

UNOFFICIAL COPY

CHICAGO, ILLINOIS
(Peanut Butter Plant)

8 5 1 7 2 3 9

85172399

WARRANTY DEED

THIS INDENTURE WITNESSETH, that the Grantor, SWIFT & COMPANY, a Delaware corporation, formerly named Transitory Food Processors, Inc., with corporate headquarters at 1919 Swift Drive, Oak Brook, Illinois 60521, conveys and warrants to Grantee, HUNT-WESSON FOODS, INC., a Delaware corporation, (no consideration having been paid since this is an inter-corporate transfer from one wholly-owned subsidiary to another wholly-owned subsidiary of Beatrice U.S. Foods Corp.) whose address is 1645 West Valencia Drive, Fullerton, California 92634, the following described real estate situated in the County of Cook, State of Illinois, to wit:

PARCEL A:

That part of the North East quarter of Section 11, Township 38 North, Range 13, East of the Third Principal Meridian, bounded and described as follows: Beginning at a point which is 913 feet south of the North line and 821 feet West of the East line of said North East quarter of Section 11; thence South on a line parallel with and 821 feet West of East line of said North East quarter of Section 11; 105.2 feet to a point; thence West on a straight line to a point which is 1018.2 feet South of the North line and 822 feet West of the East line of said North East quarter of Section 11; thence Southerly on a curved line convex to the South West having a radius of 261.5 feet to its intersection with a line drawn parallel with and 1090 feet South of the North line of said Section 11, said curve being drawn from said point which is 1018.2 feet South of the North line and 822 feet West of the East line of said North East quarter of Section 11 to a point which is 1264.31 feet South of the North line and 648.88 feet West of the East line of said North East quarter of Section 11; thence Westerly on said last described parallel line 161.17 feet more or less to a point which is 973 feet West of the East line and 1090 feet South of the North line of said North East quarter of Section 11; thence North on a line parallel with and 973 feet West of the East line of said North East quarter of Section 11 a distance of 177 feet to a point; thence East on said line which is 913 feet South of and parallel with the North line of said Section 11 a distance of 152 feet to the place of beginning, situate in the County of Cook, in the State of Illinois.

PARCEL B:

The South 350 feet of the North 853 feet of the West 152 feet of the East 973 feet of the Northeast Quarter of the Northeast Quarter of Section 11, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

This transfer is exempt from the Illinois Transfer Tax pursuant to Section 4 (e), (i) or (j) of the Real Estate Transfer Act.

85172399

UNOFFICIAL COPY

8 5 1 7 2 3 9

PARCEL C:

The South 120 feet of the North 443 feet of the West 150 feet of the East 813 feet of the Northeast Quarter of Section 11, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL D:

The part of the North half of the North East quarter in Section 11, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois beginning at a point which is 1090 feet South of the North line, 973 feet West of the East line of said North East quarter of Section 11, thence South on a line parallel with and 973 feet West of the East line of said Section 11, 159.53 feet to a point, thence Easterly along a curved line convex to the South and having a radius of 320 feet a distance of 85.03 feet more or less to a point 1260.64 feet South of the North line and 889 feet West of the East line of said North East quarter of Section 11, thence East on a straight line a distance of 70.7 feet more or less to a point 1260.54 feet South of the North line and 818.3 feet West of the East line of said North East quarter of Section 11, thence North Easterly along a curved line convex to the South and having a radius of 320 feet a distance of 120.08 feet more or less to a point 701.63 feet West of the East line, and 1238.5 feet South of the North line of said North East quarter of Section 11, said point being in a curved line which is convex to the South West and having a radius of 261.5 feet and drawn from a point 1018.2 feet South of the North line and 822 feet West of the East line of said North East quarter of Section 11, to a point which is 1264.31 feet South of the North line and 648.88 feet West of the East line of said North East quarter of Section 11, thence North Westerly along said curved line which is convex to the South West a distance of 189.26 feet more or less to a point 1090 feet South of the North line of said Section 11, thence West on a line parallel with and 1090 feet South of the North line of said Section 11, a distance of 161.17 feet more or less to the place of beginning, in Cook County, Illinois.

together with all tenements and appurtenances thereunto belonging.

