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(2)

Store #5071 - Niles, Illinois
(Treasury)

25756389

COOK CO. NO. 016

1975

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED dated as of January 29, 1981, from J.C. PENNEY PROPERTIES, INC., a Delaware corporation having an address at 1301 Avenue of the Americas, New York, New York 10019 (the "Grantor"), to THE FIRST NATIONAL BANK OF HIGHLAND PARK, not personally, but solely as TRUSTEE pursuant to a Trust Agreement dated January 9, 1981, and known as Trust No. 3119, of 513 Central Avenue, Highland Park, Illinois 60035 (the "Grantee").

68-02-378 N

WITNESSETH, that the Grantor, in consideration of TEN DOLLARS ($10.00), lawful money of the United States, paid by the Grantee, the receipt of which is hereby acknowledged, hereby grants, bargains and sells unto the Grantee and its successors and assigns forever, the building, structures and other improvements, including the building fixtures therein, now located upon or permanently annexed to the parcel of land described as follows:

Lot 1 in Harbor Trees Subdivision, a Subdivision of part of Lot 4 in Owners Subdivision of part of Section 11, Township 41 North, Range 12 East of the Third Principal Meridian according to the Plat thereof recorded December 16, 1971 as document 21750076.

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and all right, title and interest of Grantor therein and thereto, including, without limiting the generality of the foregoing, the walks, ways, parking facilities, light standards, planters and signs, now located on said parcel of land (the "Improvements"), which Improvements are and shall remain real property, all subject, however, to the Permitted Exceptions all of which are described in Schedule "A" which is annexed hereto and made a part hereof. The conveyance shall not include the parcel or parcels of land on which the Improvements are located.

Grantee, by acceptance of this conveyance acknowledges that it is fully familiar with the physical condition of the Improvements and has received the same in good order and condition. Grantor makes no representation or warranty with respect to the condition of the Improvements or their fitness or availability for any particular use, and Grantor shall not be liable for any latent or patent defect therein, except as, and to the extent, set forth in Sale and Purchase Agreement dated January 9, 1981, between Grantor and Grantee.

TO HAVE AND TO HOLD the estate in the Improvements herein granted, together with appurtenances and all the estate and right of the Grantor in and to the Improvements herein granted, unto the Grantee and its successors and assigns forever.

1975

CANCELLED STATE OF ILLINOIS REAL ESTATE TRANSFER TAX JAN 29 1981 $900.00 DEPT. OF REVENUE

CANCELLED STATE OF ILLINOIS REAL ESTATE TRANSFER TAX JAN 29 1981 $900.00 DEPT. OF REVENUE

CANCELLED STATE OF ILLINOIS REAL ESTATE TRANSFER TAX JAN 29 1981 $900.00 DEPT. OF REVENUE

CANCELLED Cook County REAL ESTATE TRANSACTION TAX JAN 29 1981 $900.00

CANCELLED Cook County REAL ESTATE TRANSACTION TAX JAN 29 1981 $900.00

CANCELLED Cook County REAL ESTATE TRANSACTION TAX JAN 29 1981 $175.00

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BOX 533

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IN WITNESS WHEREOF, the Grantor has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers as of the day and year first above written.

J. C. PENNEY PROPERTIES, INC.,
a Delaware corporation

By: _____
Vice President

(corporate seal)

APPROVED
ATTORNEY

_____
Assistant Secretary

25756383

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MAIL TO:
ROBERT NEWMAN
180 N. LASALLE
SUITE 2910
CHICAGO, IL 60601

This document prepared by:
Nico de Graaff, Esq.
Attorney at Law
c/o J.C. Penney Company, Inc.
650 Woodfield
Schaumburg, Ill. 60195

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STATE OF NEW YORK)
ss
COUNTY OF NEW YORK)

On January 26, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared A. H. AMON, JR., known to me to be a Vice President of J. C. PENNEY PROPERTIES, INC., the corporation that executed the within instrument and known to me to be the person who executed the within instrument on behalf of said corporation, and acknowledged to me that said corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal

