## **UNOFFICIAL COPY**

THIS INSTRUMENT WAS PREPARED BY:

Mark S. Richmond, Esq. Richmond Breslin LLP 233 S. Wacker Drive, Suite 5775 Chicago, Illinois 60606 RB File No. 11000.61800 Ø8112**0**5171D

Doc#: 0811205171 Fee: \$46.00 Eugene "Gene" Moore RHSP Fee: \$10.00 Cook County Recorder of Deeds

Date: 04/21/2008 12:02 PM Pg: 1 of 6

AFTER RECORDING RETURN TO:

3431617 SIZLA

Stutzman, Bromberg, Esserman & Plifka, P.C. 2323 Bryan Street, Suite 2200 Dallas, Texas 75201-2689 Attention: Kerneth F. Plifka, Esq.

### SPECIAL WARRANTY DEED Illinois

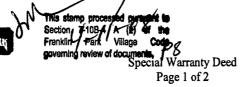
THIS INDENTURE, made as of the 15<sup>1/1</sup> day of April, 2008, by CENTERPOINT PROPERTIES TRUST, a Mary and real estate investment trust, having an address of 1808 Swift Drive, Oak Brook, Illinois 60.23 ("Grantor"), to and in favor of THE REALTY ASSOCIATES FUND VIII, L.P., a Delaware limited partnership, having an address c/o TA Associates Realty, 28 State Street, 10<sup>1/1</sup> Floor, Boston, Massachusetts 02109, Attn: Asset Manager-Illinois Industrial (the "Grantee"),

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the Grantee and to its successors and assigns, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois known and described in Exhibit A attached hereto and by this reference made a part hereof, together with all and singular the improvements, 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, intraest, claim or demand whatsoever, of the Grantor, either in law or equity, of, in and to the socve described premises, with the improvements, hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the Grantee, its successors and assigns forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its successors 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

742107-1



3501 Mt. Prospect Road, Franklin Park, Illinois

Box 400-CTCC

6

0811205171D Page: 2 of 6

CENTERPOINT PROPERTIES TRUST, a

### **UNOFFICIAL COPY**

claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to the matters set forth in **Exhibit B** attached hereto and made a part hereof.

**IN WITNESS WHEREOF**, Grantor has caused its name to be signed to these presents the day and year first above written.

	Maryland real estate investment trust
A	Para I Ma
	Name: James N. Clewlow
	Its: Chief Investment Officer
0	105
STATE OF ILLINOIS TRANSFER TAX	By: MANA
6	Name: Michael fortorici
APR. 18.08   1850000	Its: Vice President, Treasurer
APR. 18.08 8 1855 0.00	
REAL ESTATE TRANSFER TAX # FP 103024	
DEPARTMENT OF REVENUE	
个	COOK COUNTY REAL ESTATE REAL ESTATE
	(x) IRANSFER TAX
STATE OF ILLINOIS )	APR. 18.08 09275.00
)	2 12 N. 10.00 B 09275.00
COUNTY OF DUPAGE )	0 (670)
	REVENUE STAMP FP 103022
Alice Al	
1, Nim Navarro	, a Notary Public in and for said County, in
the State aforesaid, DO HEREBY CE	
and Michael Toto	
	a Maryland real estate investment trust who are
	sons whose names are subscribed to the foregoing
	and VP Treasure of said Maryland
	me this day in person and acknowle iged that they
	heir own free and voluntary act and as the free and
	vestment trust, for the uses and purposes therein set
forth.	. 4 /
0WWW. 1	111
GIVEN under my hand and notarial se	eal this <u>( )</u> day of April, 2008.
<b>^</b>	Mirry Marsus
OFFICIAL SEAL	Notary Public
NICOLE NAVARRO	total y 1 dollo
NOTARY PUBLIC - STATE OF ILLINOIS  MY COMMISSION EXPIRES:03/10/09	
7421071 WIT CONVINCISSION EXPIRES:03/10/09	3501 Mt. Prospect Road, Franklin Park, Illinois

