

# UNOFFICIAL COPY

**PREPARED BY:**

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Doc# 1708216033 Fee \$48.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/23/2017 10:17 AM PG: 1 OF 6

**WHEN RECORDED RETURN TO:**

Curfin Property (US) Inc.  
Attn: Julie Sieracki  
8401 W. Roosevelt Road  
Forest Park, Illinois 60130

**SEND FUTURE TAX BILLS TO:**

Curfin Property (US) Inc.  
Attn: Julie Sieracki  
8401 W. Roosevelt Road  
Forest Park, Illinois 60130

(Above Space for Recorder's use only)

**SPECIAL WARRANTY DEED**

On this 22 day of March, 2017, EMERSON SKOKIE PARTNERS, LLC, a Delaware limited liability company ("**GRANTOR**") whose address is 180 N. Michigan Avenue, Suite 300, Chicago, Illinois 60601, for and in consideration of TEN AND 00/100 DOLLARS, and other good and valuable consideration in hand paid, GRANTS, BARGAINS AND SELLS to CURFIN PROPERTY (US) INC., an Illinois corporation, whose address is 8401 W. Roosevelt Road, Forest Park, Illinois, all interest in the real estate legally described on **Exhibit A** attached hereto,

This is not homestead property.

The Grantor will warrant and defend the real estate described above against all persons lawfully claiming by, through or under Grantor, subject however to the matters set forth on **Exhibit B**.

THE PROPERTY CONVEYED HEREBY IS SOLD IN ITS "AS IS", "WHERE IS" CONDITION WITHOUT ANY EXPRESS OR IMPLIED REPRESENTATION OR WARRANTY OF ANY KIND WHATSOEVER, EXCEPT AS SPECIFICALLY PROVIDED ABOVE.

PINs and Common Address(es): See **Exhibit A**

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## EXHIBIT A TO DEED

### LEGAL DESCRIPTION

LOTS 2 AND 3 IN EMERSON CROSSING SUBDIVISION, BEING A SUBDIVISION OF PARTS OF LOTS 1 AND 2 IN PARTITION BETWEEN THE HEIRS OF MICHAEL DIEDERICH OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 9, 2016 AS DOCUMENT NUMBER 1613016005, IN COOK COUNTY, ILLINOIS.

PINS: 10-15-115-017-0000 AND 10-15-115-020-0000

1333 Skokie Boulevard, Skokie, Illinois 60077

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## EXHIBIT B TO DEED

### EXCEPTIONS TO TITLE

1. THE PLAT OF EMERSON CROSSING SUBDIVISION RECORDED AS DOCUMENT 1613016005.
2. EXISTING UNRECORDED LEASE AND ALL RIGHTS THEREUNDER OF THE FOLLOWING LESSEE AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEE: ACC CAR CARE, LLC.
3. LEASE MADE BY EMERSON SKOKIE PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY TO CHICK-FIL-A, INC., A GEORGIA CORPORATION DATED JUNE 12, 2015, A MEMORANDUM OF WHICH WAS RECORDED OCTOBER 28, 2016 AS DOCUMENT NO. 1630210066, DEMISING A PORTION OF THE LAND FOR A TERM OF YEARS BEGINNING ON THE RENT COMMENCEMENT DATE AND ENDING ON THE LAST DAY OF THE MONTH WHICH IS 15 YEARS AFTER THE RENT COMMENCEMENT DATE, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY, SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE.
4. EASEMENT IN GROSS IN FAVOR OF COMCAST OF ILLINOIS/TEXAS, INC., ITS SUCCESSORS AND ASSIGNS FOR THE PURPOSE OF DISTRIBUTING BROADBAND SERVICES AND OTHER LIKE COMMUNICATIONS RECORDED FEBRUARY 28, 2006 AS DOCUMENT NO. 0605927059 AFFECTING THE LAND, AND THE TERMS AND PROVISIONS CONTAINED THEREIN.
5. UNRECORDED EASEMENT FOR PUBLIC UTILITIES PURPOSES OVER THE MOST NORTHEASTERLY CORNER OF THE LAND AS EVIDENCED BY THE EXISTENCE OF 'OVERHEAD' WIRES WHICH TRAVERSE THE LAND FROM NORTH TO SOUTH AS LOCATED AND DEPICTED ON SURVEY PREPARED BY MANHARD CONSULTING LTD, DATED MARCH 9, 2015.
6. EASEMENT IN GROSS IN FAVOR OF COMCAST OF CALIFORNIA/COLORADO/ILLINOIS/INDIANA/MICHIGAN, L.P. AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED/FILED AS DOCUMENT NO. 1204710026.
7. TERMS, PROVISIONS AND CONDITIONS OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW THE RENOVATION AND EXPANSION OF THE EXISTING HOTEL AT 9355 SKOKIE BOULEVARD RECORDED DECEMBER 13, 2012 AS DOCUMENT 1234850087.
8. AGREEMENT FOR INSTALLATION AND MAINTENANCE OF LANDSCAPING, MADE BY AND BETWEEN EMERSON SKOKIE PARTNERS, LLC AND THE VILLAGE OF SKOKIE, AN ILLINOIS MUNICIPAL CORPORATION RECORDED DECEMBER 13, 2012 AS DOCUMENT 1234850088, AND THE TERMS AND CONDITIONS CONTAINED THEREIN.