SHARON LEWIS NOTARY PUBLIC STATE OF NEW YORK

Sharon Lewis
Notary Public

SHARON LEWIS
NOTARY PUBLIC, State of New York
No. 03-4720418
Qualified in Bronx County
Certificate Filed in New York County
Commission Expires March 30, 1981

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SCHEDULE "A"

GRANT, BARGAIN AND SALE DEED

PERMITTED EXCEPTIONS

1. Sublease dated February 18, 1974 by and between J. C. Penney Properties, Inc. and S and A Leasing Corporation, a Memorandum of which Sublease was recorded June 17, 1974 as Document No. 22,752,208, Official Records, Cook County, Illinois, and Sublease dated September 2, 1975, by and between J. C. Penney Properties, Inc. and Evanston Federal Savings and Loan Association.

2. Ground Lease dated as of November 10, 1971 between Florence B. Vinci, as landlord, and J. C. Penney Properties, Inc., as tenant, a memorandum of which Ground Lease was recorded in the Office of the Recorder of Deeds for Cook County, Illinois, on December 16, 1971, #21750074, and which Ground Lease was supplemented by Term Agreement, dated June 5, 1974, recorded June 6, 1975, as Document #22,954,338 and amended by Instrument dated September 2, 1975.

3. Taxes and assessments which may be a lien but which are not yet delinquent.

4. All zoning ordinances, building and use restrictions, resolutions, laws and regulations, and the exercise of governmental police powers.

5. Annexation Agreement and Agreement Concerning Utilities, Accesses and Roadways, each dated October 7, 1971 by and between Florence B. Vinci, Samuel Vinci, Martin Vinci, Joseph Vinci, Dorothy Vinci, Riga Vinci, Lillian Vinci, Martin Vinci as administrator of the Will of John Vinci, deceased, J. C. Penney Properties, Inc., a Delaware corporation, and the Village of Niles. (It is expressly understood that any reimbursement pursuant to said Agreements shall belong to J. C. Penney Properties, Inc.)

5A. Two Installment Notes and Trust Deeds, each dated November 30, 1971, from Florence B. Vinci to J. C. Penney Properties, Inc. both of which Trust Deeds were recorded December 16, 1971, with the first being in the amount of $1,111,680.00 which was recorded as Document 21750078 and the second being in the amount of $150,000.00 which was recorded as Document 21750079.

5B. Sub-Ground Lease dated as of even date herewith between Grantor, as Lessor, and Grantee, as Lessee.

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6. Agreement Concerning Utilities, Accesses and Roadways, dated October 7, 1971 by and between the Village of Niles and J. C. Penney Properties, Inc. (It is expressly understood that any monetary reimbursement pursuant to said Agreement shall belong to Lessor.)

7. An easement affecting the portion of subject property and for for the purposes stated herein.
In favor of: Public Service Company of Northern Illinois, its successors and assigns
For : Installation, maintenance, etc. of gas mains, electric lines and telephone lines
Recorded : March 27, 1922 Document: 7,440,786
Affects : So much of the highway known as Golf Road as was then upon or adjacent to the land owned by John Pries, being Lot 4 in Owners' Subdivision, aforesaid.

8. An easement affecting the portion of subject property and for the purposes stated herein.
In favor of: Domestic Utility Services Co.
For : Installation, maintenance, etc. of a 16-inch water main and appurtenances
Recorded : April 27, 1973 Document: 22,303,824
Affects : The Southerly 12 feet of the land, abutting Milwaukee Avenue

9. An easement in favor of Northern Illinois Gas Company for the installation, relocation, renewal and removal of gas mains and appurtenances.
Recorded : May 21, 1973 Document: 22,331,809
Affects : That part of the land falling in as strip of land described as follows: Commencing at the Ease line of Greenwood Avenue as per Document 1120037 and the South line of Commonwealth Edison right-of-way as per Document 15577684; thence East along the South line of said right-of-way 810 feet to the place of beginning; thence continuing East along said South line of said right-of-way 620 feet; thence South 10 feet; thence West parallel to the said South line of said right-of-way, 620 feet; thence North 10 feet to the point of beginning, in Lot 1 Harbor Trees Subdivision, aforesaid.

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END OF RECORDED DOCUMENT

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