

Doc#: 1413545068 Fee: \$60.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/15/2014 03:20 PM Pg: 1 of 12

Doc#: 1402813047 Fee: \$60.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 01/28/2014 01:40 PM Pg: 1 of 12

**SPECIAL WARRANTY DEED
Statutory (Illinois)**

PREPARED BY:

Latham & Watkins LLP
233 South Wacker Drive
Suite 5800
Chicago, Illinois 60606
Attention: Patrick Foley

AFTER RECORDING MAIL TO:

Arthur Starnes
Arthur E. Starnes, P.C.
330 North Wabash Avenue
Suite 2305
Chicago, Illinois 60611

SEND TAX BILL TO:

JD Real Estate, Inc.
4333 South Pulaski
Chicago, IL 60632

Above Space for Recorder's use only

THIS AGREEMENT, made this 24th day of January, 2014, between **DOMINICK'S FINER FOODS, LLC**, a limited liability company (formerly known as Dominick's Finer Foods, Inc.) 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, a party of the first part, and **259 LAKE STREET LLC**, an Illinois limited liability company, located at 4333 S. Pulaski, Chicago, Illinois 60632, party of the second part, WITNESSETH, that the party of the first part, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and pursuant to authority of the Members of said limited liability company, by these presents does REMISE, RELEASE, ALIEN and CONVEY unto the party of the second part, and to its heirs and assigns, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois known and described as follows, to wit:

SEE ATTACHED EXHIBIT A

16-08-124-008, 16-08-126-001
Permanent Index Number(s): 16-08-125-001, 16-08-125-002 and 16-08-125-003
Property Address: 259 Lake Street, Oak Park, Illinois

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 whatsoever, of the party of the first part, either in law or equity, of, in and to the above described premises, with the

This document is being re-recorded to add two previously omitted PINS.

1 of 1
Starnes
/ 3000032729

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hereditaments and appurtenances: TO HAVE AND TO HOLD, subject to the exceptions listed on Exhibit B attached hereto and made a part hereof (collectively, the "Permitted Exceptions"), the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, 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 (including without limitation, the Permitted Exceptions); 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.

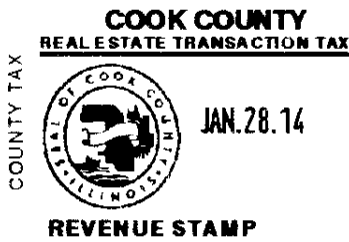
[SIGNATURES TO FOLLOW]



JAN. 28. 14

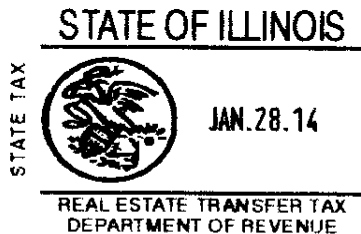
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REAL ESTATE TRANSFER TAX
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In Witness Whereof, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Assistant Vice President, and attested by its Assistant Secretary, this 24th day of January, 2014.

DOMINICK'S FINER FOODS, LLC,
a Delaware limited liability company

By: Dominick's Supermarkets, LLC,
a Delaware limited liability company,
its member

By: Marilyn K. Beardsley
Name: **MARILYN K. BEARDSLEY**
Title: Assistant Vice President

By: Natacha Epley
Name: **Natacha Epley**
Title: Assistant Secretary

Property of COOK County Clerk's Office

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ACKNOWLEDGMENT

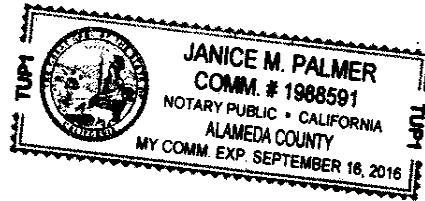
STATE OF CALIFORNIA)
) ss.
 COUNTY OF ALAMEDA)

On January 21, 2014, before me, Janice M. Palmer, Notary Public, personally appeared Marilyn K. Reardsley and Natacha Epley who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Janice M. Palmer
 Signature



(Seal)

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STATEMENT BY GRANTOR

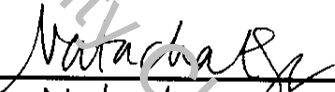
The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate 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 and hold title to real estate under the laws of the State of Illinois.