Special Warranty Deed Page 2 of 2

0811205171D Page: 3 of 6

# **UNOFFICIAL COPY**

#### **EXHIBIT "A"**

#### **LEGAL DESCRIPTION**

THE NORTH 445 FEET (EXCEPT THE EAST 200 FEET THEREOF AND EXCEPT THE WEST 33 FEET THEREOF) OF THE SOUTHWEST FRACTIONAL 1/4 OF FRACTIONAL SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Commonly Known As:

toperty of Coot County Clerk's Office 3501 Mt. Prospect Road, Franklin Park, Illinois

P.I.N.:

0811205171D Page: 4 of 6

# **UNOFFICIAL COPY**

#### **EXHIBIT "B"**

#### **PERMITTED EXCEPTIONS**

- 1. REAL ESTATE TAXES FOR THE FINAL INSTALLMENT OF 2007 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE.
- 2. MATTERS CREATED BY, THROUGH OR UNDER GRANTEE.
- 3. RIGHTS OF HOUSTON HARVEST, INC., IN POSSESSION AND SUCCESSOR IN INTEREST TO HOUSTON FOODS COMPANY, AS TENANT ONLY, UNDER LEASE I ATED FEBRUARY 19, 1993, A MEMORANDUM OF SAID LEASE RECORDED MAY 11, 1993 AS DOCUMENT NO. 93351114, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING JUNE 1, 1993 AND ENDING MAY 31, 2011.
- 4. RIGHTS OF WAY FOR RAILROAD SWITCH AND SPUR TRACKS AS DEPICTED ON THE SURVEY PREPARED BY MICHAEL D. BYTNER (PLS #3326) OF WEAVER BOOS CONSULTANTS, CERTIFIED, SIGNED AND LAST REVISED ON MARCH 28, 2008 (THE "SURVEY").
- 5. GRANT OF EASEMENT DATED OCTOBER 10, 1969 AND RECORDED OCTOBER 16, 1969 AS DOCUMENT 20987306 MADE BY NORTH PIER TERMINAL CO., TO THE COMMONWEALTH EDISON COMPANY AND THE ILLINOIS BELL TELEPHONE COMPANY OVER THE SOUTH 5 FEET OF THE LAND, AS DEPICTED ON THE SURVEY.
  - (AFFECTS ONLY THAT PART PORTION OF THE PROPERTY AS SHOWN ON THE SURVEY)
- 6. THE FOLLOWING MATTERS AS SHOWN ON THE SURVEY:
  - 1. 2 POWER POLES LOCATED IN THE NORTHWEST CORNER;
  - 2. WALKWAY BELOW BREEZEWAYS LOCATED ON THE LAND ALONG THE NORTH LINE WHICH CONNECT TO THE BUILDING LOCATED NORTH OF THE LAND.

0811205171D Page: 5 of 6

# STATE OF ILLINOIS )

COUNTY OF COOK

#### PLAT ACT AFFIDAVIT

The undersigned, being duly sworn on oath, states that **CENTERPOINT PROPERTIES TRUST'S**, a Maryland real estate investment trust, principal place of business is 1808 Swift Drive, Oak Brook, Illinois and that the attached deed is not in violation of Section 1 of Chapter 109 of the Illinois Revised Statutes for one of the following reasons: (CIRCLE NUMBER BELOW WHICH IS APPLICABLE TO ATTACHED DEED)

- 1. The division of subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements or access.
- 2. The civision of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
  - 3. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
- 4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access.
- 5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
- 6. 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.
  - 7. Conveyances made to correct descriptions in prior conveyances.
- 8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
- 9. The sale of a single lot of less than 5 acres from a larger tract when a survey is made by a registered surveyor; provided, that this exemption shall not apply to the sale of any subsequent io s from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.
  - The sale or exchange is of an entire tract of land not being part of a larger tract of land.

0811205171D Page: 6 of 6

### **UNOFFICIAL COPY**

Affiant further states that it makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

#### CENTERPOINT PROPERTIES TRUST,

a Maryland real estate investment trust

Name:

James N. Clewlow Chief Investment Officer

Title:

By:

Name:

Vice President Treasurer

Clart's Office

Title:

Subscribed and sworn to before me this 15 day of April, 2008.

Notary Public

OFFICIAL SEAL
NICOLE NAVARRO
NOTARY PUBLIC - STATE OF ILLINOIS
NY COMMISSION EXPIRES:03/10/09