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**THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING MAIL TO:**

Andrew H. Eres
Stahl Cowen Crowley Addis LLC
55 West Monroe Street
Suite 1200
Chicago, IL 60603



Doc# 1915545002 Fee \$68.00
RHSP FEE: \$9.00 RPRF FEE: \$1.00
EDWARD M. MOODY
COOK COUNTY RECORDER OF DEEDS
DATE: 06/04/2019 09:32 AM PG: 1 OF 17

SPECIAL WARRANTY DEED

BURBANK REALTY COMPANY LLC, a Delaware limited liability company, of 277 Park Avenue, 35th Floor, New York, New York 10017 (the "**Grantor**"), for and in consideration of Ten and No/100ths Dollars (\$10.00), and the release of the Grantor from personal liability for a money judgment or deficiency judgment under that certain Mortgage (as hereinafter defined) and Assignment of Rents (as hereinafter defined), and other good and valuable consideration in hand paid, GRANTS, SELLS AND CONVEYS to WM 73 RE, LLC, a Delaware limited liability company (the "**Grantee**"), of 100 Congress Avenue, Suite 1550, Austin, Texas, the following described Real Estate situated in the County of Cook, in the State of Illinois, to wit:

See attached legal description attached hereto as Exhibit A.

PINs: 19-28-401-055-0000, 19-28-412-036-0000, 19-28-412-037-0000, 19-28-412-038-0000, 19-28-412-039-0000, 19-28-412-040-0000

Commonly known as: Burbank Station, 78th Street and Cicero Avenue, Burbank, IL 60459

And Grantor for itself and its successors, does covenant, promise and agree to and with Grantee and its successors and assigns, that Grantor 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 Grantor will WARRANT AND DEFEND the said premises against all persons lawfully claiming, or to claim the same, by, through or under Grantor, subject to those matters set forth in Exhibit B attached hereto and made a part hereof.

NOTWITHSTANDING THE TERMS OF THIS CONVEYANCE, THE FEE ESTATES CONVEYED BY THIS SPECIAL WARRANTY DEED SHALL NOT BE CONSTRUED TO MERGE WITH THE MORTGAGE, ASSIGNMENT OF RENTS AND LEASES, SECURITY AGREEMENT AND FIXTURE FILING FROM BURBANK REALTY COMPANY LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO FIRSTMERIT BANK, N.A., A NATIONAL BANKING ASSOCIATION, DATED AS OF DECEMBER 1, 2015, AND RECORDED DECEMBER 9, 2015 AS DOCUMENT NO. 1534356100 IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS [AS SAME MAY HAVE

S ✓
P 117
L
M ✓
SC ✓
E ✓
INT R

REAL ESTATE TRANSFER TAX 04-Jun-2019



COUNTY:	0.00
ILLINOIS:	0.00
TOTAL:	0.00

EXEMPT
CITY OF BURBANK
REAL ESTATE TRANSFER TAX
Barry J. Dymczyk
6/3/19

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BEEN AMENDED OR ASSIGNED FROM TIME TO TIME, THE "MORTGAGE") AND THE ASSIGNMENT OF RENTS AND LEASES FROM BURBANK REALTY COMPANY LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO FIRSTMERIT BANK, N.A., A NATIONAL BANKING ASSOCIATION, DATED AS OF DECEMBER 1, 2015, AND RECORDED DECEMBER 9, 2015 AS DOCUMENT NO. 1534356101 IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS (AS SAME MAY HAVE BEEN AMENDED OR ASSIGNED FROM TIME TO TIME, THE "ASSIGNMENT OF RENTS") AND THE MORTGAGE AND THE ASSIGNMENT OF RENTS SHALL SURVIVE THIS CONVEYANCE UNLESS OTHERWISE RELEASED OR TERMINATED.

This Special Warranty Deed is made pursuant to and in accordance with 735 ILCS 5/15-1401, that certain section of the Illinois Mortgage Foreclosure Law titled Deed in Lieu of Foreclosure.

GRANTOR CERTIFIES THAT THIS IS NOT A HOMESTEAD PROPERTY.

[THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]

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IN WITNESS WHEREOF, Grantor have signed and delivered this Special Warranty Deed on this 30th day of May, 2019.

BURBANK REALTY COMPANY LLC,
a Delaware limited liability company

By: _____
Name: Michael F. Buckley
Title: Authorized Person

Exempt from tax under 35 ILCS 200/31-45(l).

By: [Signature] _____
Attorney for Grantee

Date: May 30, 2019

STATE OF NEW YORK)
) ss.
COUNTY OF _____)

I _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Michael F. Buckley, as Authorized Person of **Burbank Realty Company LLC**, a Delaware limited liability company, is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this _____ day of _____, 2019.

Notary Public

My Commission Expires: _____

Send Subsequent Tax Bills to:

WM 73 RE, LLC
100 Congress Avenue, Suite 1550
Austin, TX 78701
Attention: Jim Barr Coleman

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL A:

THAT PART OF THE SOUTH 6/12 OF THE NORTH 8/12 OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF 78TH STREET, (EXCEPT THEREFROM THE WEST 33.00 FEET TAKEN FOR LAVERGNE AVENUE) AND (EXCEPT THE EAST 60.00 FEET TAKEN FOR CICERO AVENUE), IN COOK COUNTY, ILLINOIS.

LESS AND EXCEPT THE FOLLOWING OUTLOT:

THAT PART OF THE SOUTH 1/7 OF THE NORTH 7/12 AND THE SOUTH 1/8 OF THE NORTH 8/12 OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF 78TH STREET, (BEING 33.00 FEET NORTH OF THE CENTER LINE) AND THE WEST LINE OF CICERO AVENUE, (BEING 60.00 FEET WEST OF THE CENTER LINE); THENCE NORTH 89 DEGREES, 54 MINUTES, 56 SECONDS WEST ALONG SAID NORTH LINE OF 78TH STREET, A DISTANCE OF 212.00 FEET; THENCE NORTH 00 DEGREES, 08 MINUTES, 56 SECONDS WEST PARALLEL TO THE WEST LINE OF CICERO AVENUE, A DISTANCE OF 180.00 FEET; THENCE SOUTH 89 DEGREES, 54 MINUTES, 56 SECONDS EAST, A DISTANCE OF 212.00 FEET TO THE WEST LINE OF CICERO AVENUE; THENCE SOUTH 00 DEGREES, 08 MINUTES, 56 SECONDS EAST, A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING SPECIFICALLY DESCRIBED AS:

LOT 1 IN BURBANK STATION, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 29, 1994 AS DOCUMENT 94672782, IN COOK COUNTY, ILLINOIS;

LESS AND EXCEPT

THAT PORTION CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION BY DEED FROM BURBANK JOINT VENTURE, A MICHIGAN GENERAL PARTNERSHIP DATED SEPTEMBER 29, 1998 AND RECORDED NOVEMBER 17, 1998 AS DOCUMENT 08036669, IN COOK COUNTY, ILLINOIS.

LESS AND EXCEPT

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THE NORTH 120.00 FEET OF THE SOUTH 1/3 OF THE NORTH 3/12 OF THE SOUTH 60 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LESS AND EXCEPT

THAT PART OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF LAVERGNE AVENUE AND THE NORTH LINE OF 78TH STREET; THENCE NORTH 00 DEGREES 00 MINUTES 15 SECONDS EAST ALONG THE EAST LINE OF LAVERGNE AVENUE, 500.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 85.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 333.42 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 58 SECONDS WEST 8.39 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 306.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 58 SECONDS WEST 487.29 FEET TO A POINT 5.00 FEET NORTH OF THE NORTH LINE OF 78TH STREET; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS WEST ALONG A LINE 5.00 FEET NORTH OF THE NORTH LINE OF 78TH STREET 669.42 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 205.11 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 30.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 90.00 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 02 SECONDS WEST 30.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 146.73 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 30.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 53.21 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

THAT PORTION TAKEN PURSUANT TO CONDEMNATION CASE NUMBER 43C517 FILED JUNE 1, 1943.