Dated: January 24, 2014

DOMINICK'S FINER FOODS, LLC,
a Delaware limited liability company

By: Dominick's Supermarkets, LLC,
a Delaware limited liability company,
its member

By: 
Name: **MARILYN K. BEARDSLEY**
Title: Assistant Vice President

By: 
Name: **Natacha Epley**
Title: Assistant Secretary

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ACKNOWLEDGMENT

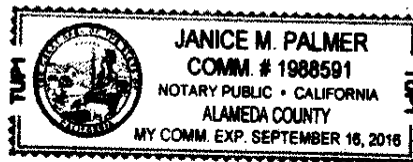
STATE OF CALIFORNIA)
) ss.
 COUNTY OF ALAMEDA)

On January 21, 2014, before me, Janice M. Palmer, Notary Public, personally appeared Marilyn K. Beardsley and Natacha Epley who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Janice M. Palmer
 Signature



(Seal)

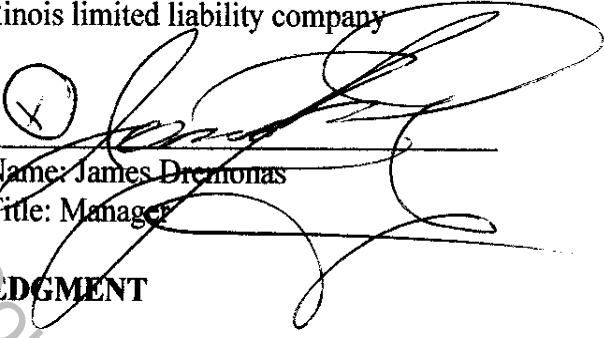
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STATEMENT BY GRANTEE

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: January 24, 2014

259 LAKE STREET LLC,
an Illinois limited liability company

By: 
Name: James Dremonas
Title: Manager

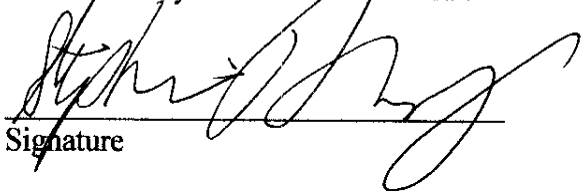
ACKNOWLEDGMENT

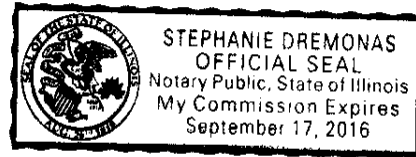
STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

On January 24, 2014, before me, Stephanie Dremonas Notary Public, personally appeared James Dremonas, Manager of 259 Lake Street LLC., an Illinois limited liability company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

I declare under penalty of perjury under the laws of the State of Illinois that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature



(Seal)

