

(1a11)

UNOFFICIAL COPY

Quit Claim Deed

MAIL TO:

AG Valley Holdings, LLC
c/o Mike Hoelzeman
2701 E 100th Street
Chicago, IL 60617



Doc#: 1302522070 Fee: \$54.00
Karen A. Yarbrough RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/25/2013 11:09 AM Pg: 1 of 9

NAME & ADDRESS OF TAXPAYER:

AG Valley Holdings, LLC
c/o Mike Hoelzeman
2701 E 100th Street
Chicago, IL 60617

KARSA

8898532

THIS INDENTURE, made this 14th day of November, 2012, by and between **Chicago Rail Link, LLC**, a Colorado limited liability company ("Grantor"), whose address is 2728 E. 104th Street, Chicago, Illinois 60671 and **AG Valley Holdings, LLC**, an Illinois limited liability company ("Grantee"), whose address is 2701 E. 100th Street, Chicago, Illinois 60617.

WITNESSETH:

Grantor, in consideration of the sum of \$1.00 (One Dollar) and other good and valuable consideration, to it in hand paid, the receipt of which is hereby acknowledged, does hereby quitclaim, grant, bargain, sell and convey unto the Grantee, all its right, title, interest, estate, and every claim and demand, both at law and in equity, in and to all of the following described property, and all improvements thereon, situated in Cook County, in the State of Illinois:

A PARCEL OF LAND COMPRISED OF PARTS OF BLOCKS 12, 13, 29, 30 AND 33, AND CERTAIN STREETS ADJOINING SAID PARTS OF BLOCKS, IN NOTRE DAME ADDITION TO SOUTH CHICAGO, BEING A SUBDIVISION OF THE SOUTH 3/4 OF THE FRACTIONAL SECTION 7, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE E. 100TH STREET WHICH IS 381.15 FEET EAST OF THE EAST LINE OF S. TORRENCE AVENUE (SAID EAST LINE OF S. TORRENCE AVENUE BEING 40 FEET EAST OF THE WEST LINE OF SAID FRACTIONAL SECTION 7);

THENCE SOUTH 01 DEGREES 08 MINUTES 15 SECONDS EAST ALONG A STRAIGHT LINE, HAVING AS ITS SOUTHERLY TERMINUS A POINT WHICH IS 700.00

S Y
P 9
S N
SC X
INT N

UNOFFICIAL COPY

FEET SOUTH OF SAID SOUTH LINE OF E. 100TH STREET AND 381.66 FEET EAST OF THE EAST LINE OF SAID S. TORRENCE AVENUE, A DISTANCE OF 225.00 FEET;

THENCE WEST ALONG A LINE PARALLEL WITH SAID SOUTH LINE OF E. 100TH STREET, A DISTANCE OF 90.16 FEET;

THENCE SOUTH ALONG A LINE 90.16 FEET WEST FROM AND PARALLEL WITH THE ABOVE DESCRIBED STRAIGHT LINE, A DISTANCE OF 475.00 FEET TO A POINT WHICH IS 291.50 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01 DEGREES 08 MINUTES 15 SECONDS EAST ALONG SAID PARALLEL LINE, 196.47 FEET TO A POINT WHICH IS 291.64 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE;

THENCE SOUTHEASTERLY 36.98 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 300.00 FEET AND A CHORD OF 36.96 FEET WHICH BEARS SOUTH 16 DEGREES 58 MINUTES 02 SECONDS EAST;

THENCE SOUTH 20 DEGREES 29 MINUTES 55 SECONDS EAST, 202.92 FEET;

THENCE SOUTHEASTLY 80.61 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 475.00 FEET AND A CHORD OF 80.51 FEET WHICH BEARS SOUTH 15 DEGREES 38 MINUTES 13 SECONDS EAST;

THENCE SOUTH 10 DEGREES 46 MINUTES 31 SECONDS EAST, 24.07 FEET TO A POINT WHICH IS 393.42 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE;

THENCE SOUTHEASTERLY 62.35 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 370.00 FEET AND A CHORD OF 62.28 FEET WHICH BEARS SOUTH 05 DEGREES 56 MINUTES 51 SECONDS EAST TO A POINT WHICH IS 398.69 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE;

THENCE SOUTH 01 DEGREES 07 MINUTES 11 SECONDS EAST, 596.62 FEET TO A POINT WHICH IS 398.94 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE;

THENCE SOUTHWESTERLY 76.80 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 450.00 FEET AND A CHORD OF 76.70 FEET WHICH BEARS SOUTH 05 DEGREES 46 MINUTES 09 SECONDS WEST;

THENCE SOUTH 08 DEGREES 39 MINUTES 30 SECONDS WEST, 92.73 FEET;