PARCEL B:

THE NORTH 33 FEET OF THE WEST 130 FEET (EXCEPT THE WEST 33 FEET THEREOF) OF THE SOUTH 1/3 OF THE NORTH 3/12 OF THE SOUTH 60 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL C:

THAT PART OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL

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MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF LAVERGNE AVENUE AND THE NORTH LINE OF 78TH STREET; THENCE NORTH 00 DEGREES 00 MINUTES 15 SECONDS EAST ALONG THE EAST LINE OF LAVERGNE AVENUE, 500.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 85.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 333.42 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 58 SECONDS WEST 8.39 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 306.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 58 SECONDS WEST 487.29 FEET TO A POINT 5.00 FEET NORTH OF THE NORTH LINE OF 78TH STREET; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS WEST ALONG A LINE 5.00 FEET NORTH OF THE NORTH LINE OF 78TH STREET 669.42 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 205.11 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 30.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 90.00 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 02 SECONDS WEST 30.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 146.73 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS EAST 30.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 58 SECONDS EAST 53.21 FEET TO THE POINT OF BEGINNING.

PARCEL D:

PERPETUAL NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF CROSS ACCESS, UTILITIES, SIGNS AND FUTURE EASEMENTS, FOR THE BENEFIT OF PARCELS A AND C OVER THE COMMON AREAS OF THE SHOPPING CENTER PARCEL MORE PARTICULARLY DESCRIBED ON EXHIBIT A-1 ATTACHED TO THE DECLARATION OF EASEMENTS, RESTRICTIONS AND OPERATING AGREEMENTS RECORDED AS DOCUMENT NUMBER 94823987.

PARCEL E:

EASEMENT FOR THE BENEFIT OF PARCELS A AND C FOR ROADWAY PURPOSES AS CREATED BY GRANT FOR PUBLIC ROADWAY RECORDED DECEMBER 11, 1997 AS DOCUMENT NUMBER 97930150 AND ASSIGNED BY ASSIGNMENT AND ASSUMPTION OF DRIVEWAY EASEMENT DATED JANUARY 26, 2005 AND RECORDED FEBRUARY 2, 2005 AS DOCUMENT NUMBER 0503334032 OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE SOUTH 1/3 OF THE NORTH 3/12 OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/3 THAT IS 711.0 FEET EAST OF THE WEST LINE OF SAID EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28; THENCE EAST ALONG SAID NORTH LINE, 83.32 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 106 DEGREES 15 MINUTES TO THE RIGHT FROM THE PREVIOUS COURSE, A DISTANCE OF 125.0 FEET TO A POINT 120.0 FEET SOUTH OF SAID NORTH LINE OF THE SOUTH 1/3 OF

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THE NORTH 3/12; THENCE WEST ALONG A LINE 120.0 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTH 1/3, 83.32 FEET; THENCE NORTHEASTERLY, 125.0 FEET TO THE POINT OF BEGINNING, ALL IN TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL F:

LOT 1 IN BURBANK STATION, BEING A SUBDIVISION OF THAT PART OF THE SOUTH 1/7 OF THE NORTH 7/12 AND THE SOUTH 1/8 OF THE NORTH 8/12 OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF 78TH STREET (BEING 33 FEET NORTH OF THE CENTER LINE) AND THE WEST LINE OF CICERO AVENUE (BEING 60 FEET WEST OF THE CENTER LINE); THENCE NORTH 89 DEGREES 54 MINUTES, 56 SECONDS WEST ALONG SAID NORTH LINE OF 78TH STREET 212.0 FEET; THENCE NORTH 0 DEGREES 08 MINUTES 56 SECONDS WEST PARALLEL WITH SAID WEST LINE OF CICERO AVENUE, 180.0 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 56 SECONDS EAST 212.0 FEET TO SAID WEST LINE OF CICERO AVENUE; THENCE SOUTH 0 DEGREES 08 MINUTES 56 SECONDS EAST, 180.0 FEET TO THE POINT OF BEGINNING. ALL IN TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 24, 1994 AS DOCUMENT 94672782, IN COOK COUNTY, ILLINOIS.

PINs: 19-28-401-055-0000, 19-28-412-036-0000, 19-28-412-037-0000, 19-28-412-038-0000, 19-28-412-039-0000, 19-28-412-040-0000

Commonly known as: Burbank Station, 78th Street and Cicero Avenue, Burbank, IL 60459.

