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THIS INSTRUMENT

PREPARED BY:

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Doc#: 1135529030 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/21/2011 11:28 AM Pg: 1 of 5

AFTER RECORDING

RETURN TO:

Kim A. Smith, Esq.
Kroloff, Belcher, Smart, Perry &
Christopherson
7540 Shoreline Drive
Stockton, California 95219

MAIL TAX BILLS TO:

Las Olas Property, LLC
95 Hillside Avenue
San Anselmo, California 94960
Attn: Brian Mullins

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "**Deed**"), dated as of this 13th day of December, 2011, is given by **W2005 CMK REALTY, L.L.C.**, a Delaware limited liability company, duly authorized to transact business in the State of Illinois and having an office c/o Monroe Investment Partners, LLC, 30 West Monroe Street, Suite 1000, Chicago, Illinois 60603 ("**Grantor**") to **LAS OLAS PROPERTY, LLC**, a California limited liability company, duly authorized to transact business in the State of Illinois and having an office at 95 Hillside Avenue, San Anselmo, California 94960 ("**Grantee**").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, and pursuant to authority given by said corporation, by these presents does remise, release, alien and convey unto Grantee and to Grantee's successors and assigns, forever, the real estate situated in the City of Chicago, County of Cook and State of Illinois, legally described on Exhibit "A" attached hereto (the "**Property**"), subject only to those items, matters and things described on Exhibit "B" attached hereto.

TO HAVE AND TO HOLD THE SAME, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever. Grantor hereby covenants that Grantor and its successors and assigns will warrant and defend the title to the Property unto Grantee and to its successors and assigns forever, against the lawful claims of all persons claiming by, through or under Grantor but none other, subject only to those items, matters and things described on Exhibit B attached hereto.

[signature page follows next]

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[signature page to Special Warranty Deed]

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by its duly authorized representative the day and year first above written.

Grantor:

W2005 CMK REALTY, L.L.C.,
a Delaware limited liability company

By: **Monroe Asset Management LLC,**
an Illinois limited liability company,
its Manager

By: *Thomas R. Brashler*
Name: **Thomas R. Brashler**
Title: **Manager**

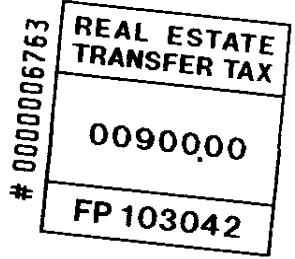
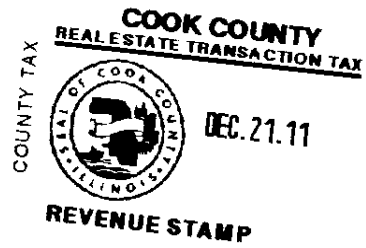
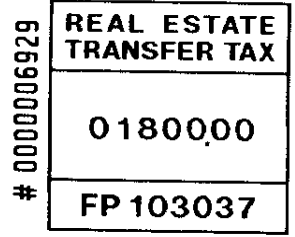
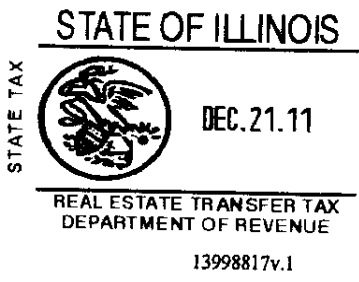
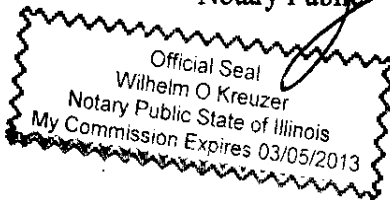
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT Thomas R. Brashler, personally known to me to be the Manager of Monroe Asset Management LLC, an Illinois limited liability company, the Manager of W2005 CMK Realty, L.L.C., a Delaware limited liability company, whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act and as the act of said corporation for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 9th day of December, 2011.

Wilhelm O. Kreuzer
Notary Public

My Commission Expires:
3/5/2013



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Exhibit A

REAL PROPERTY DESCRIPTION

LOT 12 IN CHATHAM MARKET SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 33 , TOWNSHIP 38 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING THE PLAT THEREOF RECORDED JANUARY 5, 2007 AS DOCUMENT NUMBER 0700515159 IN COOK COUNTY, ILLINOIS.

Pin No. 20-33-405-015-0000

Address: 8500 South Holland Road, Chicago, Illinois

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Exhibit B

PERMITTED EXCEPTIONS

1. General real estate taxes for 2011 and subsequent years.
2. Terms, provisions and conditions contained in Lease by and between W2005 CMK Realty, L.L.C., lessor, and Aldi, Inc., lessee, dated August 13, 2009 as disclosed by a Memorandum of Lease recorded September 14, 2009 as document 0925718055, and rights thereunder of and all acts done and suffered thereunder of said lessee or any parties claiming by, through, or under said lessee.
3. Redevelopment Agreement dated February 22, 2006 and recorded February 23, 2006 as document 0605410032 by and between City of Chicago, an Illinois municipal corporation, and W2005 CMK Realty, L.L.C., a Delaware limited liability company; Amendment to Redevelopment Agreement recorded November 14, 2008 as document 0831939017; Second Amendment to Redevelopment Agreement recorded January 26, 2011 as document 1102644043.
4. Blanket Easement Provisions in favor of Commonwealth Edison Company, Ameritech, Peoples Gas Light & Coke Company and Chicago Cable, as set forth on Plat of Subdivision recorded January 5, 2007 as document 0700515159.
5. Amended and Restated Easement, Covenants, Conditions and Restrictions dated March 7, 2011 and recorded April 22, 2011 as document 1111233005 and rerecorded May 24, 2011 as document 1114404032 made by and among W2005 CMK Realty, L.L.C., Lowe's Home Centers, Inc., and Wal-Mart Real Estate Business Trust, and the terms and provisions contained therein.
6. Development Rights Allocation Agreement dated January 5, 2007 and recorded January 5, 2007 as document 0700515166 made by and between W2005 CMK Realty, L.L.C. and Lowe's Home Centers, Inc., and the terms and provisions contained therein; Development Rights Agreement dated April 7, 2011 and recorded April 22, 2011 as document 1111233006 made by and between W2005 CMK Realty, L.L.C. and Wal-Mart Real Estate Business Trust, and the terms and provisions contained therein.
7. Covenants, conditions and restrictions contained in Declaration of Restrictions recorded September 14, 2009 as document 0925718054, and the terms and provisions contained therein.
8. Survey made by Manhard Consulting Ltd. dated December 14, 2010 as Survey No. PIOCH2-100080 discloses the following:
 - a. Possible easement for the benefit of property south and adjoining over and onto the land as shown by driveway over the south line;
 - b. Possible easement for the benefit of property north and adjoining over and onto the land as shown by driveway along the entire north line;

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- c. Interest of utility companies to maintain equipment on the land including transformer pad, storm manholes, storm catch basins, and light standards, electric meter, gas meter and miscellaneous manhole.
9. Environmental No Further Remediation Letter recorded June 24, 2011 as document 1117531061.

Property of Cook County Clerk's Office