THENCE SOUTHWESTERLY 67.27 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 400.00 FEET AND A CHORD OF 67.19 FEET WHICH BEARS SOUTH 13 DEGREES 28 MINUTES 34 SECONDS WEST TO A POINT WHICH IS 359.83 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE AND 329.69 FEET NORTH OF THE NORTH LINE OF E. 104TH STREET;

THENCE SOUTH 18 DEGREES 17 MINUTES 37 SECONDS WEST, 177.67 FEET TO A POINT WHICH IS 300.84 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE AND 161.68 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

THENCE SOUTHWESTERLY 43.72 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 325.00 FEET AND A CHORD OF 43.69 FEET WHICH BEARS SOUTH 14 DEGREES 26 MINUTES 23 SECONDS WEST TO A POINT ON A LINE 119.5 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 89 DEGREES 19 MINUTES 18 SECONDS EAST ALONG SAID PARALLEL LINE, 33.86 FEET;

THENCE NORTH 01 DEGREES 04 MINUTES 57 SECONDS WEST, 6.42 FEET;

THENCE NORTH 20 DEGREES 58 MINUTES 56 SECONDS EAST, 301.90 FEET TO A POINT ON THE EAST LINE OF BLOCK 33 IN SAID NOTRE DAME ADDITION, SAID POINT BEING 406.5 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

UNOFFICIAL COPY

THENCE NORTH 01 DEGREES 05 MINUTES 52 SECONDS WEST ALONG SAID EAST LINE OF BLOCK 33, A DISTANCE OF 100.00 FEET TO A POINT WHICH IS 506.5 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 18 DEGREES 53 MINUTES 04 SECONDS EAST, 379.08 FEET TO A POINT ON A LINE 606 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID FRACTIONAL SECTION 7, SAID POINT BEING ALSO 863.7 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 01 DEGREES 05 MINUTES 44 SECONDS WEST ALONG SAID PARALLEL LINE, 883.08 FEET TO SAID LINE 700 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF E. 100TH STREET;

THENCE SOUTH 89 DEGREES 06 MINUTES 46 SECONDS WEST ALONG SAID PARALLEL LINE, 274.50 FEET TO THE POINT OF BEGINNING;
IN COOK COUNTY, ILLINOIS.

CONTAINING 229,932 SQUARE FEET (5.5081 ACRES) OF LAND, MORE OR LESS.

EXCEPTING AND RESERVING, however, unto Grantor, its heirs and assigns, in addition to all minerals and to the rents or proceeds from any easements, leases, licenses or crossing agreements heretofore previously reserved or conveyed, an undivided interest in and to all of the coal, oil, gas, casinghead gas, sulfur, iron ore, lignite, uranium, limestone building stone, caliche, gravel, sand, and all ores and minerals of every kind and nature, in and underlying the surface of the premises herein conveyed, together with the right of ingress and egress at all times for the purposes of mining, drilling, exploring, operating and developing said land for oil, gas and other minerals, and storing, transporting and marketing, together with all the hereditaments and appurtenances thereunto belonging, waiving, however, the right to use or damage the surface of the premises herein conveyed.

AND RESERVING UNTO GRANTOR, its successors and assigns, its trackage shown on Exhibit A, as an exclusive easement with a legal description described below as it lies for its right-of-way over and across the premises being conveyed herein with the right to use, operate over and maintain the tracks together with all right of access across the premises herein conveyed in order to operate over, repair and maintain such trackage and to remove such trackage and appurtenances at its sole discretion for so long as required for railroad purposes and with the right to construct, maintain and operate on a switch connecting the reserved trackage to Grantor's other trackage shown.

A PARCEL OF LAND COMPRISED OF PARTS OF BLOCKS 12, 13, 29, 30 AND 33, AND CERTAIN STREETS ADJOINING SAID PARTS OF BLOCKS, IN NOTRE DAME ADDITION TO SOUTH CHICAGO, BEING A SUBDIVISION OF THE SOUTH 3/4 OF THE FRACTIONAL SECTION 7, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE E. 100TH STREET WHICH IS 381.15 FEET EAST OF THE EAST LINE OF S. TORRENCE AVENUE (SAID EAST LINE OF S. TORRENCE AVENUE BEING 40 FEET EAST OF THE WEST LINE OF SAID FRACTIONAL SECTION 7);

THENCE SOUTH 01 DEGREES 08 MINUTES 15 SECONDS EAST ALONG A STRAIGHT LINE, HAVING AS ITS SOUTHERLY TERMINUS A POINT WHICH IS 700.00

UNOFFICIAL COPY

FEET SOUTH OF SAID SOUTH LINE OF E. 100TH STREET AND 381.66 FEET EAST OF THE EAST LINE OF SAID S. TORRENCE AVENUE, A DISTANCE OF 225.00 FEET;

