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This instrument was prepared by:

Kevin Smith, Esq.
c/o Kimco Realty Corporation
6060 Piedmont Row Drive South
Suite 200
Charlotte, NC 28287

Doc# 1921106157 Fee \$88.00

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

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 07/30/2019 04:13 PM PG: 1 OF 11

WHEN RECORDED MAIL
THIS DOCUMENT AND ALL
TAX STATEMENTS TO:

c/o ACRE Investment Company, Inc.
4683 Chabot Drive, Suite 220
Pleasanton, CA 94588
Attention: Allan Chandler

(Above Space for Recorder's Use Only)

SPECIAL WARRANTY DEED

THIS INDENTURE is made as of the 24 day of July, 2019, by and between **MOUNT PROSPECT CENTER, LLC**, an Illinois limited liability company ("Grantor"), and **24 MOUNT PROSPECT, LLLP**, a Delaware limited liability limited partnership, as tenant in common, as to an undivided 63.6364% interest and **LIFE MOUNT PROSPECT, LLC**, an Illinois limited liability company, as tenant in common, as to an undivided 36.3636% interest, with an office c/o ACRE Investment Company, Inc., 4683 Chabot Drive, Suite 220, Pleasanton, CA 94588 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars in hand paid by Grantee, the receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL, REMISE, RELEASE AND CONVEY into Grantee, and to its heirs and assigns, FOREVER, the following described real estate, situated in Village of Mount Prospect, Cook County, State of Illinois, known and described as follows, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND HEREBY MADE A PART HEREOF.

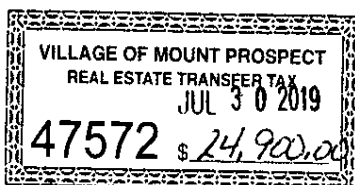
Together with all of the Grantor's right, title and interest in the improvements, hereditaments, easements and appurtenances thereunto belonging, or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, either in law or equity, of, in and to the above described premises, with the improvements, hereditaments, easements and appurtenances, collectively, the "Property". TO HAVE AND TO HOLD the Property, unto the Grantee, its heirs and assigns forever.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its heirs and assigns, that it 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, and WILL WARRANT AND 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: the Permitted Title Exceptions, as described on Exhibit "B" attached hereto and made a part hereof.

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Permanent Real Estate Index Number(s): 08-14-403-022-0000, 08-14-403-027-0000,
08-14-403-028-0000

Address of real estate: 1500 Elmhurst/1470 Elmhurst, Mount Prospect, Illinois 80056



REAL ESTATE TRANSFER TAX

30-Jul-2019



COUNTY: 4,150.00
ILLINOIS: 8,300.00
TOTAL: 12,450.00

08-14-403-022-0000

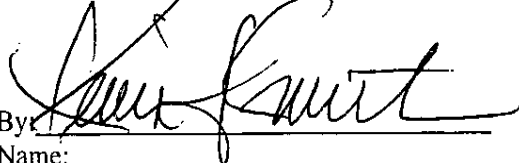
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IN WITNESS WHEREOF, said party of the first part has executed this Special Warranty Deed as of the date first above written.

MOUNT PROSPECT CENTER, LLC., an Illinois limited liability company

By: KRCX Illinois Realty, LLC, its sole member

By: 

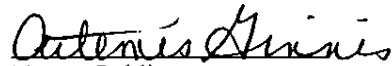
Name: _____
Title: **Kevin Smith**
Vice President

STATE OF North Carolina
) ss:
COUNTY OF Mecklenburg

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, an officer duly authorized to take acknowledgments, personally appeared Kevin Smith, known to me to be the person described in and who as Vice President of KRCX Illinois Realty, LLC, sole member of MOUNT PROSPECT CENTER, LLC (the "LLC"), executed the foregoing instrument on behalf of the LLC; and s/he acknowledged before me that s/he executed this instrument as a member of the LLC in name of and on behalf of the LLC; that this act was done by authority of the LLC for the uses and purposes set forth in the instrument; and that the foregoing instrument is the free act and deed of the LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this 17 day of July, 2019, in this State and County.