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9. TERMS, PROVISIONS AND CONDITIONS OF AN ORDINANCE APPROVING A PLAT OF DEDICATION FOR THREE TRACKS OF PROPERTY LOCATED AT 9355 SKOKIE BOULEVARD, SKOKIE, ILLINOIS IN A B3 BUSINESS DISTRICT RECORDED DECEMBER 13, 2012 AS DOCUMENT 1234850089.

NOTE THE ABOVE PROVISION IS CONDITIONED UPON THE CERTIFICATION AND THE PAYMENT OF FEES AND EXPENSES IN CONNECTION WITH THE RECORDING OF THIS NOTICE. ALL DEPARTMENTS HAVE BEEN INSTRUCTED TO TAKE NO ACTION ON THE GRANT UNTIL THIS HAS BEEN SATISFIED.

10. NOTICE OF APPROVAL RECORDED DECEMBER 3, 2015 AS DOCUMENT 1533750061, APPROVING A PLAT OF SUBDIVISION.
11. NOTICE OF APPROVAL RECORDED DECEMBER 3, 2015 AS DOCUMENT 1533750062, APPROVING THE CONSTRUCTION AND ESTABLISHMENT OF A THREE-LOT PLANNED DEVELOPMENT.
12. ORDINANCE NO. 15-11-Z-4187, GRANTING A SPECIAL USE PERMIT TO ESTABLISH AND OPERATE A LIMITED SERVICE RESTAURANT WITH A DRIVE-THROUGH FACILITY AT 9341 SKOKIE BOULEVARD, IN A B3 BUSINESS DISTRICT, A COPY OF WHICH WAS RECORDED DECEMBER 3, 2015 AS DOCUMENT 1533750063.
13. AGREEMENT FOR INSTALLATION AND MAINTENANCE OF LANDSCAPING RECORDED DECEMBER 3, 2015 AS DOCUMENT 1533750064, BY AND BETWEEN EMERSON SKOKIE PARTNERS LLC AND THE VILLAGE OF SKOKIE, AND THE PROVISIONS RELATING THERETO.
14. ORDINANCE RECORDED MAY 9, 2016 AS DOCUMENT NUMBER 1613016005, APPROVING A PLAT OF SUBDIVISION FOR PROPERTY LOCATED AT 9333 SKOKIE BOULEVARD, SKOKIE, ILLINOIS IN A B3 BUSINESS DISTRICT AND A DEDICATION OF A PARCEL OF LAND.
15. EASEMENTS AS SET FORTH ON THE PLAT FOR EMERSON CROSSING SUBDIVISION RECORDED MAY 9, 2016 AS DOCUMENT 1613016005 AS FOLLOWS:
- LANDSCAPE EASEMENT FOR THE BENEFIT OF LOTS 1, 2 AND 3, ALONG THE EASTERLY LINE OF LOT 3.
- STORMWATER MANAGEMENT EASEMENT IN FAVOR OF THE VILLAGE OF SKOKIE OVER PORTIONS OF LOTS 1, 2 AND 3.
16. AS SHOWN ON THE PLAT FOR EMERSON CROSSING SUBDIVISION RECORDED MAY 9, 2016 AS DOCUMENT 1613016005:
- THERE SHALL BE AT MOST 1 DIRECT VEHICLE ACCESS POINT TO U.S. 41 (SKOKIE BOULEVARD) SERVING LOTS 1 AND 2 AS DEPICTED ON THIS PLAT. ALL OTHER ACCESS SHALL BE VIA INTERNAL CIRCULATION.
17. EASEMENTS, TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE OUTPARCEL DECLARATION BY EMERSON SKOKIE PARTNERS, LLC, RECORDED OCTOBER 13, 2016 AS DOCUMENT 1628713022. RIGHTS OF THE ADJOINING OWNERS TO THE CONCURRENT USE OF SAID EASEMENTS.

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18. NOTICE OF WATERSHED MANAGEMENT PERMIT REQUIREMENTS AND OBLIGATIONS OF PERPETUAL MAINTENANCE & OPERATION RECORDED JANUARY 17, 2017 AS DOCUMENT NUMBER 1701745049. (AFFECTS THE LAND AND OTHER PROPERTY)
19. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL, HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOW SHOWN BY THE PUBLIC RECORDS AS A RESULT OF THE TENANT IMPROVEMENT WORK DONE BY CHICK-FIL-A, INC. AND ACG CAR CARE LLC.
20. ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.
21. ANY MATTERS CREATED BY, THROUGH OR UNDER GRANTEE.
22. ALL LOCAL, STATE AND FEDERAL LAWS, ORDINANCES OR GOVERNMENTAL REGULATIONS, INCLUDING BUT NOT LIMITED TO, BUILDING AND ZONING LAWS, ORDINANCES AND REGULATIONS, NOW OR HEREAFTER IN EFFECT RELATING TO THE PROPERTY.
23. ANY MATTERS THAT WOULD BE SHOWN ON A CURRENT SURVEY.

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