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EXHIBIT B

PERMITTED EXCEPTIONS

1. General Real Estate Taxes for the year 2018 second installment and subsequent years, not yet due and payable. λ

2. Mortgage, Assignment of Rents and Leases, Security Agreement and Fixture Filing from Burbank Realty Company LLC, a Delaware limited liability company, to FirstMerit Bank, N.A., a national banking association, to secure an indebtedness in the original principal amount of \$33,700,000.00, dated as of December 1, 2015, and recorded December 9, 2015 as Document 1534356100 in the Office of the Recorder of Deeds for Cook County, Illinois.

Assignment of aforesaid mortgage to WM Capital Partners 73 LLC, recorded as document number 1908706069.

Assignment of loan documents to WM Capital Partners 73 LLC, recorded as document number 1908706071.

Collateral Assignment of Note and Liens to The First National Bank of Central Texas, recorded as document number 1908706072.

3. Assignment of Rents and Leases from Burbank Realty Company LLC, a Delaware limited liability company, to FirstMerit Bank, N.A., a national banking association, dated December 1, 2015, and recorded December 9, 2015 as Document 1534356101.

Re-recorded May 3, 2016 as document number 1612419137.

Assignment to WM Capital Partners 73 LLC, recorded as document number 1908706069.

Collateral Assignment of Note and Liens to The First National Bank of Central Texas, recorded as document number 1908706072.

4. Security interest of WM Capital Partners 73 LLC, under a financing statement by Burbank Realty Company LLC, and filed as document number 1909522049.

5. Easement for the benefit of Parcels A and C for roadway purposes as created by grant for public roadway recorded December 11, 1997 as document number 97930150 and assigned by Assignment and Assumption of driveway easement dated January 26, 2005 and recorded February 2, 2005 as document number 0503334032.

6. Terms, conditions and provisions of the documents creating the easements described as Parcels D and E, together with the rights of the adjoining owners in and to the concurrent use of said easements.

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7. Terms, provisions and conditions contained in Lease by and between Burbank Joint Venture, Lessor, and Builders Square, Inc., Lessee, dated August 2, 1994 as disclosed by a Memorandum of Lease recorded June 11, 1999 as Document 99562791, 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. (Affects Parcel "C").

Assignment of Lease made by Builders Square, Inc., a Delaware corporation to Kmart Corporation, a Michigan corporation by Instrument recorded June 11, 1999 as Document 99562792. Assignment of Lease made by Kmart Corporation, a Michigan corporation to Home Depot U.S.A., Inc., a Delaware corporation by Instrument recorded June 11, 1999 as Document 99562793.

First Amendment to Long-Form Assignment of Lease by and between Kmart Corporation, a Michigan corporation and Home Depot U.S.A., Inc., a Delaware corporation recorded June 16, 1999 as Document 99578701.

Subordination, Non-Disturbance and Attornment Agreement by and between FirstMerit Bank, N.A., a national banking association, Lender, and Home Depot U.S.A., Inc., a Delaware corporation, Tenant, recorded December 9, 2015 as Document 1534256102.

8. Terms, provisions and conditions contained in Lease by and between Burbank Joint Venture, Lessor, and PETsMART, Inc., Lessee, dated August 27, 1993 as disclosed by a Memorandum of Lease recorded July 12, 1994 as Document 94608065, 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. (Affects Parcels "A" and "B").

Subordination, Non-Disturbance and Attornment Agreement by and between FirstMerit Bank, N.A., a national banking association, Lender, Burbank Realty Company LLC, a Delaware limited liability company, Landlord, and PetSmart, Inc., a Delaware corporation, Tenant, recorded December 9, 2015 as Document 1534256103.

9. Terms, provisions and conditions contained in Lease by and between Burbank Station Holdings, LLC, Lessor, and Art Van Furniture, Inc., d/b/a Art Van Furniture, Lessee, dated March 31, 2014, assigned to Art Van Furniture – Midwest, L.L.C., d/b/a Art Van Furniture, as disclosed by a Memorandum of Lease recorded July 21, 2015 as Document 1520239046, 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. (Affects all Parcels).

