

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED



Doc#: 1510319090 Fee: \$46.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 04/13/2015 11:42 AM Pg: 1 of 5

THIS INDENTURE, made this 9<sup>th</sup> day of April, 2015, between **KIM-MP MULTI STATE, LLC**, a Delaware limited liability company ("**Grantor**"), whose address is c/o Kimco Realty Corporation, 3333 New Hyde Park Road, New Hyde Park, NY 11042, duly authorized to transact business in the State of Illinois, and **CYNTHIA S. WONG, TRUSTEE UNDER TRUST AGREEMENT ENTITLED TRUSTS FOR CHILDREN OF HENRY Y.H. WONG DATED AUGUST 27, 1985** as to an undivided 70 %, and **CCSA 15, LLC** an Illinois limited liability company as to an undivided 30% (collectively, "**Grantee**"), whose address is 545 Aleyanna Place, Mountain View, CA 94040.

WITNESSETH, that Grantor for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, and pursuant to authority of the general partner of said Grantor, by these presents does **REMISE, RELEASE, ALIENATE AND CONVEY** unto Grantee and to its heirs and assigns, **FOREVER**, all the following described real estate on the Exhibit A attached hereto (the "**Premises**").

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 Grantor, either in law or 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 and assigns 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 Grantor, and none other, Grantor **WILL WARRANT AND DEFEND**, subject to: those Permitted Exceptions listed on Exhibit B attached hereto.  
Permanent Real Estate Index Number: 24-10-101-029-0000.  
Address of real estate: 4545 West 95<sup>th</sup> Street, Oak Lawn, Illinois.

IN WITNESS WHEREOF, said Grantor has caused its seal to be hereto affixed, and has caused its name to be signed to these presents by its authorized signatory as of the day and year first above written.

This instrument was prepared by: Wilensky & Jones  
3109 Carlisle St., Suite 100  
Dallas, TX 75204

MAIL TO:  
Paul G. Hull  
The Hull Law Group LLC  
233 South Wacker Drive, Suite 9700  
Chicago, IL 60606

SEND SUBSEQUENT TAX BILLS TO:  
CCSA15, LLC  
545 Aleyanna Place  
Mountain View, CA 94040

NA 714946

Special Warranty Deed  
Burger King, Oak Lawn, IL  
MP 47

CCRD REVIEWER 

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Josephine Engh

Sean Oster

**KIM-MP MULTI STATE LLC,**  
a Delaware limited liability company

By: KIM-Microproperty Holdings I, LLC

By: KRCX Multi-State Holdings, LLC

By: Barbara E. Briamonte

Name: **Barbara E. Briamonte**

Title: **Vice President**

Date of Execution: 3/12/15

STATE OF NEW YORK )  
COUNTY OF NASSAU )

On the 12<sup>th</sup> day of March in the year 20 15 before me, the undersigned, personally appeared Barbara E. Briamonte, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Janet Verdon  
Notary Public, State of New York

Printed Name of Notary  
Notary expires: \_\_\_\_\_

Janet Verdon  
Notary Public, State of New York  
No. 01VES172386  
Qualified in Nassau County  
Commission Expires August 27, 20 15

COUNTY TAX

REVENUE STAMP



APR. 12.15

COOK COUNTY  
REAL ESTATE TRANSACTION TAX



APR. 13.15

STATE OF ILLINOIS

REAL ESTATE TRANSFER TAX  
DEPARTMENT OF REVENUE

# 0000023310

# 0000023255

REAL ESTATE TRANSFER TAX
02333.00
FP 103037

REAL ESTATE TRANSFER TAX
01166.50
FP 103042

Village of Oak Lawn	Real Estate Transfer Tax	\$50	02306
Village of Oak Lawn	Real Estate Transfer Tax	\$10	01112
Village of Oak Lawn	Real Estate Transfer Tax	\$5	00857

Village of Oak Lawn	Real Estate Transfer Tax	\$5000	00201
Village of Oak Lawn	Real Estate Transfer Tax	\$5000	00202
Village of Oak Lawn	Real Estate Transfer Tax	\$1000	01112
Village of Oak Lawn	Real Estate Transfer Tax	\$500	01938
Village of Oak Lawn	Real Estate Transfer Tax	\$100	01561

Special Warranty Deed  
Burger King, Oak Lawn, IL  
MP 47

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## EXHIBIT A

### LEGAL DESCRIPTION

Real property in the City of Oak Lawn, County of Cook, State of Illinois, described as follows:

Lot 1 in A.T. Maras Company Resubdivision of part of the East 1/2 of the Northwest 1/4 of Section 10, Township 37 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded November 11, 1993 as document no. 93946351, in Cook County, Illinois.

