

# UNOFFICIAL COPY

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NCS 953415149



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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 07/02/2019 01:15 PM PG: 1 OF 6

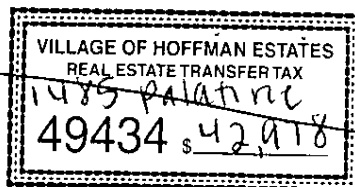
(For Recorder's Use Only)

## SPECIAL WARRANTY DEED

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **JETCO PROPERTIES, INC.**, a Delaware corporation ("**Grantor**"), having an address of c/o Albertsons Companies, 250 E. Parkcenter Blvd., Boise, ID 83706, by these presents does hereby GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE AND CONVEY unto **CF ALBERT PROPCO III LLC**, a Delaware limited liability company ("**Grantee**"), having an address of c/o Fortress Investment Group LLC, 1345 Avenue of the Americas, 46th Floor, New York, New York 10020, Attention: General Counsel - Credit Funds, and its successors and assigns all of Grantor's right, fee simple title and interest in and to that certain parcel of land located in Hoffman Estates, County of Cook, State of Illinois, and legally described on Exhibit A attached hereto and incorporated herein by this reference, together with all of Grantor's right, title and interest in, to and under all buildings and other improvements located thereon, if any, all appurtenances thereto and all and singular the rights, privileges and appurtenances thereto in any manner belonging to said Grantor (the "**Property**").

It is expressly agreed that Grantor reserves and excepts from this conveyance, to Grantor and Grantor's successors and assigns, all oil, gas and other minerals on, in and under the parcel of land described on **Exhibit A** attached hereto (the "**Land**"), and that the Land conveyed hereunder does not include any such oil, gas and other minerals. The excepted and reserved oil, gas and other minerals interest is subject to any valid, recorded oil, gas and/or other mineral lease or leases that cover the interest reserved, but includes all delay rentals, royalties, and other rights and payments due or to become due under the terms of such lease or leases to the lessor, the lessor's successors and assigns. On termination of any or all of such leases, the interest of the lessee shall revert to Grantor or Grantor's successors and assigns. Grantor shall have no rights of surface ingress and egress on the Land in relation to the excepted and reserved oil, gas and other minerals interest. Grantor does not, however, waive its right to use, exploit, develop and produce the oil, gas and

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other minerals under the Land by pooling or by wells drilled and other operations conducted from surface locations outside the Land, including, without limitation, wells drilled horizontally or directionally under or through the subsurface of the Land, whether or not the directional wells are bottomed under the Land or lands pooled therewith.

And Grantor, for itself, and its successors and assigns, does covenant, promise and agree, to and with Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the Property hereby granted and conveyed is, or may be, in any manner encumbered or charged, except as herein recited; and that Grantor will **WARRANT AND FOREVER DEFEND** said Property unto Grantee and its successors and assigns against all persons or entities lawfully claiming or to claim the same, by, through and under Grantor, but not otherwise, subject to current taxes not yet due and payable; patent reservations; all leases, liens, covenants, conditions, restrictions, reservations, easements, encumbrances and declarations or other matters of record or to which reference is made in the public record, including those matters set forth in Exhibit B attached hereto and incorporated herein by this reference (the "*Permitted Exceptions*"); the state of facts which a physical inspection, or accurate survey, of the Property would reveal; and the applicable zoning and use regulations of any municipality, county, state, or the United States affecting the Property.

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02-Jul-2019

REAL ESTATE TRANSFER TAX

COUNTY:	7,112.75
ILLINOIS:	14,325.50
TOTAL:	21,438.25

02-19-119-049-0000 | 20190601600595 | 1-692-244-064

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## EXHIBIT A TO DEED

### (LEGAL DESCRIPTION)

PARCEL 1:

LOT 1 IN ORBIT SUBDIVISION, A RESUBDIVISION OF PART OF HOWIE IN THE HILLS UNIT 1 AND MERIDIAN'S COMMERCIAL ADDITION TO WESTBURY IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 42 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Address: 1485 Palatine Rd., Hoffman Estates, IL

PIN(s): 02-19-119-049-0000

Property of Cook County Clerk's Office

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## EXHIBIT B TO DEED

### (PERMITTED EXCEPTIONS)

1. General real estate taxes for the years 2018 (Final Installment) and 2019, not due and payable.

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2. Terms, provisions and conditions as contained in Notice of Requirements for Storm Water Detention and Disclosure of Property Interest made by Allister Construction Company, and recorded February 28, 1977 as Document 23832835, relating to the requirements for providing storm water detention facilities for the Land.
3. A forty (40) foot easement for public utilities as shown on the plat of Meridian's Commercial Addition to Westbury recorded as Document 25706839 aforesaid, and as shown on the plat of Orbit Subdivision recorded as Document 94567194, aforesaid.
4. Easements for public utilities as shown on the plat of Orbit Subdivision recorded as Document 94567194, aforesaid.
5. Easement provisions for the purpose of installing and maintaining all equipment necessary to serve the Land and other property with telephone, electrical and gas service, together with the right of access to said equipment, in favor of Commonwealth Edison Company, Illinois Bell Telephone Company and Northern Illinois Gas Company, their respective successors and assigns, as granted on the plat of subdivision of Meridian's Commercial Addition to Westbury recorded December 16, 1980 as Document 25706839, and the further terms and conditions contained therein.
6. Easement provisions for the purpose of installing and maintaining all equipment necessary to serve the Land and other property with telephone, electrical, gas, sewer and water service, together with the right of access to said equipment, in favor of Illinois Bell Telephone Company, Commonwealth Edison Company, Continental Cablevision, Northern Illinois Gas Company and the Village of Hoffman Estates, their respective successors and assigns, as granted on the plat of Orbit Subdivision recorded June 29, 1994 as Document 94567194, and the further terms and conditions contained therein.
7. Terms, provisions, covenants, conditions, and restrictions contained in and easements, rights and obligations created by Declaration of Restrictions and Grant of Easements between Jetco Properties, Inc., Elmwood Park L.L.C. and Hoffman Palatine Road LLC, dated October 28, 1999 and recorded November 1, 1999 as Document 09025594, establishing restrictions regarding construction, use, maintenance, parking, ingress and egress upon the property, and the further terms and provisions contained therein.

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Amendment to Declaration of Restrictions and Grant of Easements dated October 12, 2000 and recorded October 23, 2000 as Document 00828934.

Second Amendment to Declaration of Restrictions and Grant of Easements dated July 15, 2003 and recorded July 23, 2003 as Document 0320447197.

8. Terms, provisions, conditions and limitations of an Installation, Maintenance and Easement Agreement by and between Jetco Properties, Inc. and Pulte Home Corporation dated October 24, 1990 and recorded December 4, 1990 as Document 90588024.
9. Easement in favor of the Village of Hoffman Estates, its successors and assigns, for drainage purposes, to install, lay, renew, 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 instrument recorded September 30, 1981 as Document 26014815; as affected by First Amendment to Easement recorded November 12, 1981 as Document 26056333.
10. Note as contained on the plat of Orbit Subdivision recorded June 29, 1994 as Document 94567194 aforesaid, as follows: Only one access to Palatine Road from both Lots 1 and 2. Access should align with existing Chambers Drive to the North and no additional access drive will be allowed to Palatine Road.
11. Rights of tenants in possession, as tenants only, pursuant to written but unrecorded, unexpired leases in effect as of the date of the date hereof, without rights or options to purchase the Property.

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