Subordination, Non-Disturbance and Attornment Agreement by and between Burbank Realty Company LLC, a Delaware limited liability company, Landlord, Art Van Furniture - Midwest, L.L.C., Tenant, and FirstMerit Bank, N.A., a national banking association, Lender, recorded December 24, 2015 as Document 1535849128.

10. Terms, provisions and conditions contained in Lease by and between Burbank Station Holdings, LLC, Lessor, and Bob's Discount Furniture, LLC, Lessee, dated February 10,

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2015 as disclosed by a Memorandum of Lease recorded September 23, 2015 as Document 1526616012, 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. (Affects all Parcels).

Subordination, Non-Disturbance and Attornment Agreement by and between Burbank Realty Company LLC, a Delaware limited liability company, Landlord, Bob's Discount Furniture, LLC, a Massachusetts limited liability company, Tenant, and FirstMerit Bank, N.A., a national banking association, Lender, recorded December 9, 2015 as Document 1534256107.

11. Rights of the following tenants, under existing unrecorded leases:

a) Lease dated August 19, 2011 with Atlas Dental Corp. d/b/a Salud Family Dental Center, assigned to Salud Family Dental Inc., disclosed by Subordination, Non-Disturbance and Attornment Agreement by and between Burbank Realty Company LLC, a Delaware limited liability company, Landlord, Atlas Dental Corp., Tenant, and FirstMerit Bank, N.A., a national banking association, Lender, recorded December 10, 2015 as Document 1534456203.

b) Lease dated August 13, 2013 with Carter's Retail, Inc. disclosed by Subordination, Non-Disturbance and Attornment Agreement by and between FirstMerit Bank, N.A., a national banking association, Lender, and Carter's Retail, Inc., a Delaware corporation, Tenant, recorded December 9, 2015 as Document 1534256104.

c) Lease dated July 15, 2009 with Baste PNT, Inc., d/b/a Play N Trade, disclosed by Subordination, Non-Disturbance and Attornment Agreement by and between Burbank Realty Company LLC, a Delaware limited liability company, Landlord, Baste PNT, Inc., an Illinois corporation, Tenant, and FirstMerit Bank, N.A., a national banking association, Lender, recorded December 9, 2015 as Document 1534256105.

d) Lease dated May 10, 2011 with Skechers USA, Inc., d/b/a Skechers U.S.A., disclosed by Subordination, Non-Disturbance and Attornment Agreement by and among Burbank Realty Company LLC, a Delaware limited liability company, Landlord, Skechers U.S.A., Inc., a Delaware corporation, Tenant, and FirstMerit Bank, N.A., a national banking association, Lender, recorded December 11, 2015 as Document 1534508043.

e) Lease dated November 4, 2003 with VoiceStream GSM 1 Operating Company, LLC, d/b/a T-Mobile, disclosed by Subordination, Non-Disturbance and Attornment Agreement by and among T-Mobile Central LLC, a Delaware limited liability company, successor-in-interest to VoiceStream GSM 1 Operating Company, LLC, Tenant and Burbank Station Holdings, LLC, a Delaware limited liability company, successor-in-interest to VLand Burbank 78th LLC, Landlord, recorded December 9, 2015 as Document 1534256108.

