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21243150001

Doc# 2124315000 Fee \$88.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 08/31/2021 10:21 AM PG: 1 OF 8

SPECIAL WARRANTY DEED

Prepared By:

Diamond & Kaplan, P.A.
Alexandra Gioseffi, Esq.
302 Datura Street, Suite 300
West Palm Beach, FL 33401

Upon Recording, Please Return to:

HCP RRF Hillside LLC
c/o The Hutensky Group, LLC
100 Constitution Plaza, 7th Floor
Hartford, CT 06103

For the consideration of Ten Dollars (\$10.00), and other valuable considerations, SVAP III Hillside Town Center, LLC, a Delaware limited liability company ("Grantor"), whose address is 302 Datura Street, Suite 100, West Palm Beach, Florida 33401, does hereby REMISE, RELEASE, ALIENATE AND CONVEY unto HCP RRF Hillside LLC, a Delaware limited liability company ("Grantee"), whose address is c/o The Hutensky Group, LLC, 100 Constitution Plaza, 7th Floor, Hartford, CT 06103, the following described real property situated in Cook County, Illinois, together with all rights and privileges appurtenant thereto:

See legal description set forth in Exhibit A attached and incorporated by this reference (the "Property").

50-190 South Mannheim Road, Hillside, Cook County, Illinois

APN: 15-17-403-026-0000
15-17-404-043-0000
15-17-404-045-0000

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15-17-404-047-0000

15-17-405-005-0000

15-17-405-007-0000

Together with all improvements, buildings, structures and fixtures located thereon; all easements, if any, benefiting the Property; all rights, benefits, privileges and appurtenances pertaining to the Property, including any right, title and interest of Grantor in and to any property lying in or under the bed of any street, alley, road or right-of-way, open or proposed, abutting or adjacent to the Property; the strips, gaps or gores, if any, between the Property; and abutting properties; all water, water rights, oil, gas or other mineral interests in, on, under or above the Property; and all rights and interests to receive any condemnation awards from any condemnation proceeding pertaining to the Property, sewer rights, water courses, wells, ditches and flumes located on or appurtenant to the Property.

TO HAVE AND TO HOLD the Property, with the appurtenances, unto Grantee, its successors and assigns, forever.

And Grantor, for itself and its successors, does covenant, promise and agree, to and with Grantee, for itself and its successor, that it has not done or suffered to be done, anything whereby the Property hereby granted is encumbered or charged except as herein recited; and that Grantor will warrant and defend title to the Property against all persons claiming by, through or under Grantor only and no other, SUBJECT TO: (i) the liens of taxes and assessments not yet due and payable as of the date of delivery of this deed; and (ii) all zoning restrictions, and (iii) those matters described on Exhibit B attached hereto, as of the date hereof.

Remainder of page intentionally blank; signature page follows.

Property of Cook County Clerk's Office

Dated this 26 day of August, 2021.

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GRANTOR:

SVAP III HILLSIDE TOWN CENTER, LLC,
a Delaware limited liability company

By: Sterling Value Add Investments III, LLC,
a Delaware limited liability company,
its sole Member

By: SVAP III GP, LLC,
a Delaware limited liability company, its
Manager



By: [Signature]
Name: Greg Moross
Title: Vice President

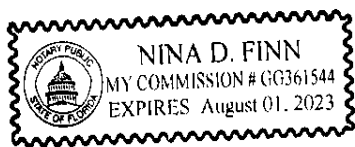
Property of Cook County Clerk's Office

STATE OF FLORIDA)
) SS:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23rd day of August, 2021, by Greg Moross, as Vice President of SVAP III GP, LLC, a Delaware limited liability company, the Manager of Sterling Value Add Investments III, LLC, a Delaware limited liability company, the sole Member of SVAP III HILLSIDE TOWN CENTER, LLC, a Delaware limited liability company, on behalf of such entities, and such person is personally known to me or has produced a _____ as identification.

[Signature]

Notary Public



VILLAGE OF HILLSIDE

176,249.78



8/30/2021
AD

722164

REAL ESTATE TRANSFER TAX

50-190 Mannheim Rd.

