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16298100770

Doc# 1629810077 Fee \$44.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/24/2016 11:41 AM PG: 1 OF 4

CT

16PSA170404

cg 1671

Above Space for Recorder's use only

SPECIAL WARRANTY DEED

THIS INDENTURE, made as of this 6th day of October, 2016, between **DIVERSEY CICERO DEVELOPERS, LLC**, an Illinois limited liability company ("Grantor"), and **GROCERY RETAIL HOLDINGS, LLC**, a Delaware limited liability company, having an address at 700 East 107th Street, Chicago, Illinois 60628 ("Grantee").

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN and CONVEY unto the Grantee, FOREVER, all the interest in the real estate, situated in the County of Cook and State of Illinois, legally described on Exhibit A attached hereto and made a part hereof.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anyway 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 in equity of, in and to the above described real estate.

HAVE AND TO HOLD the said real estate as above described, with the appurtenances, unto the Grantee, its successors and assigns forever.

And the Grantor, for itself, and its successors and assigns, does covenant, promise and agree to and with the Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the said real estate hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that Grantor WILL WARRANT AND DEFEND the said real estate against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to those encumbrances specified on Exhibit B attached hereto.

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EXHIBIT A

Legal Description

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 AND 20 IN BLOCK 4 IN FALCONER'S SECOND ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; AND

ALL THAT PART OF THE NORTH-SOUTH 16 FOOT PUBLIC ALLEY LYING WEST OF THE WEST LINE OF LOTS 6 TO 10, BOTH INCLUSIVE; LYING EAST OF THE EAST LINE OF LOT 11; LYING NORTH OF A LINE DRAWN FROM THE SOUTHWEST CORNER OF SAID LOT 10 TO THE SOUTHEAST CORNER OF SAID LOT 11; AND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 11, ALL IN BLOCK 4 IN FALCONER'S SECOND ADDITION TO CHICAGO A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINs: 13-28-231-023-0000
13-28-231-036-0000
13-28-231-039-0000
13-28-231-040-0000
13-28-231-041-0000

Address: 2820-30 N. Cicero Avenue, Chicago, Illinois 60641 and
4800-30 W. Diversey Avenue Chicago, Illinois 60639

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EXHIBIT B

Encumbrances

1. Real estate taxes and assessments, both general and special, not yet due and payable.
2. Existing unrecorded lease dated July 20, 1999, including but not limited to, any and all amendments, extensions, and/or modifications to the lease since inception, between Diversey Cicero Developers, LLC, as "Landlord", and Aaron's, Inc., f/k/a Aaron Rents, Inc., as "Tenant".
3. Existing unrecorded lease dated October 31, 2013, including but not limited to, any and all amendments, extensions, and/or modifications to the lease since inception, between Diversey Cicero Developers, LLC, as "Lessor", and Little Caesar Enterprises, Inc., as "Tenant".
4. Existing unrecorded lease dated June 2, 2015, including but not limited to, any and all amendments, extensions, and/or modifications to the lease since inception, between Diversey Cicero Developers, LLC, as "Lessor", and MetroPCS Michigan, LLC, as "Tenant".
5. Existing unrecorded lease dated May 30, 2013, including but not limited to, any and all amendments, extensions, and/or modifications to the lease since inception, between Diversey Cicero Developers, LLC, as "Lessor", and Freshco, LLC, a/k/a Freshco Market, LLC, d/b/a Cermak Produce #3, as "Tenant".
6. Proceeding pending in Circuit Court as case number 13 M1 400444 filed February 15, 2013 by the City of Chicago for building code violation.
7. Grant dated August 24, 1982 and recorded February 19, 1987 as Document Number 87099175 made by and between American National Bank and Trust Company of Chicago, as trustee under Trust Number 50238 and the Commonwealth Edison Company granting unto the Commonwealth Edison Company, its successors and assigns, a perpetual right, easement, permission and authority to construct, operate, use, maintain, repair, relocate, replace, renew and remove poles, crossarms, wires, cables, conduit and other overhead or underground equipment, or both, for the transmission and distribution of electric energy in, under, over, across and along with the right of ingress to and egress.
8. Matters disclosed by ALTA/ACSM Land Title Survey prepared by Kabal Surveying Co., dated March 22, 2013 and updated April 27, 2015, as Order No. 130234, including but not limited to, as follows: (a) encroachment of the sign located mainly on the land onto the property South and East and adjoining, (b) encroachment of the building located mainly on the land onto the property East and adjoining by approximately 0.15 feet, (c) encroachment of the fence located mainly on the land onto the property North and adjoining by approximately 0.93 feet, (d) encroachment of the building located mainly on the land onto the property West and adjoining by approximately 0.05 feet, and (e) encroachment of the "Covered Area" located mainly on the land in the North East Corner onto the property East and adjoining by approximately 0.50 feet.
9. All applicable federal, state, county and municipal laws, ordinances and regulations.
10. Acts of Grantee.