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928/0120 32 001 Page 1 of 7  
1999-11-22 15:57:20  
Cook County Recorder 33.50

**DEED**  
**Statutory (Illinois)**  
**(Corporation to Corporation)**



Above Space for Recorder's use only

THE GRANTOR, FAVORITE BRANDS INTERNATIONAL, INC., a corporation created and existing under and by virtue of the laws of the State of Delaware and duly authorized to transact business in the State of Illinois, having its principal office at 2121 Waukegan Road, Bannockburn, Illinois 60015, for and in consideration of Ten and No/100 Dollars (\$10.00), in hand paid, and pursuant to authority given by the Board of Directors of said corporation, CONVEYS to NABISCO, INC., a corporation organized and existing under and by virtue of the laws of the State of New Jersey having its principal office at the following address 7 Campus Drive, P.O. Box 311, Parsippany New Jersey 07054-0311, the following described Real Estate situated in the County of Cook and State of Illinois, to wit:

See Exhibit A attached hereto and made a part hereof

Permanent Real Estate Index Number(s): 16-36-100-056-0000  
16-36-100-058-8001  
16-36-100-058-8002  
16-36-100-58-8003  
16-36-101-005-0000

Address(es) of Real Estate: 2945 West 31<sup>st</sup> Street, Chicago, Illinois

TO HAVE AND TO HOLD THE PROPERTY, together with all and singular the rights and appurtenances belonging in any way to the Property to Grantee and its successors and assigns forever and together with all rights of warranty, if any, which the Grantor may have against prior owners as and to the extent Grantor obtained such rights when the Property was conveyed to the Grantor.

BECAUSE THIS DEED HAS BEEN AUTHORIZED PURSUANT TO ORDER OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE RELATING TO PLAN OF REORGANIZATION OF THE GRANTOR, IT IS EXEMPT FROM TRANSFER TAXES, STAMP TAXES OR SIMILAR TAXES PURSUANT TO 11 U.S.C. § 1146(C).

I HEREBY DECLARE THAT THIS DEED REPRESENTS A TRANSACTION EXEMPT UNDER PROVISION(S) OF PARAGRAPH (I) SECTION 31-45 OF THE ILLINOIS REAL ESTATE TRANSFER TAX ACT AND PARAGRAPH (K) SECTION 6 OF THE COOK COUNTY REAL PROPERTY TRANSFER TAX ORDINANCE

99-09017, mem

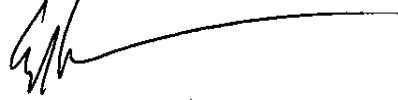
(NY) 14551/033/REALESTATE/deed.il.west31st.wpd

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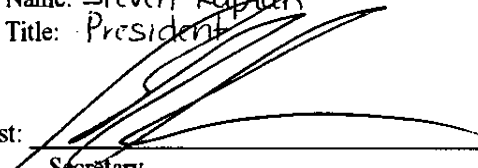
In Witness Whereof, said Grantor has caused its corporate seal, to be hereto affixed, and has caused its name to be signed to these presents by its STEVEN KAPLAN, President, and attested by its BROOKS GRUENNER Secretary, this 17<sup>th</sup> day of November, 1999.

FAVORITE BRANDS INTERNATIONAL, INC.

By: 

Name: Steven Kaplan  
Title: President

(Corporate Seal)

Attest:   
Secretary

Property of Cook County Clerk's Office

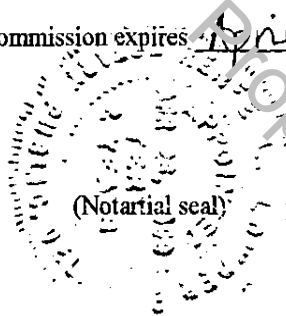
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State of DELAWARE, County of NEW CASTLE. I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that STEVEN KAPLAN personally known to me to be the PRESIDENT president of FAVORITE BRANDS INTERNATIONAL, INC., and BROOKS GRUMMER personally known to be to be the VICE PRESIDENT Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such STEVEN KAPLAN President and BROOKS GRUMMER Secretary, they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and 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 19<sup>th</sup> day of November, 1999

Commission expires April 26, 2001



Renee L. Lowder  
NOTARY PUBLIC

RENEE L. LOWDER  
NOTARY PUBLIC-DELAWARE  
My Commission Expires April 26, 2001

**DOCUMENT PREPARED BY  
AFTER RECORDING RETURN TO:**

DAVIS POLK & WARDWELL  
450 Lexington Avenue  
New York, New York 10017  
Attn: Sean H. Porter, Esq.



**SEND SUBSEQUENT TAX BILLS TO:**

7 Campus Drive, P.O. Box 311  
Parsippany, New Jersey 07054-0311

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2945 West 31st Street  
Chicago, Illinois

## Exhibit A

### Legal Description

#### PARCEL 1 (FEE PARCEL)

That part of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows:

Commencing at the North East corner of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36; thence South along the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 584.42 feet to the point of beginning; thence continuing South along said East line, 365.13 feet, to the Northerly line of a 100 feet strip of land as conveyed to Chicago and Illinois Western Railroad Company by Document Number 3962480 said 100 feet strip being North and adjoining Lot 17 of the Sanitary District Trustee's Subdivision of Right of Way from North and South center line of Section 30, Township 39 North, Range 13 East of the Third Principal Meridian, to the Will County line; thence Southwesterly along said Northerly line, 358.90 feet, to the West line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36; thence North along said West line, 448.29 feet, to a point that is 592.00 feet South of the North West corner of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 76.02 feet; thence South, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 40.42 feet; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 78.00 feet; thence North, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 48.00 feet; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 179.75 feet to the point of beginning (except therefrom that part described as follows: that part of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows:

Commencing at a point in the West line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36 that is 592.00 feet South of the North West corner of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 76.02 feet to the point of beginning; thence South, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 40.42 feet; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 78.00 feet; thence South parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 83.00 feet; thence West, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 107.00 feet; thence North, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 123.00 feet to a line 592.00 feet South of and parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4

of said Section 36; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 29.00 feet to the point of beginning), in Cook County, Illinois.