Send future tax bills to:

HCP RRF Hillside LLC
c/o The Hutensky Group, LLC
100 Constitution Plaza, 7th Floor
Hartford, CT 06103

REAL ESTATE TRANSFER TAX

31-Aug-2021



COUNTY: 11,750.00
ILLINOIS: 23,500.00
TOTAL: 35,250.00

15-17-403-026-0000

20210801645820 | 0-513-167-120

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

TRACT 1:

LOTS 2, 3, 5 AND 7 IN METRO COMMONS, BEING A SUBDIVISION OF PART OF THE SE 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TRACT 2:

LOTS 8 AND 10 IN METRO COMMONS RESUBDIVISION, BEING A RESUBDIVISION OF ALL OF LOTS 8 AND 10 AND PART OF LOT 9 IN METRO COMMONS, A SUBDIVISION OF PART OF THE SE 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, PARKING, UTILITIES AND SIGN EASEMENTS GRANTED IN OPERATION AND EASEMENT AGREEMENT DATED DECEMBER 21, 2007, BETWEEN TARGET CORPORATION AND HARRIS, N.A., AS TRUSTEE U/T/A DATED DECEMBER 1, 2001 AND KNOWN AS TRUST NUMBER HBT-1026, FOR HILLSIDE TOWN CENTER, RECORDED JANUARY 2, 2008 AS DOCUMENT NO. 0800213028, AS AMENDED BY FIRST AMENDMENT TO OPERATION AND EASEMENT AGREEMENT RECORDED APRIL 28, 2021, AS DOCUMENT NUMBER 2111819045, COOK COUNTY RECORDER OF DEEDS.

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EXHIBIT B

- 1) Real estate taxes for the year 2020 (final installment) and subsequent years not yet due and payable.

Permanent Index Numbers:

15-17-403-026-0000

15-17-404-043-0000

15-17-404-045-0000

15-17-404-047-0000

15-17-405-005-0000

15-17-405-007-0000

- 2) Lease made by SVAP III Hillside Town Center, LLC, a Delaware limited liability company to Ross Dress for Less, Inc., a Virginia corporation dated February 5, 2019, a memorandum of which was recorded May 8, 2019 as Document No. 1912842094.

First Amendment to Memorandum of Lease recorded June 22, 2020, as Document Number 2017408023

- 3) Terms, provisions and conditions contained in lease by and between Michaels Stores, Inc., lessor, and Metro Commons, L.L.C., lessee, dated July 3, 2008 as disclosed by a memorandum of lease recorded January 6, 2009 as document 0900608217.
- 4) Terms, provisions and conditions contained in lease by and between Concord Buying Group, Inc., lessor, and Metro Commons, L.L.C., lessee, dated October 1, 2009 as disclosed by a memorandum of lease recorded October 5, 2009 as document 0927513082.
- 5) Terms, provisions and conditions contained in lease by and between Ross Dress for Less, Inc., lessor, and Cole Mt Chicago II, LLC, lessee, dated September 28, 2012 as disclosed by a Memorandum of Lease recorded November 5, 2012 as document 1221008516 and November 20, 2012 as document 1232519076.
- 6) Easement granted to Northern Illinois Gas Company, its successors and assigns, to install, maintain, repair and replace their equipment together with right of access thereto as contained in grant recorded June 17, 1958 as document 17236105.

Note: Affidavit regarding this easement filed as document LR2887622.

(Affects Lot 7 of Parcel 1, Tract 1)

- 7) Easement to install, maintain, operate and remove a storm sewer connection, together with right of access thereto as contained in easement between allied asphalt paving company, as grantor, and Willett, Inc., as grantee, recorded December 29, 1978 as document LR3068598.

(Affects Lot 2 of Parcel 1, Tract 1)

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- 8) Environmental no further remediation letters recorded November 5, 1997 as document 97826567 and recorded July 18, 2000 as document 00533238.
- 9) Environmental no further remediation letter recorded July 2, 1998 as document 98568141.
- 10) Environmental no further remediation letter recorded December 3, 2007 as document 0733755065.
- 11) Agreement made by and between the Village of Hillside and Metro Commons LLC a memorandum of which was recorded December 12, 2007 as document 0734622102.
- 12) Access restriction note as shown on Plat of Subdivision recorded December 18, 2007 as document 0735203034, as follows: There shall be no direct access from Mannheim Road to Lots 5, 9, and 10.
- 13) Covenants, conditions, restrictions and easements contained in the operation and easement agreement between Target Corporation and Harris N.A., as trustee u/t/a dated December 1, 2001 and known as Trust Number htb-1026 for Hillside Town Center recorded January 2, 2008 as document 0800213028.