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

LOTS 6 AND 7 (EXCEPT THE WEST 11.37 FEET THEREOF OF SAID LOT 7) ALSO (EXCEPTING FROM SAID LOTS 6 & 7 THAT PART TAKEN PART TAKEN FOR DEDICATION OF RELOCATED HARVEY AVENUE BY DOCUMENT NO. 89247998, RECORDED JUNE 1, 1989) AND THE WEST 31 FEET OF LOT 9, LOT 10, LOTS 11 AND 12 OF WILLIAM BEYE'S SUBDIVISION OF THE EAST 625.50 FEET OF BLOCK 38 IN THE VILLAGE OF RIDGELAND, BEING A SUBDIVISION OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 7 AND ALSO THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EAST 182 FEET (EXCEPT THAT PART IF ANY INCLUDED WITHIN CUYLER AVENUE) OF THE WEST 625.50 FEET OF BLOCK 38 IN THE VILLAGE OF RIDGELAND, BEING A SUBDIVISION OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 7 AND ALSO THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 39, NORTH, RANGE 13 EAST LINE OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE VACATED NORTH BOULEVARD SOUTH OF AND ADJOINING BLOCK 38 IN THE VILLAGE OF RIDGELAND AFORESAID, LYING WEST OF THE EAST LINE OF THE WEST 31 FEET OF LOT 9 IN WILLIAM BEYE'S SUBDIVISION AFORESAID, EXTENDED SOUTH AND EAST OF THE EAST LINE OF CUYLER AVENUE ALL IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF HARVEY AVENUE AND NORTH BOULEVARD IN THE WEST 1/2 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF HARVEY AVENUE WITH THE SOUTH LINE OF LAKE STREET; THENCE SOUTH 00 DEGREES 04 MINUTES 56 SECONDS EAST ALONG SAID EAST LINE 202.42 FEET TO THE NORTH LINE OF NORTH BOULEVARD; THENCE SOUTH 89 DEGREES 48 MINUTES 34 SECOND EAST ALONG SAID NORTH LINE 36.87 FEET; THENCE SOUTH 45 DEGREES 04 MINUTES 04 SECONDS WEST, 26.81 FEET TO A LINE 19.0 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF NORTH BOULEVARD; THENCE NORTH 89 DEGREES 48 MINUTES 34 SECONDS WEST ALONG SAID PARALLEL LINE 97.86 FEET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF HARVEY AVENUE; THENCE NORTH 00 DEGREES 04 MINUTES 56 SECONDS WEST ALONG SAID EXTENSION AND THE WEST LINE OF HARVEY AVENUE 226.08 FEET TO THE SOUTH LINE OF LAKE STREET; THENCE SOUTH 86 DEGREES 28 MINUTES 20 SECONDS EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF LAKE STREET 80.16 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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PARCEL 5:

THAT PART OF CUYLER AVENUE AND NORTH BOULEVARD IN THE WEST 1/2 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF CUYLER AVENUE WITH THE SOUTH LINE OF LAKE STREET; THENCE SOUTH 00 DEGREES 01 MINUTES 28 SECONDS EAST ALONG SAID EAST LINE 278.27 FEET TO THE SOUTH LINE OF NORTH BOULEVARD; THENCE NORTH 89 DEGREES 48 MINUTES 34 SECONDS WEST ALONG SAID SOUTH LINE 34.0 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 28 SECONDS WEST PARALLEL WITH SAID EAST LINE 250.26 FEET; THENCE NORTH 27 DEGREES 15 MINUTES 13 SECONDS EAST, 28.35 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 28 SECONDS WEST, 4.0 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LAKE STREET; THENCE SOUTH 86 DEGREES 28 MINUTES 20 SECONDS EAST ALONG SAID EXTENSION 21.04 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINS: 16-08-125-001, 16-08-125-002, and 16-08-125-003
16-08-124-008, 16-08-126-001

