

# UNOFFICIAL COPY

This document being rerecorded to correct the Legal and Exhibit B.

THIS INSTRUMENT PREPARED BY  
AND AFTER RECORDING RETURN TO:

Daniel L. Aaronson, Esq.  
Goldberg Kohn, Bell, Black  
Rosenbloom & Moritz, Ltd.  
55 E. Monroe St., Suite 3300  
Chicago, IL 60603

Doc#: 0828444050 Fee: \$46.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/10/2008 01:19 PM Pg: 1 of 6



Doc#: 0830434075 Fee: \$52.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 10/30/2008 02:20 PM Pg: 1 of 9

01  
8441567 C. Hayes  
A

Property of Cook County Clerk's Office  
**GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: THAT on this 5<sup>th</sup> day of September, 2008, the undersigned, Highland Park CVS, L.L.C., an Illinois limited liability company (the "Grantor"), whose mailing address is One CVS Drive, Woonsocket, Rhode Island 02895, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration to the Grantor in hand paid by CP Portfolio 2008, LLC, a Delaware limited liability company (the "Grantee"), whose mailing address is c/o Mesirow Realty Sale-Leaseback, Inc. 321 N. Clark Street, 13th Floor Chicago, IL 60654, the receipt and sufficiency of which is hereby acknowledged, has, subject to the exceptions hereinafter set forth set forth on Exhibit "B" attached hereto and made a part hereof GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the Grantee, all that certain lot, tract or parcel of land, located in Cook County, Illinois (the "Land"), to-wit:

See Exhibit "A" attached hereto and made a part hereof for all purposes.

together with all improvements lying and situated on the, Land, all easements, hereditaments and appurtenances belonging to or inuring to the benefit of the Grantor and pertaining to the Land, if any, and all right, title and interest of the Grantor in and to any land lying in the bed of any street, road or access way, open or proposed, in front of, at a side of or adjoining the Land to the centerline thereof (such Land, improvements and other interests being collectively referred to as the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, its heirs, executors and administrators or successors and assigns, as the case may be, forever; and the Grantor does hereby bind itself and its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto the Grantee, its heirs, successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part hereof.

BEING the same premises conveyed to Grantor by Warranty Deed, dated October 19, 2007, and recorded in the County Clerk's office as Document No. 0729518047 on October 22, 2007. *bhc*

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WHEN this Deed is executed by more than one (1) person, or when the word Grantor or Grantee is more than one (1) person, this instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and reference to any gender shall include either gender and in the case of a legal entity other than a natural person, shall include the neuter gender, all as the case may be.

EXECUTED on September 5<sup>th</sup>, 2008.

[signature page to follow]

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Attached to and made a part of this Deed dated as of September 5th, 2008.

Premises:

CVS Store No. 7327  
Location: Dolton, Illinois

**HIGHLAND PARK CVS, L.L.C.**,  
an Illinois limited liability corporation  
*Company*


By: *[Signature]*  
Robert T. Marcello, Vice President

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VILLAGE OF DOLTON  
WATER/REAL PROPERTY TRANSFER TAX  
ADDRESS: 1000-1018 Sibley Blvd  
ISSUE: 10-10-08 EXPIRED: 1-1-09  
AMT: 50  
TYPE: WST  
No. 14842  
*Heather Howard*  
VILLAGE COMPTROLLER

COUNTY TAX

**COOK COUNTY**  
**REAL ESTATE TRANSACTION TAX**



OCT. 10. 08


REVENUE STAMP

# 0000048211

REAL ESTATE TRANSFER TAX
0255275
FP 103042

STATE TAX

**STATE OF ILLINOIS**



OCT. 10. 08

REAL ESTATE TRANSFER TAX  
DEPARTMENT OF REVENUE

# 0000035939

REAL ESTATE TRANSFER TAX
05 105.50
FP 103037

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STATE OF RHODE ISLAND §  
§ ss.  
COUNTY OF PROVIDENCE §

I, Melinda Chavez, a notary public in and for said county in said state, hereby certify that Robert T. Marcello, whose name as the Vice President of HIGHLAND PARK CVS, L.L.C., an Illinois limited liability <sup>company</sup> corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such Vice President and with full authority, executed the same voluntarily for and as the act of said entity.

