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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/31/2016 09:21 AM PG: 1 OF 6

Prepared by:

Kenneth D. Bellah  
525 West Monroe Street  
Suite 2360  
Chicago, IL 60661

Parcel Identification Numbers:  
Part of No. 16-34-302-031-0000

8478319

## SPECIAL WARRANTY DEED

THIS DEED is made as of OCTOBER 12, 2016, between **EJS Building Corporation**, an Illinois corporation, ("Grantor"), the post office address of which is 3535 South Kostner Avenue, Chicago, Illinois 60632, and **THE PEOPLES GAS LIGHT AND COKE COMPANY**, an Illinois corporation ("Grantee"), the post office address of which is 200 E. Randolph Street, Chicago, Illinois 60601. (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, legal representatives, successors, or assigns.)

WITNESSETH, that Grantor for and in consideration of Ten and No/100 Dollars (\$10.00) in hand paid, and other good and valuable consideration, receipt of which is hereby duly acknowledged has granted, bargained, sold, and conveyed and by these presents does hereby grant, bargain, sell and convey unto Grantee forever all of that certain property in Cook County, Illinois, (the "Real Estate") described in Exhibit A attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto Grantee in fee. And Grantor hereby covenants with Grantee that it is lawfully seized such property. And Grantor fully warrants the title to said property and will warrant and defend the same against the lawful claims of all persons whomsoever claiming by, through or under Grantor, but not otherwise.

This conveyance is subject to a) the permitted exceptions described in Exhibit B attached hereto and by this reference made a part hereof, and (b) all matters of survey shown on that certain Boundary and Topographic Survey, dated September 22, 2016, prepared by W-T Land Surveying, Inc. Illinois as Job S15089.

S Y  
P 6  
S N  
SC N  
INT

REAL ESTATE TRANSFER TAX		13-Oct-2016	
	COUNTY:	1,015.50	
	ILLINOIS:	1,304.50	
	TOTAL:	2,320.00	
16-34-302-031-0000		20161001668368   1-145-304-896	

REAL ESTATE TRANSFER TAX		13-Oct-2016	
	CHICAGO:	15,232.50	
	CTA:	6,093.00	
	TOTAL:	21,325.50	

16-34-302-031-0000 | 20161001668368 | 1-619-857-216  
\* Total does not include any applicable penalty or interest due.

Box 400



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## EXHIBIT A

### LEGAL DESCRIPTION

THAT PART OF LOT 5 IN COUNTY CLERK'S DIVISION OF THE EAST 1/2 OF THE WEST 1/2 OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF CHICAGO AND ILLINOIS WESTERN RAILROAD RIGHT OF WAY, SAID POINT BEING 28.49 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SAID SECTION 34, THENCE SOUTH ALONG THE EAST LINE OF SAID RIGHT OF WAY, SAID LINE BEING 256.43 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34, FOR A DISTANCE OF 400.00 FEET; THENCE EAST, PARALLEL TO SAID EAST AND WEST CENTER LINE OF SECTION 34, FOR A DISTANCE OF 924.06 FEET TO A POINT ON A LINE 144.00 FEET WEST OF AND PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 34, SAID POINT HERINAFTER REFERRED TO AS THE POINT OF BEGINNING OF THE FOLLOWING TRACT OF LAND DESCRIBED HEREON; THENCE NORTH ALONG SAID LINE 144.00 FEET WEST OF AND PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SECTION 34, FOR A DISTANCE OF 201.77 FEET; THENCE WEST, ALONG A LINE FORMING AN INTERIOR ANGLE OF 89 DEGREES, 56 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 273.16 FEET TO THE EAST LINE OF AN EASEMENT FOR INGRESS AND EGRESS AS CREATED BY GRANT FROM FIRST AMERICAN REALTY COMPANY, A CORPORATION OF DELAWARE, DATED JANUARY 26, 1967 AND RECORDED JANUARY 30, 1967 AS DOCUMENT NO. 20053110; THENCE SOUTH ON SAID EAST LINE OF SAID EASEMENT FOR A DISTANCE OF 201.72 FEET TO A POINT ON THE AFORESAID LINE, PARALLEL WITH THE EAST AND WEST CENTER LINE OF SECTION 34; THENCE EAST ON SAID PARALLEL LINE, FOR A DISTANCE OF 242.95 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Acreage: 55,082.81 sq. ft.

16 34 302031  
 3535 S. Kostner Ave  
 Chgo Ill 60632-3821

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## EXHIBIT B

### PERMITTED EXCEPTIONS

1. THE LIEN OF TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.

2. ACTS BY OR THROUGH GRANTEE OR GRANTEE PARTIES.

3. CONDITIONS AND RESTRICTIONS CONTAINED IN A DOCUMENT ENTITLED EASEMENT AGREEMENT BETWEEN FIRST AMERICAN REALTY COMPANY AND TRANSAMERICAN PROPERTIES, INC., DATED JANUARY 26, 1967 AND RECORDED JANUARY 30, 1967 AS DOCUMENT NUMBER 20053110.

(AFFECTS THE SUBJECT PROPERTY AND OTHER PROPERTY)

4. EASEMENT IN, UPON, UNDER, OVER AND ALONG THE LAND AND OTHER PROPERTY, AS SHOWN ON EXHIBIT 'A' ATTACHED TO GRANT, TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH ELECTRIC SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO THE COMMONWEALTH EDISON COMPANY, A CORPORATION OF ILLINOIS, RECORDED JULY 11, 1967 AS DOCUMENT 20192277.