**PARCEL 2: (EASEMENT PARCEL)**

Easement for the benefit of Parcel 1 as created by Easement Agreement from the City of Chicago, an Illinois municipal corporation, to Farley Candy Company, a Delaware corporation, dated August 1, 1991, and recorded September 18, 1996, as Document Number 96711957 for ingress and egress over and across the following land:

That part of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows:

Commencing at a point in the West line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36 that is 592.00 feet South of the North West corner of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 76.02 feet to the point of beginning; thence South, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 40.42 feet; thence East, parallel with the North line of the East 1/2 of the East 1/2 of North West 1/4 of the North West 1/4 of said Section 36, 78.00 feet; thence South, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 83.00 feet; thence West, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 107.00 feet; thence North, parallel with the East line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 123.00 feet to a line 592.00 feet South of and parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36; thence East, parallel with the North line of the East 1/2 of the East 1/2 of the North West 1/4 of the North West 1/4 of said Section 36, 29.00 feet to the point of beginning, in Cook County, Illinois.

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PARCEL 4: (FEE PARCEL)

A portion of the West half (1/2) of the Northeast quarter (1/4) of the Northwest quarter (1/4) of Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, lying North of a line parallel with and 100 feet distant measured at right angles and Northerly from the Northerly right of way of the Sanitary District of Chicago more particularly described as follows:

Commencing at a point in the Southerly limit of West 31st Street distant Easterly 33 feet from the intersection of the Westerly line of the said Northeast quarter (1/4) of the Northwest quarter (1/4) of Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, and the said Southerly limit of West 31st Street being the Northwest corner of the property herein described; thence Southerly along the Easterly boundary of the property owned by the Illinois Central Railroad Company and leased by the City of Chicago 903.67 feet to a point at the intersection of said Easterly boundary with the Northerly right of way limits of the Illinois Central Railroad said point being 33 feet distant Easterly from and measured at right angles to the said Westerly line of the Northeast quarter (1/4) of the Northwest quarter (1/4) of said Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, and being also 100 feet Northerly from and measured at right angles to said Northerly limit of the right of way of the Sanitary District of Chicago; thence Northeasterly along the said Northerly limit of the right of way of the Illinois Central Railroad 483.84 feet more or less to a point; thence Northerly parallel to the Easterly boundary of the property owned by the Illinois Central Railroad and leased by the City of Chicago a distance of 727.29 feet more or less to the Southerly limit of West 31st Street; thence Westerly along the said Southerly limit of West 31st Street 450 feet to the point of commencement, in Cook County, Illinois.

PARCEL 5: (EASEMENT PARCEL)

Perpetual, non-exclusive easement for the benefit of Parcels 1 and 4 created by Easement Agreement from Illinois Central Railroad Company to Farley Candy Company, a Delaware corporation, dated October 3, 1996 and recorded November 6, 1996, as Document Number 96849705 for use of railroad tracks; use, repair, maintenance and replacement of covered passageway; parking, use, repair, maintenance and replacement of overhead surface and underground utility lines, pipes and equipment; access; and ingress and egress over and across the following land:

The West 33 feet of the West half (1/2) of the Northeast quarter (1/4) of Section 36, Township 39 North, Range 13 East of the Third Principal Meridian, lying North of a line parallel with and 100 feet distant, measured at right angles and Northerly from the Northerly right of way of the Sanitary District of Chicago, except the North 33 feet thereof, in Cook County, Illinois.

STATEMENT BY GRANTOR AND GRANTEE  
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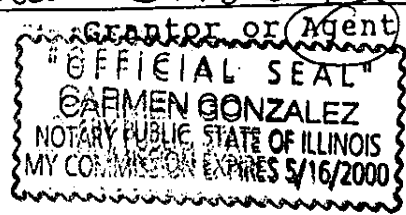
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The Grantor or his Agent affirms that, to the best of his knowledge, the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership, authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated 11/10, 1999

Signature: Lisa Christianson

Subscribed and sworn to before me by the said AGENT this 10th day of November, 1999  
Notary Public [Signature]

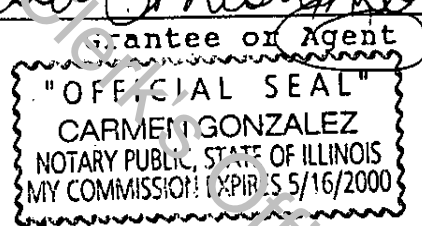


The Grantee or his Agent affirms and verifies that the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated 11/10, 1999

Signature: Lisa Christianson

Subscribed and sworn to before me by the said AGENT this 10th day of November, 1999  
Notary Public [Signature]



NOTE: Any person who knowingly submits a false statement concerning the identity of a Grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to Deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)



**EUGENE "GENE" MOORE**

RECORDER OF DEEDS / REGISTRAR OF TORRENS TITLES  
COOK COUNTY, ILLINOIS