEASURED) 169.16 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 66 DEGREES 01 MINUTES 22 SECONDS EAST (MEASURED) 57.68 FEET; THENCE SOUTH 72 DEGREES 15 MINUTES 12 SECONDS EAST (DEED) SOUTH 72 DEGREES 50 MINUTES 11 SECONDS EAST (MEASURED) 36.99 FEET; THENCE NORTH 27 DEGREES 19 MINUTES 47 SECONDS WEST (DEED) NORTH 26 DEGREES 48 MINUTES 18 SECONDS WEST (MEASURED) 38.49 FEET TO THE POINT OF BEGINNING

STATE TAX		STATE OF ILLINOIS	REAL ESTATE TRANSFER TAX
		FEB. 15.07	00010.00
		# 0000006957	FP 103024
		REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE	

COUNTY TAX		COOK COUNTY	REAL ESTATE TRANSFER TAX
		REAL ESTATE TRANSACTION TAX	00005.00
		FEB. 15.07	FP 103022
		# 0000004984	
		REVENUE STAMP	

CITY TAX		CITY OF CHICAGO	REAL ESTATE TRANSFER TAX
		FEB. 15.07	00075.00
		# 0000004716	FP 103023
		REAL ESTATE TRANSACTION TAX DEPARTMENT OF REVENUE	

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## EXHIBIT B TO DEED

### PERMITTED EXCEPTIONS

1. GENERAL REAL ESTATE TAXES FOR THE YEAR 2006 AND 2007 AND SUBSEQUENT YEARS, A LIEN WHICH IS NOT YET DUE OR PAYABLE.
2. NONEXCLUSIVE PERPETUAL EASEMENT FOR THE PURPOSE OF USING, MAINTAINING, REPAIRING AND REPLACING EXISTING RAILROAD TRACKS AS RESERVED IN DEED FROM ACME STEEL COMPANY, A DELAWARE CORPORATION TO MICRODOT INC., ITS SUCCESSORS AND ASSIGNS, RECORDED FEBRUARY 25, 1988 AS DOCUMENT 88081403, AS DEPICTED AS EASEMENT V-1 ON A SURVEY THEREOF ATTACHED AS EXHIBIT C TO SAID DOCUMENT AND INCORPORATED BY REFERENCE THEREIN AND NONEXCLUSIVE PERPETUAL EASEMENT OVER A PART OF THE LAND FOR THE PURPOSE OF USING, MAINTAINING, REPAIRING AND REPLACING EXISTING UTILITIES, AS DEPICTED AS EASEMENT V-2 ON A SURVEY ATTACHED THEREC AS EXHIBIT 'C'.
3. AN EXCLUSIVE AND PERPETUAL EASEMENT IN FAVOR OF ACME STEEL COMPANY, A CORPORATION OF DELAWARE, AS CREATED BY RESERVATION IN SPECIAL WARRANTY DEED FROM ACME STEEL COMPANY, A CORPORATION OF DELAWARE, TO MICRODOT, INC., A CORPORATION OF DELAWARE RECORDED FEBRUARY 25, 1988 AS DOCUMENT 88081403 ON, ALONG, OVER AND ACROSS A PARCEL OF LAND (5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED PNEUMATIC LINE) FOR THE PURPOSE OF USING, MAINTAINING, REPAIRING AND REPLACING AN EXISTING PNEUMATIC LINE, WHICH RUNS ON, ALONG AND UNDER AN EXISTING FENCE LOCATED ON OR WITHIN TWO (2) FEET OF THE WEST, SOUTHWEST, SOUTH AND SOUTHEAST BOUNDARY OF THE LAND CONVEYED IN SAID DEED.
4. EASEMENT FOR NAVIGATION PURPOSES CREATED BY GRANT DATED DECEMBER 23, 1964 AND RECORDED JANUARY 4, 1965 AS DOCUMENT 19347553 FOR REPUBLIC STEEL CORPORATION TO THE UNITED STATES OF AMERICA.
5. INSTRUMENT OF TRANSFER DATED AUGUST 1, 1975 AND RECORDED AUGUST 28, 1975 AS DOCUMENT 23202944 AND FILED SEPTEMBER 8, 1975 AS DOCUMENT LR2828072, WHEREIN REPUBLIC STEEL CORPORATION A CORPORATION OF THE STATE OF NEW JERSEY, SELLS, ASSIGNS, CONVEYS ETC., UNTO ILLINOIS INDUSTRIAL POLLUTION CONTROL FINANCING AUTHORITY, A BODY CORPORATE AND POLITICAL AND PUBLIC INSTRUMENTALITY CREATED UNDER THE LAWS OF THE STATE OF ILLINOIS, ALL PROPERTY COMPRISING THE PROJECT DESCRIBED IN EXHIBIT "A" HERETO LOCATED UPON FOREGOING PREMISES AND OTHER

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PROPERTY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

6. (A) TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS THE EASEMENT PARCELS CONTAINED IN THE INSTRUMENT CREATING SAID EASEMENTS. (B) RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.
7. EXISTING UNRECORDED SALT PAD LEASE IN FAVOR OF CALUMET TRANSLOAD RAILROAD L.L.C. AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY THROUGH OR UNDER THE LESSEES.

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CH\910236.1

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## PLAT ACT AFFIDAVIT

STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF COOK        )

Alan C. Brensterboer, being duly sworn on oath, states that he is the President of Whitehorse Properties, Inc., an Illinois corporation, with a business address of 16807 South Park, South Holland, Illinois 60473. 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 grantor owns no adjoining property to the premises described in the attached 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 land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
3. The division 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 a 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.

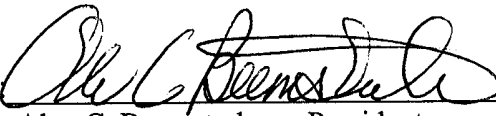
CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

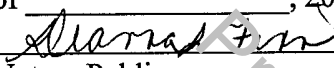
Affiant further states that he makes this affidavit for the purpose of inducing the Recorder to accept the attached deed for recording.

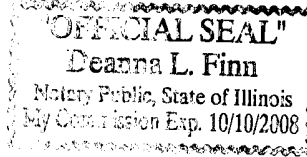
Further the affiant sayeth naught.

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**WHITEHORSE PROPERTIES, INC.,**  
an Illinois corporation

By   
Alan C. Beemsterboer, President

Subscribed and sworn to  
before me this \_\_\_\_ day  
of \_\_\_\_\_, 2007.  
  
Notary Public



Commission expires: 12/16/08

Property of Cook County Clerk's Office

*Parcel 7 (Whitehorse to DTE)*