

UNOFFICIAL COPY

SPECIAL WARRANTY DEED



Doc#: 1224322013 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/30/2012 08:38 AM Pg: 1 of 4

This instrument prepared by and
after recording return to:
Cole BN Wheeling IL, LLC
c/o Cole Real Estate Investments
2325 E. Camelback Road
Suite 1100
Phoenix, AZ 85016
Attn: Legal Department

(For Recorder's Use Only)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), dated as of the 21st day of August, 2012, is given by Benihana Wheeling Corp. ("Grantor"), to and for the benefit of Cole BN Wheeling IL, LLC a Delaware limited liability company with an address at c/o Cole Real Estate Investments, 2325 E. Camelback Road, Suite 1100, Phoenix, AZ 85016, Attn: Legal Department ("Grantee").

Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration paid by Grantee, receipt of which is acknowledged, grants, bargains, sells and conveys to Grantee the land situate, lying and being in Cook County, in the State of Illinois, more particularly described on the attached Schedule X (the "Property").

TOGETHER WITH (i) any and all structures and improvements on the Property; (ii) all right, title, and interest, if any, of Grantor in any land lying in the bed of any street or highway, opened or proposed, in front of or adjoining the Property and any strips, gaps and/or gores adjoining or adjacent to the Property; (iii) all easements, rights of way, privileges, licenses, appurtenances and other rights and benefits belonging to, running with the owner of, or in any way related to the Property; and (iv) all subsurface oil, gas or other mineral rights, if any, situated beneath the surface of the Property, including any rights of off-site collection or subsurface easements granted or obtained with respect thereto.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO: real estate taxes for the current and subsequent years, zoning and other restrictions, regulations and prohibitions imposed by governmental authorities, and the conditions, restrictions, limitations, reservations, declarations, easements, dedications and agreements of record, without intent to reimpose same.

AND Grantor covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that Grantor warrants the title to the Property and will defend the same against the lawful claims of others claiming by, through or under Grantor.

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SCHEDULE X TO SPECIAL WARRANTY DEED

THE PROPERTY

150 N. Milwaukee Ave., Wheeling, IL
Tax Parcel ID Number 03-02-410-137-0000 and 03-02-410-138-0000

WHEELING, IL

PARCEL 1: LOTS 3 AND 4 IN ONE MILWAUKEE PLACE SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/ 4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1999 AS DOCUMENT 99248118, IN COOK COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS DATED MARCH 4, 1999 AND RECORDED MARCH 15, 1999 AS DOCUMENT NUMBER 99248120 AND BY FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, RECORDED SEPTEMBER 30, 1999, AS DOCUMENT NUMBER 99929770, FOR THE PURPOSE OF INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC AND FOR PARKING PURPOSES OVER THE PROPERTY SET FORTH IN SAID DOCUMENTS.

*150 N. Milwaukee Ave
Wheeling IL*

03-02-410-137

03-02-410-138

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**2 COMMUNITY BLVD
Wheeling, Illinois 60090
(847) 459-2600 • Fax (847) 459-9692**

VILLAGE OF WHEELING TRANSFER CERTIFICATE

The undersigned, pursuant to the authority granted under Title 15, Chapter 15.38 of the Wheeling Municipal Code hereby certifies that the owner of the property commonly known as 150 N. Milwaukee Avenue (03-02-410-137-0000 & 03-02-410-138-0000) has paid in full all water, sewer, garbage fees, local ordinance fines, citations and penalties related to this parcel as of the most recent billing and final meter reading.

THIS CERTIFICATE SHALL BE VALID FOR A PERIOD OF THIRTY (30) DAYS FROM THE DATE OF ITS ISSUANCE.

ANY WATER, SEWER, GARBAGE FEE OR PENALTY THAT ACCRUES AFTER THE ISSUANCE OF A TRANSFER CERTIFICATE AND PRIOR TO CLOSING WILL AUTOMATICALLY BE TRANSFERRED TO THE BUYER IF NOT PAID BY THE SELLER AT CLOSING.

By: Angela Peters
Name: Angela Peters
Title: Financial Services Coordinator
Date: 8/15/2012