Given under my hand and official seal this 4 day of September, 2008

Melinda Chavez  
Notary Public  
My commission expires: \_\_\_\_\_

[Notary Seal]

4413180v.1

**MELINDA CHAVEZ**  
Notary Public  
State of Rhode Island  
ID #48871  
My Commission Expires 10/19/2009

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## EXHIBIT A

### LEGAL DESCRIPTION

Part of the East half of the Southeast quarter of Section 23, Township 3 North, Range 6 East of the Third Principal Meridian, Clay County, Illinois, more particularly described as follows:

Beginning at an iron pin on the existing West right of way line of a public road (now State Street) located in the East half of the Southeast quarter of said Section 23, 110 feet South of the point of intersection of said West right of way line with a line 140 feet South of and parallel to the survey centerline of Federal Aid Route 13 (now U.S. 50) as recorded in Plat Record D, page 88, in the Office of the Recorder of Deeds of Clay County, Illinois; thence South  $00^{\circ}38'27''$  East, along the westerly right of way of State Street, 157.96 feet to an iron pin; thence North  $87^{\circ}41'40''$  West, along the northerly right of way line of Given Street, 199.98 feet to an iron pin; thence leaving said right of way line North  $00^{\circ}38'04''$  West 267.15 feet to an iron pin on the southerly right of way line of U.S. 50; thence South  $87^{\circ}51'43''$  East, along said right of way line, 150.00 feet to an iron pin; thence South  $24^{\circ}35'55''$  East 122.79 feet to the point of beginning.

**PIN: 10-23-400-022**

**PIN: 10-23-400-021**

Property Address: 600-618 E. Sibley Blvd. Dolton, Illinois 60419

CLERK OF COOK COUNTY Clerk's Office

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## EXHIBIT B

### TITLE EXCEPTIONS

1. Taxes for the year 2008 are now a lien, not yet due or payable.
2. Easements contained in Right of Way deed from C. H. Felker to Highway Board of Georgia, dated January 26, 1931, recorded May 30, 1931 in Deed Book 15, page 292, Whitfield County, Georgia records
3. Easement from C. H. Felker to Georgia Power Company, dated July 16, 1936, recorded January 14, 1939 in Deed Book 25, page 82, aforesaid records.
4. Easements contained in Right of Way Deed from John B. Kiker and William F. Kiker, Sr to Department of Transportation, dated June 24, 1977 and recorded June 24, 1977 in Deed Book 484, page 13. aforesaid records.
5. Easement from Staten Enterprises, Inc. to the City of Dalton, dated July 9, 2003, recorded July 14, 2003 in Deed Book 3996, page 290, aforesaid records
6. Terms and conditions as contained in the Agreement Regarding Reciprocal Easements, Restrictive Covenants and Construction Obligations by and between Staten Enterprises, Inc. and CVS 3767 GA, L.L.C., dated October 19, 2007 and recorded October 22, 2007 in Deed Book 5101, page 186, aforesaid records
7. Terms and conditions as contained in the Easement from CVS 3676 GA, L.L.C. to The City of Dalton, dated March 31, 2008 and recorded April 9, 2008 in Deed Book 5186, page 277, aforesaid records.
8. Terms and conditions as contained in the Memorandum of Lease from CH Dalton GA 2008, LLC, a Delaware limited liability company (Lessor) to Revco Discount Drug Centers, Inc., a Michigan corporation (Lessee) dated \_\_\_\_\_ and recorded \_\_\_\_\_ as Instrument No. \_\_\_\_\_  
  
Subordination and Non-Disturbance Agreement dated \_\_\_\_\_, \_\_\_\_\_ by and between CH Dalton GA 2008, LLC, a Delaware limited liability company and Hinsdale Bank & Trust Company and Revco Discount Drug Centers, Inc., a Michigan corporation, recorded \_\_\_\_\_, \_\_\_\_\_ as Instrument No. \_\_\_\_\_
9. Assignment of Lease and rents and the terms and conditions contained therein:  
From \_\_\_\_\_ : CH Dalton GA 2008, LLC, a Delaware limited liability company  
To \_\_\_\_\_ : Hinsdale Bank & Trust Company  
Dated \_\_\_\_\_ : \_\_\_\_\_  
Recorded \_\_\_\_\_ : \_\_\_\_\_  
Recording No. \_\_\_\_\_ : \_\_\_\_\_

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## EXHIBIT A

### LEGAL DESCRIPTION

Parcel 1:

Lots 11 through 17, all inclusive, in Block 4 of Calumet Sibley Center Addition, being a subdivision of part of the Northeast quarter of Section 10, Township 36 North, Range 14 East of the Third Principal Meridian, recorded as Document No. 9080438 in Cook County, Illinois.

Parcel 2:

Lots 18 through 27, all inclusive, in Block 4 of Calumet Sibley Center Addition, being a subdivision of part of the Northeast quarter of Section 10, Township 36 North, Range 14 East of the Third Principal Meridian, recorded as Document No. 9080438 in Cook County, Illinois.

EXCEPTING THEREFROM that portion of Lot 18 taken for right of way purposes, as described in Document No. 3110602, described as follows:

Beginning at the Southwest corner of said Lot 18; thence North  $00^{\circ}04'29''$  West line of said Lot 18, a distance of 15 feet; thence South  $44^{\circ}39'14''$  East a distance of 21.37 feet to a point on the South line of said Lot 18; thence North  $89^{\circ}17'48''$  West along the South line of said Lot 18, a distance of 15 feet to the point of beginning.