THENCE WEST ALONG A LINE PARALLEL WITH SAID SOUTH LINE OF E. 100TH STREET, A DISTANCE OF 90.16 FEET;

THENCE SOUTH ALONG A LINE 90.16 FEET WEST FROM AND PARALLEL WITH THE ABOVE DESCRIBED STRAIGHT LINE, A DISTANCE OF 475.00 FEET TO A POINT ON A LINE 700 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF E. 100TH STREET, SAID POINT BEING 291.50 FEET EAST OF SAID EAST LINE OF S. TORRENCE AVENUE;

THENCE NORTH 89 DEGREES 06 MINUTES 46 SECONDS EAST ALONG SAID PARALLEL LINE, 261.76 FEET TO THE POINT OF BEGINNING;

THENCE SOUTHERLY ALONG A LINE 4.00 FEET WEST FROM AND PARALLEL WITH THE CENTER LINE OF AN EXISTING RAILROAD TRACK, THE FOLLOWING 5 COURSES AND DISTANCES;

SOUTH 00 DEGREES 45 MINUTES 06 SECONDS EAST, 802.49 FEET;

SOUTHWESTERLY 178.99 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHEAST, HAVING A RADIUS OF 538.97 FEET AND A CHORD OF 178.17 FEET WHICH BEARS SOUTH 08 DEGREES 45 MINUTES 44 SECONDS WEST;

SOUTH 18 DEGREES 16 MINUTES 34 SECONDS WEST, 456.71 FEET;

SOUTH 18 DEGREES 37 MINUTES 25 SECONDS WEST, 184.41 FEET;

SOUTHWESTERLY 44.60 FEET ALONG THE ARC OF A CIRCLE, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 322.07 FEET AND A CHORD OF 44.56 FEET WHICH BEARS SOUTH 14 DEGREES 39 MINUTES 24 SECONDS WEST TO A POINT ON A LINE 119.5 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 89 DEGREES 19 MINUTES 18 SECONDS EAST ALONG SAID PARALLEL LINE, 30.87 FEET;

THENCE NORTH 01 DEGREES 04 MINUTES 57 SECONDS WEST, 6.42 FEET;

THENCE NORTH 20 DEGREES 58 MINUTES 55 SECONDS EAST, 301.90 FEET TO A POINT ON THE EAST LINE OF BLOCK 33 IN SAID NOTRE DAME ADDITION, SAID POINT BEING 406.5 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 01 DEGREES 05 MINUTES 52 SECONDS WEST ALONG SAID EAST LINE OF BLOCK 33, A DISTANCE OF 100.00 FEET TO A POINT WHICH IS 506.5 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 18 DEGREES 53 MINUTES 04 SECONDS EAST, 370.08 FEET TO A POINT ON A LINE 606 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID FRACTIONAL SECTION 7, SAID POINT BEING ALSO 863.7 FEET NORTH OF SAID NORTH LINE OF E. 104TH STREET;

THENCE NORTH 01 DEGREES 05 MINUTES 44 SECONDS WEST ALONG SAID PARALLEL LINE, 883.08 FEET TO SAID LINE 700 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF E. 100TH STREET;

THENCE SOUTH 89 DEGREES 06 MINUTES 46 SECONDS WEST ALONG SAID PARALLEL LINE, 12.74 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

CONTAINING 32,289 SQUARE FEET (0.7413 ACRES) OF LAND, MORE OR LESS.

UNOFFICIAL COPY

AND EXCEPTING AND RESERVING UNTO GRANTOR, its successors and assigns, the right for the continued use, maintenance, repair, replacement and reconstruction of all existing conduits, sewers, drains, water mains, fiber optic cables and/or communications systems, gas lines, electric power lines, wires and other utilities and easements on the property, whether or not of record, including access thereto. Grantee will not interfere with the rights herein reserved by Grantor or interfere with any facilities used pursuant thereto. In addition, if all or any portion of the property is located within five hundred (500) feet of a railroad right-of-way, the property shall be conveyed subject to the reduction in use and enjoyment and inconveniences, including noise, vibrations and odors, which may result from rail operations on adjacent or nearby properties.

Grantee, on behalf of itself and successors and assigns forever, covenants and agrees that it shall not do nor cause to be done any act that will impede the natural flow of drainage water of the premises conveyed herein as to cause such drainage of water to accumulate on Grantor's remaining property adjacent to the premises to the detriment of Grantor's, its successors or assigns, use and enjoyment of Grantor's remaining property. Provided, however, this covenant shall in no way be construed to prohibit the Grantee from erecting buildings or other improvements on the premises to be conveyed so long as drainage, equivalent to that presently existing, is maintained whether naturally or by other means.