My Commission expires: 11/31/21


Notary Public
(Notarial Seal)

ARTEMIS GINNIS
NOTARY PUBLIC
Mecklenburg County
North Carolina
My Commission Expires 11/31/21

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THAT PART PART OF THE SOUTH EAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 12 CHAINS SOUTH OF THE NORTH EAST CORNER OF SAID SOUTH EAST QUARTER OF SAID SECTION 14; THENCE WEST 11.5 CHAINS; THENCE SOUTH 2.35 CHAINS; THENCE WEST 8.50 CHAINS TO THE WEST LINE OF SAID SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER, THENCE SOUTH 5.66 CHAINS TO THE SOUTH WEST CORNER OF SAID SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER THENCE EAST 20 CHAINS TO THE SOUTH EAST CORNER OF SAID SECTION 14; THENCE NORTH 8.0 CHAINS TO THE POINT OF BEGINNING (EXCEPT THEREFROM THAT PART OF THE SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH WEST CORNER OF SAID SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER, THENCE NORTH ALONG THE WEST LINE OF SAID SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER 385.20 FEET; THENCE EAST 552.28 FEET TO A POINT 355.38 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 14; THENCE SOUTH 385.38 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 14 WHICH IS 582.0 FEET EAST OF THE SOUTH WEST CORNER OF SAID SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 14 TO THE POINT OF BEGINNING AND EXCEPT THEREFROM THE EAST 210 FEET OF THE SOUTH 220 FEET OF THE SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 14, AFORESAID AND EXCEPT THEREFROM THAT PART OF THE EAST 50 OF THE SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 14, AFORESAID WHICH LINE NORTH OF THE SOUTH 220 FEET OF THE SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 14, AFORESAID, AND SOUTH OF THE NORTH LINE OF THE HEREIN ABOVE DESCRIBED TRACT OF LAND), IN COOK COUNTY, ILLINOIS

PARCEL 2:

LOT 2, EXCEPT THE EAST 200.00 FEET (MEASURED PERPENDICULARLY) OF THE NORTH 145.00 FEET (MEASURED ALONG THE EAST LINE THEREOF) IN KENROY'S HUNTINGTON BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. PARCEL 1 AND 2 OF THE LAND ARE ALSO KNOWN AS LOT 2 IN KENROY'S ELMFURST DEMPSTER SUBDIVISION BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS DATED APRIL 19, 1973 AND RECORDED MAY 18, 1973 AS DOCUMENT 22327173, AS AMENDED BY LETTER OF CORRECTION RECORDED NOVEMBER 9, 1989 AS DOCUMENT 89536360.

PARCEL 3:

NON-EXCLUSIVE PERPETUAL EASEMENT FOR STORM WATER SEWER LINE FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 33425, DATED APRIL 19, 1973 AND RECORDED MAY 22,

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1973 AS DOCUMENT 22334719 AND AS AMENDED BY DOCUMENT RECORDED SEPTEMBER 26, 1973 AS DOCUMENT NUMBER 22492620.

PARCEL 4:

PERPETUAL EASEMENT FOR STORM WATER SEWER LINE FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM TRUSTEES OF SCHOOLS OF TOWNSHIP 41 NORTH, RANGE 11 EAST TO LASALLE NATIONAL BANK, TRUST NUMBER 33425 AND KENROY, INCORPORATED, DATED AUGUST 29, 1973 AND RECORDED SEPTEMBER 26, 1973 AS DOCUMENT NUMBER 22492619.

PARCEL 5:

NON-EXCLUSIVE PERPETUAL EASEMENT FOR STORM WATER SEWER LINE FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM THE COMMONWEALTH EDISON COMPANY, A CORPORATION OF ILLINOIS, TO LASALLE NATIONAL BANK, TRUST NUMBER 33425 AND KENROY, INCORPORATED, DATED AUGUST 29, 1973 AND RECORDED SEPTEMBER 26, 1973 AS DOCUMENT NUMBER 22492621.

PARCEL 6:

EXCLUSIVE PERPETUAL EASEMENT FOR STORM WATER SEWER LINE FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM MOUNT PROSPECT STATE BANK, TRUST NUMBER 270 AND KENROY INCORPORATED DATED AUGUST 29, 1973 AND RECORDED SEPTEMBER 26, 1973 AS DOCUMENT NUMBER 22492617.

PARCEL 7:

EXCLUSIVE PERPETUAL EASEMENT FOR STORM WATER SEWER LINE FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM HUNTINGTON COMMONS ASSOCIATION, NON-PROFIT CORPORATION OF ILLINOIS TO LASALLE NATIONAL BANK, TRUST NUMBER 33425 AND KENROY, INCORPORATED, A CORPORATION OF DELAWARE, DATED AUGUST 29, 1973 AND RECORDED SEPTEMBER 26, 1973 AS DOCUMENT NUMBER 22492618 AND AMENDED BY AMENDMENT RECORDED SEPTEMBER 28, 1973 AS DOCUMENT NUMBER 22495853.