Parcel 3:

The alleyway as vacated in Ordinance No. 07-404 on July 2, 2007 in part of Block 4 in Calumet Sibley Center Addition, being a subdivision of part of the Northeast quarter of Section 10, Township 36 North, Range 14 East of the Third Principal Meridian, recorded as Document No. 9080438 in Cook County, Illinois, more particularly described as follows:

Beginning at the Northwest corner of Lot 18 in said subdivision; thence North  $00^{\circ}04'29''$  West, 16.00 feet, to the Southwest corner of Lot 17 in said subdivision; thence South  $89^{\circ}15'43''$  East, along the South line of said Lot 17, 124.05 feet, to the Southeast corner of said Lot 17; thence South  $00^{\circ}04'29''$  East, 16.00 feet, to the North line of Lot 22 in said subdivision; thence North  $89^{\circ}15'43''$  West, along the North line of said Lots 18 through 22 in said subdivision, 124.05 feet, to the place of beginning, containing 0.0456 acres, more or less.

Parcels 1, 2, and 3 also being described as follows:

Part of Block 4 in Calumet Sibley Center Addition, being a subdivision of Section 10, Township 36 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded as Document No. 9080438, in the office of the Recorder of Cook County, Illinois, more particularly described as follows:

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Commencing at the Southwest corner of said Block 4, said point also being the Southwest corner of Lot 18 in said Block 4; thence North  $00^{\circ}04'29''$  West, along the West line of said Block 4, a distance of 15.00 feet to the place of beginning; thence continuing North  $00^{\circ}04'29''$  West, along said West line, 300.79 feet to the Northwest corner of Lot 11 in said Block 4; thence South  $89^{\circ}15'43''$  East, along the North line of said Lot 11, a distance of 124.05 feet to the northeast corner of said Lot 11; thence South  $00^{\circ}04'29''$  East, along the East line of Lots 11 through 17 in said Block 4, a distance of 191.00 feet to a point on said East line extended to the North line of Lot 22 in said Block 4; thence South  $89^{\circ}15'43''$  East, 140.05 feet to the East line of said Block 4 and the Northeast corner of Lot 27 in said Block 4; thence South  $00^{\circ}04'29''$  East, along the East line of said Block 4, a distance of 124.86 feet to the South line of said Block 4 and the Southeast corner of said Lot 27; thence North  $89^{\circ}14'48''$  West, along the South line of said Block 4, a distance of 249.1 feet; thence North  $44^{\circ}39'14''$  West, 21.37 feet to the place of beginning, containing 1.298 acres, more or less, all in Cook County, Illinois.

**PIN: 10-23-400-022**

**PIN: 10-23-400-021**

Property Address: 600-618 E. Sibley Blvd. Dolton, Illinois 60419

Property of Cook County Clerk's Office



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## EXHIBIT B

### TITLE EXCEPTIONS

1. Taxes for the year 2008 are now a lien, not yet due or payable.
2. Decree entered June 11, 1970 in Case No. 68CH4009, enjoining the use of Lots 12, 13 and 14 in Block 4 for any purpose other than a Business Purpose.  
(Affects Lots 12, 13 and 14 of Parcel 1)
3. Decree entered June 11, 1970 in Case No. 68CH4009, enjoining the Defendant Village of Dolton from enforcing the 1962 revised Zoning Ordinance of the Village of Dolton, for any amendment thereof, insofar as it restricts the use of Lot 11 and other property not now in question for Business Purposes.  
(Affects Lot 11 and other land not in question of Parcel 1)
4. Restrictions that all lots fronting on Sibley Street and Chicago Road shall be known as business lots and only brick or similar construction is to be used in improving such lots, also all other lots in subdivision shall be known as Residence and no business buildings shall be built thereon, all buildings on said residence lots shall be set back 25 feet from front line, as shown in Document Nos. 453215, 478065, 436166, 476630 and 581728, also as shown on Certificate of Title recorded June 1, 2000 as Document No. 00395697.  
(Affects Parcel 1)
5. Rights of the Municipality, the State of Illinois, the public and adjoining owners in and to an alley vacated per Village of Dolton Ordinance No. 07-404, dated July 2, 2007 and recorded October 22, 2007, as Document No. 0729518045 in the Office of the Cook County Recorder.  
(Affects Parcel 3)

Note: The Company insures the Insured against loss or damage which the Insured shall sustain by reason of (A) rights of others in and to said alley; or (B) a final order, judgment or decree from a Court of competent jurisdiction which constitutes a final determination and denies the right to maintain any improvements now or hereafter located on the insured premises because of any encroachment thereof on said alley.

6. Rights of the public and quasi-public utilities, if any, in said vacated alley for maintenance therein of poles, conduits, sewers and other facilities.  
(Affects Parcel 3)

Note: The Company insured the Insured against loss or damage which the Insured shall sustain by reason of (A) rights of others in and to said alley; or (B) a final order, judgment or decree from a Court of competent jurisdiction which constitutes a final determination and denies the right to maintain any improvements now or hereafter located on the insured premises because of any encroachment thereof on said alley.