THIS CONVEYANCE SHALL BE SUBJECT TO:

- (A) standard exceptions of the Title Company in its title policies issued in the state in which the property is located.
- (B) special taxes or assessments for improvements not yet completed, if any.
- (C) installments not due at the date hereof of any special tax or assessment for improvements completed, if any.
- (D) general taxes, if any, for the tax year prior to the year in which the Deed is delivered and subsequent years. If the property is locally assessed for the year in which the Deed is delivered, the taxes for such year shall be prorated as of the date on which the Deed is delivered on the basis of the most recent tax bill, unless the payment of taxes has been assumed by a tenant. If the property is assessed as railroad operating property by the state in which the property is located, then the Grantor agrees to pay, when due, taxes for the year in which the deed is delivered and prior years, assessed in Grantor's name.
- (E) building, building lines and use or occupancy restrictions, zoning and building laws or ordinances, and other laws, ordinances, requirements, limitations, restrictions, regulations and codes which are or may be imposed upon the property by any governmental authority having jurisdiction thereof.
- (F) roads and highways, if any.

UNOFFICIAL COPY

(G) judgment liens; however, any judgment against Grantor which may appear of record as a lien against the property shall be settled and satisfied by Grantor if and when it is judicially determined to be finally valid, and Grantor shall indemnify the Grantee for all loss arising out of Grantor's failure to have such judgment lien so settled and satisfied.

(H) covenants, conditions and restrictions of record, and recorded licenses and easements.

(I) existing leases identified on Exhibit B attached hereto and made a part hereof.

(J) rights of an owner in the mineral estate in the property, if any.

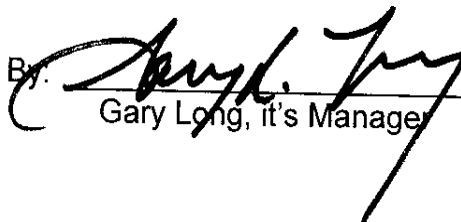
(K) rights of any government agencies, public or quasi-public utilities for the use, maintenance, repair, replacement and reconstruction of existing driveways, roads and highways, conduits, sewers, drains, water mains, fiber optics cables and/or communications systems, gas lines, electric power lines, wires, and other utilities and easements.

(L) acts by, through or under Grantee.

TO HAVE AND TO HOLD the above described premises unto the Grantee, its heirs and assigns forever, so that neither Grantor nor any person in its name and behalf shall or will hereafter claim or demand any right or title to the said premises or any part thereof (except as reserved above), but shall by these presents be excluded and forever barred. Grantee shall indemnify, defend and hold harmless Grantor from and against any and all claims of whatever nature arising from or relating to ownership of the property and Grantee acknowledges that Grantor has no liability for any defect(s) of title.

IN WITNESS WHEREOF, Grantor has caused this indenture to be executed the day and year first above written.

GRANTOR:
Chicago Rail Link, LLC,
a Colorado Limited Liability Company

By: 

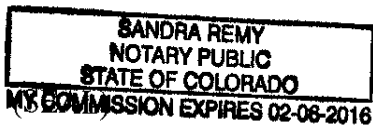
Gary Long, it's Manager

UNOFFICIAL COPY

STATE OF Colorado)
 City : COUNTY OF Denver) ss.

On this 14th day of December, 2013, in the County of Denver, State of Colorado, before me, the undersigned, a notary public in and for said county and state, personally appeared Cary Long, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its Authorized Agent, and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.



Given under my hand and seal the day and year first written above.




Sandra Remy
 Notary Public
 My Commission Expires: 2/6/2016

NAME AND ADDRESS OF PREPARER:

Michael J. Barron, Jr.
 Fletcher & Sippel LLC
 29 N. Wacker Drive, Suite 920
 Chicago, IL 60606-2832

REAL ESTATE TRANSFER	01/24/2013
 	COOK \$480.00
	ILLINOIS: \$960.00
	TOTAL: \$1,440.00
26-07-157-019-0000 20121201603912 C5TW76	

REAL ESTATE TRANSFER	01/24/2013
	CHICAGO: \$7,200.00
	CTA: \$2,880.00
	TOTAL: \$10,080.00
26-07-157-019-0000 20121201603912 QKHQQW	

UNOFFICIAL COPY

PLAT ACT AFFIDAVIT

Colorado
STATE OF ~~ILLINOIS~~

City of Denver } SS.
COUNTY OF ~~COOK~~

Gary Long, being duly sworn on oath, states that he resides at 252 Clayton St, #400, Denver, CO 80204. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

- OR -

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.

2. The division or subdivision of the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
3. The divisions of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. Conveyances made to correct descriptions in prior conveyances.
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

SUBSCRIBED and SWORN to before me

this 14th day of Dec, 2012.

Bandra Remy
Notary Public

Bandra Remy
BANDRA REMY
NOTARY PUBLIC
STATE OF COLORADO
MY COMMISSION EXPIRES 02-08-2016