

# UNOFFICIAL COPY

Doc#: 2109703220 Fee: \$98.00

Karen A. Yarbrough

Cook County Clerk

Date: 04/07/2021 12:19 PM Pg: 1 of 7

THIS DOCUMENT PREPARED BY:

Mark P. Sansonetti

Sansonetti & Bertakis, LLC

1101 Perimeter Drive Suite 675

Schaumburg, Illinois 60173

Dec ID 20210301654810

ST/CO Stamp 0-014-395-920 ST Tax \$1,889.50 CO Tax \$944.75

AFTER RECORDING RETURN TO:

James A. Wigoda, Esq.

Wigoda & Wigoda

1622 Willow Road - Suite 202

Northfield, Illinois 60093

FUTURE REAL ESTATE TAX BILLS:

BIRE – PALOS HEIGHTS, LLC

7642 West Irving Park Road

Norridge, Illinois 60706

## SPECIAL WARRANTY DEED

For the consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, 7202 COLLEGE LLC, an Illinois limited liability company, by and through the Independent Administrator of the Estate of Sigmund P. Nowicki, deceased, whose address is 1101 Perimeter Drive, Suite 675, Schaumburg, Illinois 60173, the GRANTOR, does hereby convey and transfer to, BIRE – PALOS HEIGHTS, LLC, an Illinois limited liability company, whose address is 7642 West Irving Park Road Norridge, Illinois 60706, the GRANTEE, all of Grantor's interest in the real property situated in Cook County, Illinois, legally described on Exhibit "A", attached hereto (the "Property").

This conveyance is made and accepted subject to those matters set forth in Exhibit B attached hereto and made a part hereof (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee and Grantee's successors and assigns in fee simple forever; and, subject to the Permitted Exceptions, Grantor does hereby warrant the title to the Property and will defend the title to the Property against the lawful claims of every person claiming by, through, or under Grantor, but not otherwise.

DATED as of this 5<sup>th</sup> day of March 2021.



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[SIGNATURES ON NEXT PAGE]



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## Exhibit "A" to Deed – Legal Description

### PARCEL 1:

THE SOUTH 221.58 FEET OF THE FOLLOWING DESCRIBED PARCEL: THE EAST 1/3, EXCEPT THE EAST 300.0 FEET, AS MEASURED PERPENDICULAR TO THE EASTERLY LINE AND EXCEPT THE SOUTHERLY 50.0 FEET, AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE, OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, (EXCEPT THAT PART TAKEN BY THE SANITARY DISTRICT OF CHICAGO) IN SECTION 24, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,

EXCEPT THAT PART ON THE NORTHWEST CORNER OF 119TH STREET AND HARLEM AVENUE CONVEYED TO THE DEPARTMENT OF TRANSPORTATION ON STATE OF ILLINOIS, DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF WEST 119TH STREET, AS DEDICATED PER DOCUMENT 11194076 (SAID NORTH LINE LYING 50.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 24) AND THE WEST LINE OF SOUTH HARLEM AVENUE, AS DEDICATED BY DOCUMENT 11231375 (SAID WEST LINE LYING 50.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 24); THENCE NORTH ALONG SAID WEST LINE OF HARLEM, A DISTANCE OF 20.0 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE A DISTANCE OF 28.28 FEET TO A POINT ON THE AFORESAID NORTH LINE OF SAID WEST 119TH STREET, SAID POINT LYING 20.0 FEET WEST OF THE POINT OF BEGINNING, (AS MEASURED ALONG SAID NORTH LINE); THENCE EAST 20.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, AND RIGHT OF WAY FOR THE PURPOSE OF INGRESS AND EGRESS FROM AND TO 119TH STREET AND/OR HARLEM AVENUE AND/OR SUCH OTHER PUBLIC OR PRIVATE WAYS AS MAY BE CONTIGUOUS FROM TIME TO TIME, FOR THE BENEFIT OF PARCEL 1, FOR USE IN COMMON WITH OTHERS LAWFULLY ENTITLED THERETO, CREATED AND GRANTED BY GRANT AND DECLARATION OF EASEMENT AND COVENANTS DATED JULY 25, 1980 AND RECORDED AUGUST 5, 1980 AS DOCUMENT NUMBER 25536892, OVER, ALONG AND ACROSS ANY AND ALL DRIVEWAYS, SIDEWALKS AND/OR PARKING AREAS LOCATED ON THE FOLLOWING DESCRIBED PREMISES AND BEING USED FOR SUCH PURPOSE BY THE OCCUPANTS AND/OR INVITEES OF THE SERVIENT PARCEL, DESCRIBED AS FOLLOWS:

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THE WEST 18.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE WEST 250.0 FEET, AS MEASURED PERPENDICULAR TO THE EASTERLY LINE, OF THE EAST 300.0 FEET, AS MEASURED PERPENDICULAR TO THE EASTERLY LINE, EXCEPT THE SOUTHERLY 50.0 FEET, AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE, OF THE EAST 1/3 OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (EXCEPT THAT PART TAKEN BY THE- SANITARY DISTRICT OF CHICAGO) IN SECTION 24, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND A JOINT AND MUTUAL EASEMENT FOR STORM SEWERS OVER AND UPON THE PARCEL DESIGNATED AS PARCEL C ON "EXHIBIT A" GRANTED BY GRANT AND DECLARATION OF EASEMENT AND COVENANTS DATED JULY 25, 1980 AND RECORDED AUGUST 5, 1980 AS DOCUMENT 25536892, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY RECIPROCAL PARKING, ACCESS AND UTILITY EASEMENT AGREEMENT DATED JULY 25, 2006 AND RECORDED AUGUST 14, 2006 AS DOCUMENT 0622633168 FROM TIFFANY SQUARE, INC. AND CAPRI DEVELOPMENT 7202, LLC FOR THE PURPOSE OF (A) INGRESS AND EGRESS (B) CIRCULATION AND PASSAGE OF VEHICLES (C) CIRCULATION PASSAGE AND ACCOMMODATION OF PEDESTRIANS (D) PARKING FOR THE BUSINESS INVITEES OF CAPRI AND ITS RESPECTIVE TENANTS EMPLOYEES, AND BUSINESS INVITEES ALL OVER THE PARKING COMMON AREA; (E) AN EASEMENT OVER THE DRIVE THROUGH LANE TO BE USED AS A DRIVE-THROUGH LANE AND (F) A NON-EXCLUSIVE EASEMENT TO REPAIR REPLACE AND MAINTAIN UTILITIES SERVICING, ALL OVER EXHIBIT "A", AS DESCRIBED IN SAID AGREEMENT, IN COOK COUNTY, ILLINOIS.

Property Address: 7202 West College Drive, Palos Heights, Illinois 60463

P.I.N. 23-24-406-018-0000

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## Exhibit "B" to Deed – Permitted Exceptions