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EXHIBIT B

PERMITTED EXCEPTIONS

1. All Permitted Liens as defined in the Asset Purchase Agreement by and between Dominick's Finer Foods, LLC and Central Grocers, Inc. dated January 7, 2014.
2. All of the exceptions listed on Schedule B to the Commitment for Title Insurance issued on October 3, 2013 at 8:00 A.M. by Stewart Title Guaranty Company as File No. 01146-18813. Specifically, Schedule B Exceptions that are Permitted Liens:
 - a. General real estate taxes for the year(s) 2013 and subsequent years.
 - b. Agreement made by West Towns BUS Company a corporation of Illinois, and Robert Truscher and others, dated July 9, 1957 and recorded July 22, 1957 as Document Number 16963331, for a party wall between Lot 6 and Lot 5 in William Beye's Subdivision aforesaid; and party wall rights and obligations. (Affects East line of Lot 6 in Parcel 1).
 - c. Rights of public or quasi-public utilities, if any, in the vacated street or alley described in Schedule A.
 - d. Reservations contained in Ordinance of Village of Oak Park recorded November 6, 1959 as Document Number 17705558 vacating North Boulevard reserving to the Village of Oak Park for itself and its successors and grantees of the right to place and maintain under the surface of the present street, thereby vacated, any and all underground work including streets, watermains and water pipes, gas mains and gas pipes and conduits for electric wires and cables and such other underground work as may be required by the needs of said village; also the right to erect and support and maintain on the surface of said street thereby vacated, any and all poles for electric wire and cables and electric lamps and other heating and lighting equipment.
 - e. Agreement dated 9/1/59 and recorded 11/6/59 as document number 17705557 between Village of Oak park and West Towns Bus Company.
 - f. Agreement and grant of easement dated September 1, 1959 and recorded November 6, 1959 as Document Number 17705561 entered into by and between Village of Oak Park, a municipal corporation, and West Towns Bus Company, a corporation of Illinois, wherein West Towns grants to the Village an easement over Parcel 3 of the land to use same as a public street between the hours of 5:30 A.M. and 9:30 P.M., Chicago Time, and that a sufficient space shall be left open at all times to permit the passage of one lane of traffic through aforesaid Parcel 3 and further grants to the Village such easements for public and quasi-public utilities as are herein before noted above. The West Towns further agree to resurface said vacated street and maintain same in

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good serviceable and safe condition. Option to re-purchase by the Village for \$6,000.00 Parcel 3 within 90 days after notice to the Village of the entry of an order of the Illinois Commerce Commission giving West Town's leave to discontinue its operation.

- g. Encroachments as shown below by the brick building on Lot 9 of Parcel 1 of the land over the East line thereof onto the adjoining public right-of-way of Harvey Avenue, as described below:
 - i. Encroachment of brick building over the East line at North East corner of Lot 9 described in Parcel 1 over onto property dedicated for Harvey Avenue by about 0.49 of a foot as disclosed by survey by Gremley and Biedermann, Inc., No. 861987, December 1, 1986,
 - ii. Encroachment of Column on East wall of building aforesaid over East line onto Harvey Avenue by about 0.61 of a foot as disclosed by survey aforesaid, and
 - iii. Encroachment of brick building over the said East line at South East corner of Lot 9 by about 0.49 of a foot as disclosed by survey aforesaid.
- h. Encroachments by stone cornices of brick building on Parcel 2 of the land over the North line thereof onto the adjoining public right-of-way of Lake Street, as shown in survey by Gremley and Biedermann, Inc., No. 861987, December 1, 1986.
- i. Aerial utility line and electric utility poles and electric meter, and also manholes, all located within and over vacated North Boulevard, Parcel 3 of the land, as shown on survey by Gremley and Biedermann, Inc., No. 861987, December 1, 1986.
- j. Possible encroachment by the two-story brick buildings on the property adjoining Parcel 1 of the land on the East over the East line of Parcel 1 of the land and onto Parcel 1, as shown on survey by Gremley and Biedermann, Inc., No. 861987, December 1, 1986. Said survey also refers to said apparent encroachment of buildings as "remains of brick party wall" under party wall agreement document No. 16963331 shown above.
- k. Site Remediation Program among Cook County, The Village of Oak Park, Dominick's Store #124 dated November 19, 2001 and recorded November 19, 2001 as document number 0011088124.
- l. Ordinance authorizing agreement for the grant, quit claim and conveyance of all interest in a party wall agreement dated 9/6/89 and recorded 12/13/89 as document number 89593314.

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- m. Ordinance vacating Harvey Avenue between Lake Street and North Boulevard and accepting dedication of relocated Harvey Avenue and vacating the easternmost 34 feet of Cuyler Avenue between Lake Street and North Boulevard dated 9/2/86 and recorded as document 87-189757 and re-recorded as 89247998.
- n. Grant of easement to the Village of Oak Park regarding underground water mains, gas mains and other work recorded 4/9/87 as document number 87189758.

Property of Cook County Clerk's Office