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Doc# 2409409019 Fee \$88.00

ILRHSP FEE:\$18.00 RPRF FEE:\$1.00
KAREN A. YARBROUGH

COOK COUNTY CLERK'S OFFICE

DATE: 4/3/2024 1:26 PM

PAGE: 1 OF 5

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

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SPECIAL WARRANTY DEED

THAT **CFLS EVERGREEN LLC**, a Delaware limited liability company ("Grantor"), whose mailing address is c/o Fortress Investment Group LLC, 5221 N. O'Connor Blvd., Suite 700, Irving, TX 75039, Attention: Andrew Osborne, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid in cash to Grantor by the Grantee herein named, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto **NS RETAIL HOLDINGS, LLC**, a Delaware limited liability company ("Grantee"), whose mailing address is 2021 McKinney Ave., Suite 1150, Dallas, Texas 75201, that certain real property situated in the County of Cook, Illinois, more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with all buildings, improvements and fixtures located thereon and owned by Grantor as of the date hereof and all rights, privileges and appurtenances pertaining thereto including all of Grantor's right, title and interest in and to all rights-of-way, open or proposed streets, alleys, easements, strips or gores of land adjacent thereto ("Property").

TO HAVE AND TO HOLD the Property subject only to the Permitted Exceptions (defined below) and all improvements located thereon, together with all and singular the rights and appurtenances thereto and in any wise belonging, unto the said Grantee, its legal representatives, successors and assigns, forever; and Grantor does hereby bind itself, its legal representatives and successors, to Warrant and Forever Defend all and singular the Property subject to the Permitted Exceptions unto the said Grantee, its legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

This conveyance is made and delivered subject to those matters of title (the "Permitted Exceptions") set forth on Exhibit B attached hereto and incorporated herein by reference.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

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IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed to be effective as of the 29th day of March, 2024.

GRANTOR:

CFLS EVERGREEN LLC,
a Delaware limited liability company

By: [Signature]
Name: Andrew Osborne
Its: Authorized Signatory

STATE OF Texas
COUNTY OF Dallas ss:

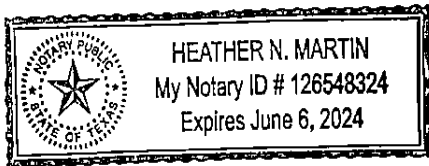
This instrument was acknowledged and executed before me this 28 day of March, 2024, by Andrew Osborne BEFORE ME, the undersigned authority, on this day personally appeared Andrew Osborne, the Authorized Signatory of CFLS EVERGREEN LLC, a Delaware limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of the company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ___ day of ___, 2024.



[Signature]
Notary Public
My Commission Expires: _____

Drafted by:	When recorded return to:	Send Subsequent Tax Bills To:
Taft, Stettinius & Hollister 27777 Franklin Road Ste 2500 Southfield, Michigan 48034	Grantee 2021 McKinney Ave. Ste 1150 Dallas, Texas 75201	Grantee 2021 McKinney Ave. Ste 1150 Dallas, Texas 75201



No. 6470
Village of Evergreen Park
\$ 44,530.00
[Signature]
Address: 9700 S WESTERN
Real Estate Transaction Stamp

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Exhibit A

Legal Description

Parcel 1:

Lot 1 in Evergreen Plaza Subdivision, being a Resubdivision of various subdivisions and vacated alleys lying in the Northeast quarter of section 12, township 37 North, Range 13 East of the Third Principal Meridian, according to the plat thereof recorded October 21, 2016, as Document Number 1629534030, in Cook County, Illinois.

Parcel 2:

A non-exclusive, irrevocable and perpetual easement in favor of Parcel 1 for ingress and egress, parking, storm water drainage and utilities as created by Declaration of Reciprocal Easement with Covenants, Conditions and Restrictions dated December 15, 2015 by CFLS Evergreen LLC and recorded December 22, 2015, as Document Number 1535645064 over the land described therein.

First Amendment to Declaration of Reciprocal Easement with Covenants, Conditions and Restrictions, dated March 31, 2020 and recorded June 11, 2020, as Document Number 2016306168.



Assignment of Developer's Rights Under Declaration of Reciprocal Easement with Covenants, Conditions and Restrictions recorded September 29, 2021, as Document Number 2127242010.

Parcel 3:

A non-exclusive irrevocable and perpetual easement, for ingress and egress, appurtenant to and for the benefit of Parcel 1, described and granted in the Reciprocal Easement Agreement dated December 18, 2003 and recorded December 31, 2003, as Document Number 0336534118, made by and between Evergreen Plaza Associates Limited Partnership and Evergreen Plaza Associates Iv, LP, over easement no. c, as more particularly defined therein.