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- f) Lease dated December 11, 2013 with Rockledge Furniture LLC, d/b/a Ashley Furniture Homestore.
- g) Lease dated November 4, 2003 with Vitamin Shoppe Industries, Inc., d/b/a The Vitamin Shoppe, assigned to VS Direct Inc.
- h) Lease dated December 5, 2014 with Athletic & Therapeutic Institute of Naperville, LLC, d/b/a ATI Physical Therapy.
- i) Lease dated June 10, 2010 with Associated Hearing Aids of IL, Inc., d/b/a Miracle-Ear, assigned to LG Hearing and Audiology, LLC, d/b/a Miracle-Ear.
- j) Lease dated November 25, 2003 with Starbucks Corporation.
- k) Lease dated August 2, 1994 with Builders Square, Inc., assigned to Home Depot U.S.A., Inc.
- (i) Sublease dated March 25, 2002 with Ralphs Grocery Company, d/b/a Food 4 Less.
- (ii) Sublease dated March 3, 2008 with Concord Buying Group, Inc., d/b/a A.J. Wright, assigned to Homegoods, Inc.
12. Provision in the Deed recorded and filed on November 30, 1983 as Document 26879830 and LR3343589, respectively, from Commonwealth Edison Company, as grantor, to The City of Burbank (Affects Parcel "B").
13. Perpetual right-of-way grant of easement as set forth in Grant recorded and filed on November 30, 1983 as Document 26879831 and LR3343590 respectively, made by The City of Burbank as grantor, to Commonwealth Edison Company, its successors and assigns, as grantee (Affect Parcel "B").
14. Perpetual easement as set forth in Grant of Easement as provided in Ordinance of the City Council of Burbank, Cook County, Illinois (a copy of said ordinance having been recorded and filed on November 30, 1983 as Document 26879832 and LR3343591 respectively, made and executed by the mayor of the City of Burbank to Super Valu Stores, Inc., and its successors in interest, such easement being for the benefit of land described in said document as so recorded and filed, over the land described in our caption, for the purpose of the dumping of storm water and for the purpose of establishing, maintaining, and servicing water lines, storm sewer lines, sanitary sewer lines, pipes, manholes, catch basins, and lift stations, and the terms and provisions contained therein (Affect Parcel "B").
15. Easement in favor of Northern Illinois Gas Company, and its 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

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relating thereto contained in the Plat recorded March 13, 1998 as Document 98199544 (Affects a Portion of Parcel "A").

16. Easement in favor of The Commonwealth Edison Company and Ameritech, and 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 February 10, 1994 as Document 94136566 and re-recorded August 5, 1994 as Document 94694563 (Affects Parcels "A" and "F").
17. Easements, covenants and restrictions relating to height; floor area and other issues, contained in the Declaration of Easements, Restrictions and Operating Agreements executed by Burbank Joint Venture, a Michigan partnership, dated July 22, 1994 and recorded as Document 94823987.

Assignment and Assumption of Responsible Party's Obligations under Declaration of Easements, Restrictions and Operating Agreements by and among JRC Burbank Station Limited Partnership, an Illinois limited partnership and The Prudential Insurance Company of America, a New Jersey corporation, recorded February 2, 2005 as Document 0503334031.

First Amendment to Declaration of Easements, Restrictions and Operating Agreements recorded June 13, 2005 as Document 0516402203.

Assignment and Assumption of Responsible Party's Obligations under said Declaration of Easements, Restrictions and Operating Agreements by and between The Prudential Insurance Company of America, a New Jersey corporation and Weingarten/Investments, Inc., a Texas corporation, recorded July 9, 2007 as Document 0719046175.

Assignment and Assumption of Responsible Party's Obligations under said Declaration of Easements, Restrictions and Operating Agreements by and between Weingarten/Investments, Inc., a Texas corporation, assignor, and Burbank Station Holdings, LLC, a Delaware limited liability company, assignee, recorded November 8, 2012 as Document 1231331057.

Assignment and Assumption of Responsible Party's Obligations under said Declaration of Easements, Restrictions and Operating Agreements by and between Burbank Station Holdings, LLC, a Delaware limited liability company, Assignor, and Burbank Realty Company LLC, a Delaware limited liability company, Assignee, recorded December 9, 2015 as Document 1534356099.

Assignment and Assumption of Responsible Party's Obligations under said Declaration of Easements, Restrictions and Operating Agreements by and between Burbank Realty Company LLC, a Delaware limited liability company, Assignor, and WM 73 RE, LLC, a Delaware limited liability company, Assignee, recorded _____, 2019 as Document _____. (Affects Parcels "A", "C" and "F").

