



Doc# 1628515143 Fee \$46.00
RHSP Fee:\$9.00RPRF Fee \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/11/2016 03:17 PM Pg: 1 of 5

**THIS DOCUMENT WAS
PREPARED BY AND AFTER
RECORDING SHOULD BE
RETURNED TO:**

Jewel Food Stores, Inc.
c/o New Albertson's, Inc.
250 Parkcenter Boulevard
Boise, Idaho 83726
##37811 Melrose Park, IL

MAIL TAX STATEMENTS TO:

This space reserved for Recorder's use only.

SPECIAL WARRANTY DEED

WITNESSETH, that JEWEL FOOD STORES, INC., an Ohio corporation ("**Grantor**"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, by MELROSE STORAGE LLC, an Illinois limited liability company ("**Grantee**"), the receipt and sufficiency whereof is hereby acknowledged, by these presents does convey and warrant with special warranty covenants unto Grantee, and its successors and assigns, all of the real estate, situated in the County of Cook and State of Illinois, which is legally described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**").

To have and to hold the Property aforesaid with all and singular, the rights, privileges, immunities, hereditaments and appurtenances thereunto belonging or appertaining, unto Grantee, and unto Grantee's successors and assigns forever.

SUBJECT TO the restriction that for a period of twenty (20) years from the date of hereof, the Property shall not be used or occupied, in whole or in part: (a) as a supermarket, which shall be defined as any store or department containing more than 4,000 square feet of floor space, including aisle space and storage, primarily devoted to the retail sale of food for off-premises consumption; (b) for any use containing more than 4,000 square feet of floor area, including aisle space and storage, devoted to the sale of fresh or frozen meat, fish, poultry or produce for off-premises consumption; (c) for the sale or offer for sale of any pharmaceutical products requiring the services of a registered pharmacist; (d) as a school or other educational facility, or place of instruction or training, attended by students under the age of 18; (e) as a day care center or facility; (f) as a library; (g) as a church, synagogue, mosque, meeting room, or other facility for worship services; (h) as a cinema, movie theater, live performance theater, bowling alley, skating rink, amusement park, circus, carnival, game room or arcade, video arcade, or other family centered facility providing commercial amusements (including in combination with a restaurant, such as Dave & Buster's or Chuck E. Cheese); or (i) as a hospital, or home for the aged or indigent. This deed restriction shall run with the Property and shall be for the benefit of Grantor, its successors, assigns and affiliated entities.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or otherwise appertaining, except as expressly provided otherwise herein.

NCS 651554 RP 1 OF 5

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Grantee is purchasing the above-described Property "AS IS" "WHERE IS" subject to all defects, latent or patent. Grantee hereby waives all warranties, express or implied, regarding the condition and use of the Property including, but not limited to any warranty of merchantability or fitness for a particular purpose.

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument Grantor has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, subject to any and all easements, reservations, restrictions, agreements, taxes not yet due, matters of record, and any and all matters which would be disclosed by a survey or physical inspection of the Property and improvements thereon, as of the date of this instrument.

Notwithstanding anything else herein contained, Grantee hereby acknowledges that the Property shall not have, and Grantee hereby expressly waives and disclaims all rights and claims to, access to Jewel Drive (located along the eastern edge of a portion of the Property).

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of the date first above written, and Grantee, by execution of this Special Warranty Deed, acknowledges its acceptance of the conveyance herein in accordance with the terms hereof and agrees to be bound by the restrictions set out herein.

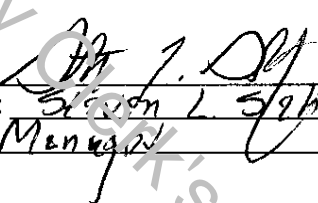
GRANTOR:

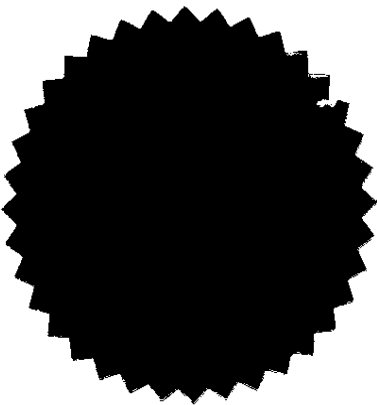
GRANTEE:

JEWEL FOOD STORES, INC.,
an Ohio corporation

MELROSE STORAGE LLC,
an Illinois limited liability company

By: 
Joe Guth, Authorized Signatory

By: 
Name: Steven L. Schwartz
Its: Manager



| | | |
|--------------------------|----------------|---------------|
| REAL ESTATE TRANSFER TAX | | 07-Oct-2016 |
| COUNTY: | | 1,275.00 |
| ILLINOIS: | | 2,550.00 |
| TOTAL: | | 3,825.00 |
| 12-34-300-009-0000 | 20160901662670 | 0-253-900-608 |

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STATE OF Idaho)
)
County of Ada) ss.

On this 3rd day of October, 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared Joel Foltz, to me known to be a Authorized Signatory of Jewel Food Stores, Inc., the corporation that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

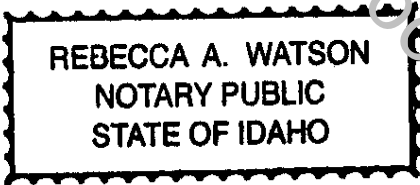
My commission expires:

2/27/2020



Notary Public in and for the
State of Idaho

Residing at Base, ID



COOK County Clerk's Office

UNOFFICIAL COPY

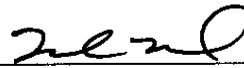
STATE OF Illinois)
)
County of Cook) ss.

On this 5 day of October, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven L. Schwartz, to me known to be a Manager of Melrose Storage LLC, the limited liability company that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

My commission expires:

5/18/17



Notary Public in and for the
State of Illinois

Residing at _____



Mail Tax to: Melrose Storage LLC
1804 N. NAPER BLVD Suite 460
NAPERVILLE, IL 60563-8300

UNOFFICIAL COPY

Exhibit A

Property

Lot 1 in ROCPEARL SUBDIVISION being a subdivision of part of the Southwest Fractional Quarter South of the Indian Boundary Line of Section 34, Township 40 North, Range 12, East of the Third Principal Meridian, according to the Plat thereof recorded October 11, 2016 as Document 1628515014, in Cook County, Illinois

Address: 1955 W. North Ave
Melrose Park, IL 60160

PIN # 12-34-300-009-0000

Property of Cook County Clerk's Office