Property Address: 9700 S. Western Avenue, Evergreen Park, Cook County, Illinois 60805

Tax ID: 24-12-236-009-0000

REAL ESTATE TRANSFER TAX		03-Apr-2024
	COUNTY:	4,453.00
	ILLINOIS:	8,906.00
	TOTAL:	13,359.00
24-12-236-009-0000	20240301663690	1-062-401-584

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Exhibit B

Permitted Exceptions

- 1) Any lien to secure payment of real estate taxes, including special assessments, not yet due and payable
- 2) The rights of Macy's Retail Holdings, LLC, an Ohio limited liability company under that certain Lease, dated March 23, 2022
- 3) All applicable laws, ordinances, rules and governmental regulations (including, without limitation, those relating to building, zoning and land use) affecting the development, use, occupancy or enjoyment of the Property
- 4) The Land lies within the boundaries of a Special Service area as disclosed by ordinance recorded as document no. 0021360846, and is subject to additional taxes under the terms of Said Ordinance and subsequent related ordinances.
- 5) The Land lies within the boundaries of a Special Service area as disclosed by ordinance recorded as document no. 1523315034, and is subject to additional taxes under the terms of Said Ordinance and subsequent related ordinances.
- 6) Agreement regulating control of motor vehicle traffic & parking of motor vehicles in the Village of Evergreen Park executed by and between the Village of Evergreen Park and Evergreen Plaza Associates Limited Partnership, recorded December 4, 2003 as document no. 0333810128.
- 7) The following environmental disclosure document(s) for transfer of real property appear of record which include a description of the Land insured or a part thereof: Document number: 95147197 date of recording: March 2, 1995, affects the Land and other property.
- 8) Declaration of reciprocal easement with covenants, conditions and restrictions dated December 15, 2015 and recorded December 22, 2015 as document number 1535645064. As amended by First Amendment recorded June 11, 2020 as document number 2016306168. Second Amendment to Declaration of Reciprocal Easement with Covenants, Conditions and Restrictions recorded September 29, 2021, as Document Number 2127242008. Assignment of Developer's Rights Under Declaration of Reciprocal Easement with Covenants, Conditions and Restrictions recorded September 29, 2021, as Document Number 2127242010. Third Amendment to Declaration of Reciprocal Easement with Covenants, conditions and Restrictions recorded May 17, 2022, as Document Number 2213722038. And as shown on the Plat of Evergreen Plaza recorded as document no. 1629534030; the Plat of Evergreen Plaza II recorded as document no. 1835216072 and the Plat of Evergreen Plaza III recorded as document no. 1913416004. Rights of adjoining owners to the concurrent use of said easements.
- 9) Covenants and restrictions relating to property use contained in the document recorded February 16, 2016 as Document No. 1604717016.
- 10) Covenants and restrictions relating to property use contained in the document recorded March 10, 2016 as Document No. 1607722077.
- 11) Blanket easement in favor of Northern Illinois Gas Company, dba Nicor Gas Company, as granted by the Plat of Easement recorded May 16, 2016 as document number 1613722025, and the provisions relating thereto.
- 12) Terms, conditions and limitations contained in the no further remediation letter issued by the Illinois Environmental Protection Agency and recorded March 6, 2018 as document no. 1806534048.
- 13) 15 foot building line per Frederick H. Bartlett's Beverly Highlands recorded October 7, 1919 as document 6640692 and as shown on the plat of subdivision recorded May 14, 2019 as document No. 1913416004, affecting the of the Land.
- 14) Grant of permanent easement recorded March 28, 2022 as document no. 2208719009 made by CFLS Evergreen LLC, the grantor, to Village of Evergreen Park, for the construction, reconstruction, location and repair of a water main under the following described property:

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That part of Lot 1 in Evergreen Plaza Subdivision, being a resubdivision of various subdivisions and vacated alleys lying in the northeast quarter of section 12, township 37 north, range 13 east of the third principal meridian, lying within the following described water parcel:

Water Parcel:

A strip of land 10 feet wide in the northeast quarter of section 12, township 37 north, range 13 east of the third principal meridian, lying 5 feet either side of a centerline described as follows:

Beginning at a point on the southerly extension of the west line of lot 1 in Evergreen Plaza Subdivision, being a resubdivision of various subdivisions and vacated alleys lying in the northeast quarter of section 12, township 37 north, range 13 east of the third principal meridian, according to the plat thereof recorded October 21, 2016 as document number 1629534030, said point being 2.01 feet south of the southwest corner of Lot 1 aforesaid; then north 87 degrees 29 minutes and 31 seconds east 313.40 feet; then north 43 degrees 45 minutes 42 seconds east 54.70 feet to the point of terminus of said centerline, in Cook County, Illinois.

- 15) A lease with certain terms, covenants, conditions and provisions set forth herein, dated March 23, 2022, CFLS Evergreen LLC, a Delaware limited liability company, lessor, Macy's Retail holdings, LLC, an Ohio limited liability company, lessee, recorded on May 17, 2022 as Document No. 2213722037.