1. REAL ESTATE TAXES FOR THE 2<sup>nd</sup> INSTALLMENT 2020 TAX YEAR AND SUBSEQUENT YEARS, NOT YET DUE OR PAYABLE.
2. The acts or omissions of Grantee or Grantee's officers, members, employees, agents or contractors.
3. Municipal, Zoning and building codes and regulations.
4. Matters and state of facts shown on that certain ALTA/NSPS Land Title Survey, Order No. 07-19620-21, prepared by Gentile and Associates, Inc., dated February 26, 2021.
5. A lease with certain terms, covenants, conditions and provisions set forth therein, dated August 24, 2010 (as amended and assigned), TVG-Medula, LLC, a Delaware limited liability company, lessee, 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.
6. A lease with certain terms, covenants, conditions and provisions set forth therein, dated December 7, 2006 (as amended and assigned), Starbucks Corporation, a Washington corporation, lessee, 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.
7. Grant of Easement from S.M.B. Number 2 to the Commonwealth Edison Company and the Illinois Bell Telephone company recorded February 24, 1981 as Document No. 25784181.
8. Easement over the east 8.00 feet of the land used for driveways, sidewalks or parking areas in favor of a dominant tenement located East and adjoining for the purposes of ingress and egress and incidental purposes, as created in Declaration of Easement made by Worth Bank and Trust, South Holland Trust and Savings Bank, as Trustee under Trust Number 5347, and First State Bank of Hanover Park, as Trustee under Trust Number 976, recorded August 5, 1980, as Document No. 25536892.
9. Perpetual easement in the shape of a square containing 480 square feet located at the Southeast corner of the land, 8.00 feet Westerly of such corner in favor of the dominant tenement known as Parcels A" and "B" aforementioned in above exception for the purposes of erection and maintenance of a masonry retaining wall containing landscaping and a masonry advertising sign and for erection, installation and maintenance of landscaping and/or decorative architectural treatments, and for incidental purposes, as created by Declaration of Easements and Covenants made by South Holland Trust and Savings Bank, as Trustee under Trust Number 5347, and First State Bank of Hanover Park, as Trustee under Trust Number 796, recorded November 14, 1980, as Document No. 25666389.
10. Reciprocal Parking, Access and Utility Easement Agreement made by Tiffany Square Inc. and Capri Development 7202 LLC recorded August 14, 2006 as Document No. 0622633168.

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11. Restriction that the Land shall not be used for a bank or savings and loan association or other entity engaged primarily in the same business as a bank or savings and loan association, as contained in the Declaration of Restrictive Covenant made by Palos Financial Corporation recorded August 5, 1980 as Document No. 25536887.
12. Encroachment of the of the curb located mainly on the Land onto the property South and adjoining by approximately 0.04-0.47 feet, as shown on Plat of Survey Number 07-19620-21 prepared by Gentile and Associates dated August 22, 2013, and last updated February 26, 2021.
13. Possible unrecorded easements in favor of public and quasi-public utility companies for the right to maintain and repair manholes, gas and water mains, overhead wires, storm sewers, light poles, underground telephones, water valves, and signs, together with the right of access thereto, as shown on Plat of Survey Number 07-19620-21 prepared by Gentile and Associates dated August 22, 2013, and last updated February 26, 2021.
14. The conveyance made between Tiffany Square, Inc., an Illinois corporation and Capri Development 7202, LLC, an Illinois limited liability company recorded on August 14, 2006 as Document No. 0622633164 is made upon the condition that no building constructed on the property shall exceed one story or utilize a building footprint in excess of 7,222.37 square feet.
15. Terms, provisions, and conditions relating to the easements described as Parcels 2 and 3 contained in the instruments creating said easements. Rights of the adjoining owner or owners to the concurrent use of said easements.

(end of text)

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

STATE OF ILLINOIS )  
COUNTY OF COOK )

7202 COLLEGE, LLC, the grantor or his/her agent, being duly sworn on oath, states that he/she resides at 1101 PERIMETER DRIVE STE 675 SCHAUMBURG, ILLINOIS 60173.

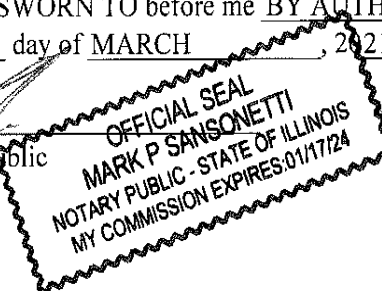
Affiant states that the attached deed is *not* a violation of 765 ILCS 205/1 for reason given below:

- 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 AUTHORIZED FOR AGENT 7202 COLLEGE, LLC  
this 5<sup>th</sup> day of MARCH, 2021.

Signature of Notary Public \_\_\_\_\_  
  
 Signature of Affiant Kevin M. O'Neil