Permanent Real Estate Index Number(s): 08-14-403-022-0000, 08-14-403-027-0000,
08-14-403-028-0000

Address of real estate: 1500 Elmhurst/1470 Elmhurst, Mount Prospect, Illinois 80056

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EXHIBIT "B" to the Deed

PERMITTED EXCEPTIONS

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PERMITTED EXCEPTIONS

1. General real estate taxes for the year(s) 2019 and subsequent years, a lien not yet due and payable.

Permanent Index Number: 08-14-403-022-0000 Vol. 049
(Affects a portion of the property)

2. General real estate taxes for the year(s) 2019 and subsequent years, a lien not yet due and payable.

Permanent Index Number: 08-14-403-027-0000 Vol. 049
(Affects a portion of the property)

3. General real estate taxes for the year(s) 2019 and subsequent years, a lien not yet due and payable.

Permanent Index Number: 08-14-403-028-0000 Vol. 049
(Affects the remainder of the property)

4. INTENTIONALLY OMITTED

5. Terms, provisions and conditions contained in Lease by and between KRCV Corp., a Kansas corporation, Lessor, and Kohl's Department Stores, Inc., a Delaware corporation, Lessee, dated November 22, 2002 as disclosed by a Memorandum of Lease recorded July 8, 2003 as document 0313931058, 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.

6. Unrecorded Lease as evidenced by an Assignment and Assumption of Lease by and between KFC Corporation, a Delaware corporation ("Assignor") and Apex Brands Chicago, LLC, an Illinois limited liability company recorded April 11, 2014 as document no. 1210231039.

Assignment and Assumption of Leases by and between Ampex Brands Chicago, LLC f/k/a Apex Brands Chicago, LLC, a Delaware limited liability company ("Assignor") and Eddies Restaurant Company, an Illinois corporation ("Assignee") recorded May 2, 2016 as document no. 1612356152.

Consent to Assignment and Agreement Regarding Future Consents by and between KFC Corporation, a Delaware corporation ("Predecessor Assignor") to Eddies Restaurant Company, an Illinois corporation ("Assignor") to FQSR, LLC, a Delaware limited liability company ("Assignee") recorded October 16, 2017 as document no. 1728941147.

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7. Intentionally Omitted

8. Rights of the public and the municipality in and to that part of the Land as designated by plat entitled Dempster Street Plat of Easement for Public highway recorded may 27, 1928 as document 9967970.

(Affects the South 50 feet of lot 2)

9. Perpetual right, easement and authority to construct, install Operate, use, maintain, renew, replace, remove or relocate on, over or in Property owned by the Commonwealth Edison Company on February 9, 1954 Situated in County of Cook (excluding the city of Chicago), with such rights of access to such portions of said property as may be necessary of Incidental to exercise of such right, easement and authority, (a) existing gas facilities, (b) gas facilities now in process of construction, and (c) Gas facilities which construction has been or shall be authorized in or before February 9, 1954, as contained in Grant made by Commonwealth Edison to Northern Illinois Gas Company, a corporation of Illinois in its deed dated and recorded February 9, 1954 as document 15829698 and filed in the Office of the Registrar of Titles on February 9, 1954 as document LR1506515.

(Affects Parcel 4)

10. This item has been intentionally deleted.

11. This item has been intentionally deleted.

12. Easement over a 10 foot strip of land lying in Huntington Drive in favor of Northern Illinois Gas Company to lay and maintain gas mains necessary gas facilities, together with right of access thereto as granted by instrument recorded December 18, 1970 as Document 21346789.

(Affects the Easterly portion of Parcel 6)

13. Easement over Parcel 6 in favor of LaSalle National Bank, as trustee Under trust agreement dated January 22, 1971 and known as trust number 42301, owner of property located at the northeast corner of Lot 1 in Kenroy's Huntington subdivision, and in favor of Bralen, Ltd., Bralen Townhome Owners Association, a not for profit corporation, to use the easement noted below created by document 21401332, for ingress and egress, as granted in instrument recorded March 9, 1972 as document 21831899 and in instrument recorded September 21, 1972 as document 22058639.

(Affects Parcel 6)

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14. Easement for Pedestrian and Motor Vehicle Ingress and Egress to and From dedicated streets and/or public roads, as created by the Declaration recorded February 19, 1971 as document 21401332 made by LaSalle National Bank, a national banking association, as trustees under trust number 33425, 35280, 19237 and 28948, upon, over and along the servient land as shown on the Plat of Easement attached as Exhibit A to said Declaration.

(Affects Parcel 6)

15. Reservation of easement for private road for the purpose of vehicular and pedestrian ingress and egress to and from those parcels of real estate which adjoin such private roads and for the use of declarant, LaSalle National Bank, as trustee under trust numbers 28948, 19237 and 35280 and Kenroy Builders, Inc., and reservation unto Kenroy Builders, Inc., to Establish easements over, upon and across parcel 7 in favor of public utility companies and to install and maintain a television cable and master television system, all as set forth in the Declaration recorded October 8, 1971 as document 21661527 and covenants, conditions and restrictions contained therein.

