

RECORDING REQUESTED BY:

AND WHEN RECORDED RETURN TO:



Pedersen & Houpt
161 North Clark Street
Suite 3100
Chicago, IL 60601
Attn.: Mary M. Muehlstein

7804862 DT

(Space Above this Line for County Recorder's Use Only)

SPECIAL WARRANTY DEED

b
D

THIS INDENTURE, made this 22nd day of December, 1999, between Opus North Corporation, a corporation created and existing under and by virtue of the laws of the State of Illinois ("Grantor"), whose address is 9700 Higgins Road, Suite 900, Rosemont, Illinois 60018 and CNL APF Partners, LP, a Delaware limited partnership, whose address is CNL Center at City Commons, 450 South Orange Avenue, Orlando, Florida 32801-3336 ("Grantee"), **WITNESSETH**, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and for other good and valuable consideration in hand paid by Grantee, the receipt and sufficiency whereof are hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto Grantee, and its heirs, successors and assigns, FOREVER, all the real estate, situated in the County of Cook and State of Illinois known and described on Exhibit A attached hereto and incorporated herein by reference.

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 or whatsoever, of Grantor, either in law or in equity, of, in and to the above described premises, with the hereditaments and appurtenances; **TO HAVE AND TO HOLD** the said premises as above described, with the appurtenances, unto Grantee, its heirs, successors and assign forever.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, 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 DEFEND**, subject to: (i) those matters shown on Exhibit B attached hereto and incorporated herein by reference; and (ii) all other matters whether or not of record (but only to the extent not done or suffered by Grantor, or persons claiming by, through or under Grantor as hereinabove provided).

Permanent Real Estate Index Number(s): See Exhibit A attached hereto and incorporated herein by reference.

BOX 333-CTI

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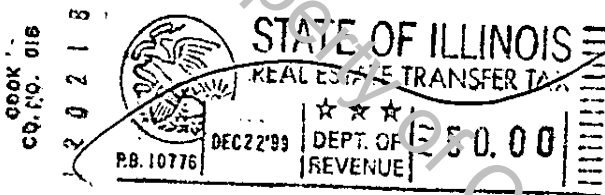
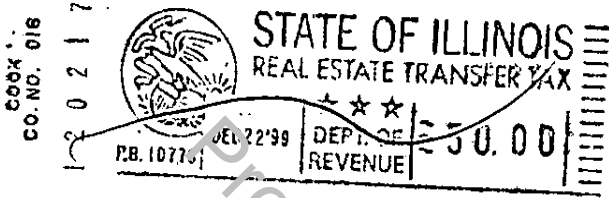
09208460

Address(es) or real estate: The property described on Exhibit A attached hereto and incorporated herein by reference is vacant land located at the Southeast Corner of Willow and Old Willow Roads, Glenview, Illinois, commonly known as Outlot 4 in the Willow Creek Shopping Center.

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

GRANTOR:

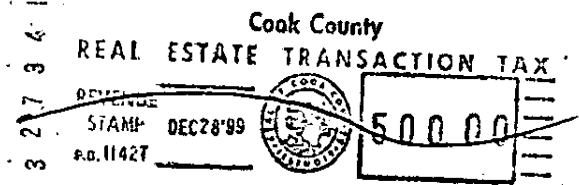
Opus North Corporation, an Illinois corporation



By: John M. Crone HT
Its: President

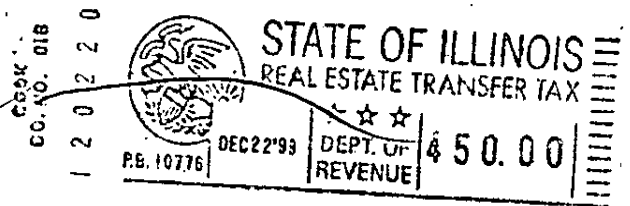
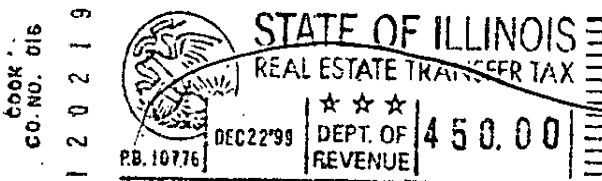
This Deed was prepared by:

Howard I. Goldblatt
O'Brien, O'Rourke & Hogan
10 South LaSalle Street, Suite 2900
Chicago, Illinois 60603



BENNIGAN'S, GLENVIEW, ILLINOIS

*MAIL ALL TAX STATEMENTS TO:
CNL APF PARTNERS, LP
at CNL CENTER AT CITY COMMONS
450 S. ORANGE AVE.
ORLANDO, FL. 32801-3336*



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Acknowledgment

STATE OF ILLINOIS

SS.