Real Estate Address: 4545 W. 95th Street, Oak Lawn, Illinois.

Permanent Real Estate Index Number: 24-10-101-029-0000.

Property of Cook County Clerk's Office

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## EXHIBIT B

### PERMITTED EXCEPTIONS

1. General real estate taxes for the year(s) 2014, 2015 and subsequent years.
2. Lease by and between First United Bank of Frankfort, as trustee under trust agreement dated November 28, 1995 and known as trust number 1754, Lessor, and National Restaurant Enterprises, Inc., doing business as Ameriking Corporation, Lessee, dated March 11, 1996 as disclosed by a memorandum recorded March 28, 1996 as document 96237591, Assignment of Lease, dated March 8, 1996 by and between First United Bank of Frankfort, as trustee under trust agreement dated November 28, 1995 and known as trust number 1754 (assignor) and CNL American Properties Funds, Inc. (assignee), recorded on April 16, 1996 as document 96282380 and the terms, provisions and conditions contained therein, and all rights thereunder of and all acts done and suffered thereunder of said lessee or any parties claiming by, through or under said lessee.  
  
Memorandum of Assignment and Assumption of Lease Documents between CNL Funding 2000-A, LP, a Delaware limited partnership and Kim-MP Multi State, LLC, a Delaware limited liability company recorded April 2, 2012 as document 1209346090, Cook County Registry.
3. A financing statement recorded December 12, 2014 as 1434641143 of Official Records.  
Debtor: Tri City Foods of Illinois, Inc.  
Secured party: Wells Fargo Bank, National Association, as Administrative Agent  
(Affects apparent Leasehold Estate)
4. Easement in favor of Commonwealth Edison Company and Illinois Bell Telephone Company over, upon and under the land, to install and maintain all equipment for the purpose of serving the land and other property with telephone and electric service, together with right of access to said easement as contained in the grant recorded as document 03050741, and the terms, conditions and provisions contained therein.
5. Easement for construction and installation of sanitary sewer as provided for in ordinance recorded June 14, 1956 as document 16610665, and the terms, conditions and provisions contained therein.
6. Rights of the public or quasi-public utilities, if any, in said vacated alley for maintenance thereon of poles, conduits, sewers, etc., as reserved in ordinance recorded as document 17860594, and the terms, conditions and provisions contained therein.
7. Easement(s), restrictions, building line(s) and other matters as shown on Plat of subdivision recorded November 19, 1993 as document 93946351, and together with any provisions relating thereto.
8. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
9. The following matters disclosed by an ALTA/ACSM survey made by Bledsoe Riggert Guerrettaz on February 27, 2015, designated Job No. 1173:
  - a) Fence lies outside of subject property along the southern boundary line by up to 8.9 feet;
  - b) Sidewalk encroaches at northeastern corner by 0.1 feet.

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## PLAT ACT AFFIDAVIT

STATE OF New York)  
  )SS.  
COUNTY OF Nassau )

Barbara E. Briamonte, as Vice President of KRCX Multi-State Holdings, LLC, a Delaware limited liability company, as Sole Member of KIM-Microproperty Holdings 1, LLC, a Delaware limited liability company, as Sole Member of KIM-MP MULTI STATE, LLC, a Delaware limited liability company being duly sworn on oath, states that she resides at: 3333 New Hyde Park Road, Suite 100, New Hyde Park, NY 11042-0020. That the attached deed is not in violation of Section 1 of the Plat Act (765 ILCS 205/1) for one of the following reasons:

Section A. Said deed is not applicable as the grantors own no adjoining property to the premises described in said deed.

OR


**Section B.** The conveyance falls within one of the following exemptions set forth in the Act at paragraph (b) of 1:

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. 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;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configurations of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.
10. The preparation of a plat for wind energy devices under Section 10-620 of the Property Tax Code.

**CIRCLE LETTER OR NUMBER WHICH IS APPLICABLE TO ATTACHED DEED.**

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

**KIM-MP MULTI STATE, LLC**  
By: KIM-Microproperty Holdings 1, LLC, Sole Member  
By: KRCX Multi-State Holdings, LLC, as Sole Member

By:   
Name: Barbara E. Briamonte  
Title: Vice President

SUBSCRIBED AND SWORN to before me  
This 12<sup>th</sup> day of March, 2015

  
NOTARY PUBLIC

Janet Verdon  
Notary Public, State of New York  
No. 01VE6173386  
Qualified in Nassau County  
Commission Expires August 27, 2015