THIS GRANT is made expressly to the following:

1. Taxes for the years 1984 and 1985;
2. Installments of special assessments not delinquent;
3. Matters of encroachments and questions of survey, if any;
4. Rights or easements in private alleys, if any, existing on any part of the granted premises;
5. Rights of quasi public utilities in private alley on the granted premises;

UNOFFICIAL COPY

8 5 1 7 2 3 9

6. Rights of way of the Chicago Junction Railway Company and Chicago River and Indiana Railroad Company, and switch track rights; (PARCEL C)
7. The reservations, easements, restrictions, covenants and conditions contained in the deed dated December 11, 1947, from Arthur G. Leonard, Frederick H. Prince and W. Wood Prince, as Trustees of the Central Manufacturing District to the Grantor, recorded in the Office of the Recorder of Deeds in Cook County, Illinois, on December 11, 1947, as Document Number 14211713 in Book 42926 of records on page 340; (PARCEL C)
8. License Agreement dated December 11, 1947, between the Grantor as licensor and Bradshaw-Praeger & Co. as licensee, granting a license revocable on sixty (60) days' written notice to maintain a loading dock upon a portion of the property conveyed by said deed, and Grantee assumes and agrees to observe and perform all of the covenants, obligations and conditions contained in said deed to the Grantor insofar as they relate to the premises herein conveyed; (PARCEL C)
9. Covenants and agreements contained in Deed from the trustees of the Central Manufacturing District to Cleary Box Company, dated January 31, 1934, and recorded April 11, 1934, as Document 11384086, in Book 31153 of Records at Page 293 in the Office of the Recorder of Deeds, Cook County, Illinois; (PARCEL A)
10. Overhead Bridge License Agreement dated May 6, 1953, between W. Wood Prince and James F. Donovan, trustees of the Central Manufacturing District and Swift & Company, wherein the trustees grant to Swift a license to construct and maintain an overhead pipe bridge

UNOFFICIAL COPY

8 5 1 7 2 3 9 9

extending across West 48th Place from the Derby manufacturing building to the office and cooler building; (PARCELS A & B)

11. Easement rights of Commonwealth Edison Company, for underground electric conduits, etc., over the West six (6) feet of the premises herein conveyed, said rights created pursuant to an Agreement between Commonwealth Edison Company and Swift & Company, dated October 24, 1956 and recorded November 9, 1956 as Document No. 16749805 in Book 54262 on Page 115 in the Office of the Recorder of Deeds, Cook County, Illinois; (PARCEL C)
12. Side Track Agreement between The Chicago River and Indiana Railroad Company and E. K. Pond Company, dated February 1, 1924; (PARCEL B)
13. Provisions contained in the deed dated September 29, 1923 and recorded October 31, 1923 in Book 19383, Page 47 from John A. Spoor, Arthur S. Leonard and Eugene Thayer, as trustees, under declaration of trust recorded as Document No. 5814222 to E. K. Pond Co., relative to the use and maintenance of private streets adjoining the premises in question and relative to the maintenance of the premises conveyed by said deed; (PARCEL B)
14. Railroad right of way, Spur and Switch Tracks, if any;
15. Dated January 31, 1934 and recorded April 11, 1934 as document 11384086, is a Deed from Arthur G. Leonard, and others, Trustees of the Central Manufacturing District, to Cleary Box Company, a corporation of Illinois, conveying the premises North of the premises in question, which Deed contains the following provisions:

85172399

UNOFFICIAL COPY

8 5 1 7 2 3 9

- A. Said Trustees grant unto said Grantee, its successors and assigns, an easement in perpetuity upon, over and across the Easterly 18 feet of the premises in question for the use of the same for a railroad track connecting the track constructed on the said premises and a track of the Chicago River and Indiana Railroad Company, on its own right of way;
- B. The Trustees, their successors, grantees or assigns, and the Grantee, its successors, grantees or assigns, covenant and agree to and with each other that the South 2 feet of the premises in question shall forever remain free and clear of any buildings or other structures above the surface of the ground so as to afford light and air to the premises therein conveyed and to the premises in question.