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18. Easement in favor of Northern Illinois Gas Company, and its 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 April 18, 1994 as Document 94344984. (Affects a Portion of Parcel "A").
19. Easement in favor of the South Stickney Sanitary District as set forth in Plat of Easement dated January 4, 1983 and recorded January 10, 1983 as Document 26463794. (Affects a Portion of Parcel "A").
20. Easement in favor of The Commonwealth Edison Company and Illinois Ameritech Corporation, 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 of Easement recorded July 12, 1994 as Document 94606882. (Affects a Portion of Parcel "A").
21. Terms, provisions, conditions and limitations contained in an Agreement concerning the disconnection, annexation and development of certain property located West of Cicero Avenue, North of 79th Street and South of 76th Street, a copy of which was recorded April 21, 1994 as Document 94366744.
22. Building line along the West thirty (30) feet of the Land as shown on plat of Burbank Station recorded July 29, 1994 as Document 94672782. (Affects Parcel "F").
23. Easement over the South ten (10) feet of Lot 4 in underlying Lin-De-Lane Subdivision for the express purpose of installing and maintaining sewer, water and gas pipes and for no other purpose, as contained in the grant from Charles I. Zenner and Katherine Zenner, his wife, to Charles F. Preston and Helen B. Preston, his wife, and Ernest E. Preston and Mildred Preston, his wife, dated January 8, 1952 and recorded January 14, 1952 as Document 15253540. (Affects Parcel "F").
24. Grant of Easement from VLand Burbank 78th LLC to The Commonwealth Edison Company recorded March 15, 2004 as Document 0407544014. (Affects Parcel "F").
25. Public utility easement in favor of Commonwealth Edison Company and SBC Telephone Company, and their respective successors and assigns, for the construction, operation and maintenance of equipment and other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sounds and signals in, over, under, across, along and upon the surface of the Land, affecting a ten (10) foot wide by one hundred fifty (150) foot long parcel of land extending East to West across the Land located North of a point 500 feet North of the North line of 78th Avenue, together with all appurtenances and rights incidental thereto, as more fully set forth in and identified by hatch marks on the attachment to the Grant of Easement dated October

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16, 2015, and recorded October 16, 2015 as Document 1528915061. (Affects Parcel "A").

26. Survey prepared by M. Gingerich, Gereaux & Associates, dated September 23, 2015, last revised November 12, 2015, under Job No. 15-409, shows the following:

a) Curb encroaches on the North line onto adjoining land by distances approximately between 0.60 foot and 1.00 foot (Affects Parcel "A").

b) Encroachment of the fence at the Southwest corner of the public right-of-way adjoining on the South by approximately 4.30 feet (Affects Parcel "A").

c) Encroachment of the One Story Retail Shopping Building located mainly on the Land into the ten (10) foot easement recorded as Document 94136566 and re-recorded as Document 94594563 (Affects Parcel "A").

d) Encroachment of the fence from the land adjoining on the North onto the Land by approximately 9.4 feet (Affects Parcel "B").

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or its agent affirms that, to the best of his knowledge, the name of the grantor shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Grantor or Agent:

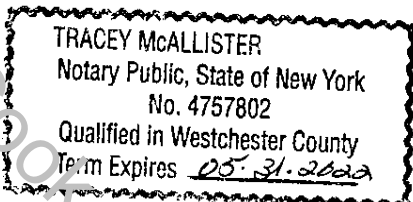
BURBANK REALTY COMPANY LLC

Signature: Michael F. Buckley
Name: Michael F. Buckley
Title: Authorized Person

Dated: May 20, 2019.

Subscribed and sworn to before me
this 24th day of May, 2019.

Tracey McAllister
Notary Public



The grantee or her agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Grantee or Agent:

WM 73 RE, LLC

Dated: _____, 2019.

Signature: _____
Name: _____
Title: _____

Subscribed and sworn to before me
this ___ day of _____, 2019.

Notary Public

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or its agent affirms that, to the best of his knowledge, the name of the grantor shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Grantor or Agent:

BURBANK REALTY COMPANY LLC

Dated: _____, 2019.

Signature: _____

Name: Michael F. Buckley

Title: Authorized Person

Subscribed and sworn to before me
this ____ day of _____, 2019.

Notary Public

The grantee or her agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Grantee or Agent:

WM 73 RE, LLC

Dated: May 30, 2019.

Signature: _____

Name: Julie Rose Glenn

Title: Authorized Signatory

Subscribed and sworn to before me
this 28 day of MAY, 2019.

AJMS
Notary Public