COUNTY OF COOK

I, Eva J. Johns, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that John M. Crocker, Jr. personally known to me to be the President of Opus North Corporation, an Illinois corporation, 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 as such President, he/she signed and delivered the said instrument, pursuant to authority, given by the Board of Directors of said corporation as his/her 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 22 day of December, 1999

Eva J. Johns
Notary Public



Commission Expires: 9/4/2002

Property of Cook County Clerk's Office

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Exhibit A to Special Warranty Deed -- Legal Description of Land

Outlot 4 in Willow Creek Center, being a resubdivision of Lots R-1, R-2 and R-3 in North Shore Corporate Park, being a resubdivision recorded December 23, 1999 as Document No. 09192216, all in the South ½ of the Northeast ¼ of Section 22, Township 42 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as Vacant land commonly known as Outlot 4, Willow Creek Shopping Center, Glenview, Illinois

Real Estate Tax No.: 04-22-202-005

Property of Cook County Clerk's Office

Exhibit B to Special Warranty Deed --Permitted Encumbrances

1. Taxes and assessments which are a lien, but which are not yet due and payable.
2. Any laws, regulations or ordinances (including, but not limited to, zoning, building and environmental matters) as to the use, occupancy, subdivision or improvement of the Property adopted or imposed by any governmental agency.
3. Matters disclosed by the survey of the Property and identified by the Title Company on the Title Commitment, except for encroachments of the Improvements onto adjoining properties, easements, set-back lines or right-of-way other than items otherwise constituting Permitted Encumbrances and other than any landscaping or similar site improvements.
4. Acts done or suffered by, through or under, or judgments against, Purchaser.
5. Amended and Restated Declaration of Protective Covenants for Glenview North Shore Park dated December 24, 1996 and recorded August 1, 1996 as Document 96590155 as amended by First Amendment to Amended and Restated Declaration of Protective Covenants for Glenview North Shore Park dated December 24, 1997 and recorded January 12, 1998 as Document 98027733. [Note: Original Declaration of Protective Covenants for Glenview North Shore Park was recorded March 16, 1990 as Document 90119242.]
6. Amended and Restated Annexation Agreement made by and among the Village of Glenview, Illinois, Missionary Sisters Servants of the Holy Spirit and Marathon U.S. Realities, Inc. dated June 18, 1996 and recorded August 1, 1996 as Document 96590154. [Note: Original Annexation Agreement was recorded March 16, 1990 as Document 90119238.]
7. Matters shown on Plat of Subdivision for North Shore Corporate Park recorded March 13, 1998 as Document 98201977.
8. Declaration of Protective Covenants for North Shore Corporate Park recorded April 15, 1998 as Document 98299149.
9. Operation and Easement Agreement between Dayton Hudson Corporation and Opus North Corporation dated as of April 9, 1998 and recorded April 20, 1998 as Document 98312944, as amended by First Amendment to Operation and Easement Agreement, recorded December 29, 1999 as Document No. 09204790
10. Water System Agreement recorded April 20, 1998 as Document 98312942.
- ~~11. Temporary Sign Easement shown on document recorded April 20, 1998 as Document 9831240.~~
12. Matters shown on the Plat of Resubdivision of Willow Creek Shopping Center

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recorded on December 23, 1999 as Document No. 09192216.

13. Easement to Northern Illinois Gas Company recorded May 11, 1999 as Document 99454618.

14. Declaration of Restrictive Use made by Opus North Corporation recorded December 29, 1999 as Document No. ~~09204793~~ 09204793.

15. Declaration of Restrictive Use made by Opus North Corporation and recorded December 29, 1999 as Document No. ~~09204794~~ 09204794.

16. Declaration of Water Main Easement recorded December 29, 1999 as Document No. ~~09204792~~ 09204792.

Property of Cook County Clerk's Office