(AFFECTS THE SUBJECT PROPERTY AND OTHER PROPERTY)

5. EASEMENTS CONTAINED IN AGREEMENT BETWEEN FIRST AMERICAN REALTY COMPANY, A CORPORATION OF DELAWARE, AND TRANSAMERICAN PROPERTIES, INC., A CORPORATION OF DELAWARE, DATED JANUARY 26, 1967 AND RECORDED JANUARY 30, 1967 AS DOCUMENT 20053110, FOR AN UNINTERRUPTED PERPETUAL ROADWAY AND RIGHT OF WAY EASEMENT FOR INGRESS AND EGRESS AND FOR THE PASSAGE OF TRAFFIC, INCLUDING THE UNRESTRICTED OPERATION OF TRUCKS AND MOTOR VEHICLE EQUIPMENT OF ALL KINDS OVER, UPON, ALONG AND ACROSS THE PARCEL OF LAND DESCRIBED THEREIN.

(AFFECTS THE SUBJECT PROPERTY AND OTHER PROPERTY)

6. RIGHTS OF THE INSTITUTE OF GAS TECHNOLOGY TO PROVIDE A MEANS OF INGRESS AND EGRESS BETWEEN THAT PART OF THE LAND OWNED BY SAID INSTITUTE AND THE LAND INCLUDING THE RIGHT TO CONSTRUCT AN OVERHEAD BRIDGE OR AN UNDERGROUND TUNNEL BETWEEN SAID TRACTS AND THE RIGHT TO INSTALL A WATER LINE FROM THE

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AFORESAID INSTITUTE PROPERTY TO PULASKI ROAD, AS CREATED BY GRANT FROM FIRST AMERICAN REALTY COMPANY TO THE AFORESAID INSTITUTE DATED DECEMBER 18, 1972 AND RECORDED JANUARY 5, 1973 AS DOCUMENT 22178057.

(AFFECTS THE SUBJECT PROPERTY AND OTHER PROPERTY)

7. COVENANTS AND RESTRICTIONS CONTAINED IN AGREEMENT DATED JANUARY 26, 1967 AND RECORDED JANUARY 30, 1967 AS DOCUMENT 20053110, THAT NO UTILITIES, AND SPECIFICALLY NO POLES FOR TELEPHONE AND ELECTRICITY, SHALL BE PLACED ABOVE THE GROUND ON ANY PART OF THE LAND, UNLESS SAME ARE A PART OF THE OVERALL PLAN OF UTILITY DEVELOPMENT, AND THEN ONLY ON THE PERIMETER OF THE LAND ON BONA FIDE EASEMENTS GRANTED TO THE UTILITY COMPANIES, EXCEPT FOR WATER HYDRANTS THAT WILL BE REQUIRED BY THE CITY OF CHICAGO.

(AFFECTS THE SUBJECT PROPERTY AND OTHER PROPERTY)

8. EASEMENT MADE BY THE PEOPLES GAS, LIGHT AND COKE COMPANY, AN ILLINOIS CORPORATION, TO THE CITY OF CHICAGO, RECORDED AUGUST 4, 1920 AS DOCUMENT 6903690, TO MAINTAIN, OPERATE AND REPAIR, OR RECONSTRUCT A SEWER.

(AFFECTS THAT PART OF THE SUBJECT PROPERTY FALLING IN VACATED KILBOURNE AVENUE)

9. "LEASEBACK" DATED AS OF SEPTEMBER 26, 2016 BY AND BETWEEN THE PEOPLES GAS LIGHT AND COKE COMPANY, AS LESSOR, AND J KX TRANSPORT REFRIGERATION, AS GRANTEE, COMMENCING SEPTEMBER 26, 2016 AND EXPIRING JANUARY 13, 2017.

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## PLAT ACT AFFIDAVIT (Pursuant to 765 ILCS 205/1)

STATE OF ILLINOIS )  
COUNTY OF Cook )

Aaron Schmidt, President, the grantor or his/her agent, being duly sworn on oath, states that he/she resides at is the grantor of a deed conveying title for 3535 S. Kostner Avenue, Chicago, Illinois.  
Affiant states that the attached deed is *not* a violation of 765 ILCS 205/1 for reason given below:

- A. The sale or exchange is of **an entire tract of land** not being a part of a larger tract of land and described in the same manner as title was taken by the grantor(s);
- B. One of the following exemptions from 765 ILCS 205/1 (b) applies:
  - 1. The division or subdivision of land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
  - 2. The division is of lots or blocks of less than one 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 is between owners of adjoining and contiguous land.
  - 4. The conveyance is 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 easements of access.
  - 5. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
  - 6. The conveyance is of land for highway or other public purposes or grants of conveyances relating to the dedication of land for public use, or instruments relating to the vacation of land impressed with a public use.
  - 7. The conveyance is made to correct descriptions in prior conveyances.
  - 8. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcels or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
  - 9. The sale is of a single lot of less than five acres from a larger tract, the dimensions and configurations of said large tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sale, prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973 and provided that this exemption does not invalidate any local requirements applicable to the subdivision of land (page 2).
  - 10. The preparation of a plat for wind energy devices under Sec. 10-620 of the Property Tax Code.
  - 11. Other: \_\_\_\_\_

C. The division does not meet any of the above criteria and must have county approval (page 2).  
Legal description prepared by: \_\_\_\_\_

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

SUBSCRIBED AND SWORN TO before me by Aaron A. Schmidt  
this 28th day of September 2016  
Kenneth D. Bellah [Signature]

Signature of Affiant