Assignment of Agreement recorded September 24, 2018, as Document Number 1826734096

Assignment of Agreement (Chase Outparcel) recorded September 28, 2018, as Document Number 1827134055

Assignment of Agreement (Chase Outparcel) recorded January 13, 2020, as Document Number 2001345119

First Amendment to Operation and Easement Agreement recorded April 28, 2021, as Document Number 2111819045

Assignment and Assumption of Agreement by and between SVAP III Hillside Town Center, LLC, and HCP RRF Hillside LLC, dated on or about the date hereof, to be recorded in the public records of Cook County, Illinois.

- 14) Environmental no further remediation letter recorded January 9, 2008 as document 0800949002.
- 15) Easements for public utilities and drainage as created by Plat of Easement recorded March 24, 2008 as document 0806415038.

Note: Certain easements vacated by Plat of Easement and Plat of Easement Vacation recorded August 13, 2008 as document 0822618062.

- 16) Off-site sign easement agreement made by and between Target Corporation, a Minnesota Corporation and Metro Commons LLC, an Illinois Limited Liability Company, recorded July 1, 2008 as document 0818345031, thereafter assigned to Cole Mt Chicago, IL, LLC, a Delaware Limited Liability Company, by unrecorded assignment dated September 28, 2012.

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- 17) Easements for public utilities and drainage as created by Plat of Easement and Plat of Easement Vacation recorded August 13, 2008 as document 0822618062.
- 18) Access restriction note contained on the Plat of Metro Commons Resubdivision recorded May 28, 2009 as document 0914831048, as follows: There shall be no direct access from Mannheim Road to Lots 9 and 10.
- (Affects Parcel 1, Tract 2)
- 19) Environmental no further remediation letter recorded May 28, 2009 as document 0914831050.
- 20) Easement for public utilities and drainage of stormwater as created by Plat of Easement recorded July 21, 2009 as document 0920245092.
- (Affects part of Tracts 1 and 2)
- 21) Easement granted to the State of Illinois recorded April 16, 2010 as document 1010646045 for the purpose of maintenance on the IDOT traffic signal control box,
- (Affects part of Lot 5 of Parcel 1, Tract 1)
- 22) Rights of way for railroads, switch tracks or spur tracks, if any, and right of the railroad company to the use, operation, maintenance and repair of same.
- 23) The terms and conditions contained in that certain sign easements and licenses agreement between Metro Commons, L.L.C. And Metro Commons Hospitality, L.L.C., recorded May 16, 2012, as Document No. 1213718069.
- 24) Restrictions set forth in that certain special warranty deed, recorded October 16, 2012 as document 1229016075.
- 25) Declaration of use restrictions made by and between Metro Commons, U.L.C., an Illinois Limited Liability Company, Metro Commons Hospitality, L.L.C., an Illinois Limited Liability Company and Cole Mt Chicago, II, LLC, a Delaware Limited Liability Company, recorded October 16, 2012 as document 1229016077.
- 26) Terms, conditions and provisions of the document creating the easement described in Exhibit A, together with the rights of the adjoining owners in and to the Concurrent Use of said easement.
- 27) Such matters as would be disclosed by an accurate and complete survey of the Property.
- 28) Existing unrecorded leases with the below tenants, none of which contain any right of first refusal or option to purchase the Property.

- Five Below, Inc.
- GameStop, Inc.

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- Happy Nails, Ltd.
- Home Run Inn Pizza Express, Inc.
- Ruben Restaurants, Inc. (d/b/a IHOP)
- JS Fort Group, Inc. (d/b/a Jimmy John's)
- LWRS, LLC (d/b/a Lawrence's Fish & Shrimp)
- Orthodontic Experts, Ltd.
- Panda Express, Inc.
- Petco Animal Supplies Stores, Inc.
- Dots, LLC (d/b/a Rainbow)
- Sally Beauty Supply LLC
- Skechers U.S.A., Inc.
- T-Mobile Central LLC
- Visionary Properties, Inc. (d/b/a Visionworks)
- CWK Hillside, LLC (d/b/a Wingstop)

- 29) Terms and conditions of the exclusive use provision contained in the Memorandum of Lease dated August 5, 2009, by and between Metro Commons, LLC, lessor, JP Morgan Chase Bank, N.A., National Association, lessee, recorded on August 18, 2009 as Document No. 0923018066, beginning May 27, 2009 and ending May 27, 2029.
- 30) Declaration of Use Restrictions dated May 27, 2018 and recorded November 21, 2018 as Document Number 1832516033.