(Affects Parcel 6)

16. This item has been intentionally deleted.
17. Easement for ingress and egress over the Northeasterly corner of Lot 2 in Kenroy's Elmhurst-Dempster Subdivision, aforesaid adjoining Elmhurst Road, as shown on the plat of subdivision recorded as document 22327173.
18. Easement for sanitary sewer and water main over the East 23 feet of The North 205 feet of Lot 2 in Kenroy's Elmhurst-Dempster subdivision, Aforesaid adjoining Elmhurst road, as shown on the plat of subdivision recorded as document 22327173.
19. Easement in favor of Northern Illinois Gas Company to lay and maintain gas mains and necessary gas facilities, together with right of access thereto in, upon, under, along and across that portion of the land as created by Grant dated July 19, 1973 and recorded September 10, 1973 as document 22471640.

(Affects Parcel 6)

20. Covenants and restrictions contained in the Agreement dated April 19, 1973 and recorded September 25, 1973 as document 22489725 between Kenroy Builders, Inc., a corporation of Illinois and the Village of Mt. Prospect, a municipality, relating to maintenance of the land and open space easements.

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(Affects Parcel 1)

21. Easement in favor of the Village of Mt. Prospect for Sanitary Sewer Lines and Water Main as disclosed by Grant dated February 17, 1975 and recorded February 26, 1975 as document 23006350.

(Affects Parcel 1)

22. Agreement for the Regulation of Traffic and Parking dated February 19, 1975 and recorded April 9, 1975 as document 23044818.

23. Grant of Non-Exclusive Perpetual Easement dated April 25, 1975 and recorded August 1, 1975 as document 23173133 made by the May Department Stores to the Metropolitan Sanitary District of Greater Chicago for the right, privilege and authority to construct, reconstruct, repair, maintain and operate a certain part of the conveyance facilities under and through a Portion of the land.

(Affects Parcel 2)

24. Electric Facilities Agreement dated February 9, 1976 and recorded as Document 23406655 in favor of Commonwealth Edison Company.
25. Grant of Easement recorded December 28, 1976 as document 23760270 Made by the May Department Stores to the Village of Mt. Prospect and the terms, provisions and conditions contained therein, to construct, build and control construction in open space shown on plat of open space attached as Exhibit A thereto.

(Affects Parcel 1)

26. Easement Agreement dated January 5, 1977 and recorded June 14, 1977 as document 23968409 creating a non-exclusive perpetual easement for the Purpose of surface parking of motor vehicles and vehicular and pedestrian ingress and egress incidental to any such surface parking.

27. Easement Agreement recorded September 1, 1977 as document 24088112 made by May Properties 1975, Inc., to Elden H. Haskell and Phyllis Haskell for the purpose of surface parking of motor vehicles thereupon and vehicular and pedestrian ingress and egress.

Assignment of the aforesaid Easement to Sambo's of Illinois, Inc., recorded

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September 1, 1977 as document 24088113.

Amended and Restated Easement Agreement recorded
December 11, 2003 as document no. 0334534112.

Reaffirmation of Amended and Restated Easement Agreement
recorded October 7, 2016 as document no. 1628122133.

(Affects Parcel 1)

28. Grant of Easement made by Venture Stores, Inc., to Mt. Prospect Park District for right of way to construct, lay, install, operate, use, and maintain, alter, repair, replace and inspect or remove under ground sanitary sewer lines in, upon, under, along and across that portion of the Land as described in said Grant recorded March 22, 1990 as document 90128579.
29. Terms, provisions and conditions of the Ordinance Granting an Amendment to a Planned Unit Development and granting variations dated February 6, 1990 and recorded July 3, 1990 as document 90273324.
30. Terms, conditions and provisions as contained in Ordinance No. 5031 by the Village of Mt. Prospect, An Ordinance Amending Ordinance No. 2416 Relative to the Planned Unit Development/Conditional Use Governing Big K-Mart Plaza in Order to Permit Hobby Lobby, 1550 South Elmhurst Road recorded September 15, 2000 as document no. 00717967.
31. Terms, conditions, provisions as contained in Ordinance No. 5859 by the Village of Mt. Prospect, An Amendment of Official Comprehensive Plan of the Village of Mt. Prospect, Illinois and Include the Northwest Highway Corridor Plan Dated May 2011 recorded July 28, 2011 as document no. 1120931083.
32. Terms, conditions and provisions of the document creating the easements described in Exhibit A to this Deed, together with the rights, if any, of the adjoining owners in and to the concurrent use of said easement.
33. Existing unrecorded leases assigned to the Grantee by an unrecorded assignment of lease of even date of this Deed.
34. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by JLH Land Surveying Incorporated for EMG on May 22, 2019 last revised July 1, 2019, designated 19-260-118:
None

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- 35. Perpetual Easement for Storm Water Sewer Line, dated August 29, 1973 and recorded September 26, 1973 as Document No. 22492619.

COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
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COOK COUNTY
RECORDER OF DEEDS

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