(PARCEL D)

16. Easement in perpetuity created by the agreement by John A. Spoor and others, Trustees of the Central Manufacturing District and the Chicago River and Indiana Railroad Company dated January 16, 1924 and recorded March 19, 1925 as document 8320066 (subject to termination and relocation from time to time of any portion or portions thereof as hereinbefore provided) over, upon, across and along each of the strips of land belonging to the Trustees shown colored in yellow on the Plat thereto attached, designated as Exhibit "A" and also identified as the Chicago River and Indiana Railroad Company Plat No. "B" 618 for general railroad purposes. (May affect Easterly line of PARCEL D.)

85172399

UNOFFICIAL COPY

3 5 1 7 2 3 9 9

17. Perpetual right of way created by agreement between John A. Spoor and others, Trustees of the Central Manufacturing District, and the Chicago River and Indiana Railroad Company dated January 31, 1925 and recorded March 19, 1925 as document 8820065, 17 feet wide extending from the parcel of property leased to the Cleary Box Company (being the premises North of the premises in question) to the right of way of the Railroad Company on the most Westerly easement strip granted by agreement dated January 16, 1924 between said Trustees and said Railroad Company for a connecting track to connect a track of the Railroad Company on its right of way on said easement strip with a track or tracks on the parcel of property so leased, to said Cleary Box Company as shown in green on the blueprint thereto attached, marked for identification as B-660, dated September 13, 1924 and thereby made a part of said agreement.

The Trustees, however, reserve to themselves the right to relocate the right of way thereby set aside and reserved at such time or times and at such place or places as such trustees and the Railroad Company may hereafter from time to time determine. The Trustees also reserve to themselves, their successors, grantees, lessees or assigns, the right to construct and use upon the right of way thereby set aside and reserved, loading and unloading platforms, subject to the approval of the Railroad Company and of the right of the Railroad Company at any time to require their removal.

85172399

UNOFFICIAL COPY

8 5 1 7 2 3 7

It is expressly agreed that the Railroad Company shall have the right in perpetuity to use any track or tracks constructed upon the right of way thereby reserved and set aside for the benefit and use of the Railroad Company for general Railroad purposes as fully as if the owner thereof, provided that no such track or tracks constructed upon said right of way shall be used by the Railroad Company for the storage of cars or for other Railroad purposes when such use unreasonably interferes with the loading and unloading of cars on any portion of such track or tracks. (May affect Easterly line of Parcel D.)

18. Unrecorded easement agreement dated February 1, 1956 between the Trustees of the Central Manufacturing District, Commonwealth Edison Company, Chicago Junction Railway Company and First National Bank of Chicago as disclosed by Grant recorded February 1, 1957 as document 16816343. (PARCEL D)
19. Easement in perpetuity over a strip of land 19 feet in width, concentric with the Easterly boundary line of the premises in question for the movement and operation of engines and cars over the same to serve premises not now in question, and also for general railroad purposes and providing for the right at any time to maintain, repair and renew said track, provided that said track shall not at any time be used for the storage of cars or for railroad purposes other than such movement and operation of engines and cars over the same, when any such use unreasonably interferes with the loading or unloading of cars on the land therein conveyed; as reserved in the Deed from W. Wood Prince and James F. Donovan as Trustees of the Central Manufacturing District

UNOFFICIAL COPY

to Sterling Fuel Oil Company, a corporation of Illinois, dated January 1, 1962 and recorded March 28, 1962 as document 18434403 and the covenants and conditions therein contained. (PARCEL D)

20. Agreement relative to sharing of costs of improving, repairing and maintaining of a private street known as South Christiana Avenue including sewers, water mains, lighting system, etc., as contained in Deed from W. Wood Prince and James F. Donovan as Trustees of the Central Manufacturing District to Sterling Fuel Oil Company, a corporation of Illinois, dated January 1, 1972 and recorded March 28, 1962 as document 18434403. (PARCEL D)

21. Sprinkler Service Contract and Membership Agreement between Derby Foods and the Kedzie Tract Sprinkler Association for operation and maintenance of a fire sprinkler protection system.

IN WITNESS WHEREOF, The said SWIFT & COMPANY has hereunto caused its corporate seal to be affixed, and these presents to be signed by its Vice President, and attested by its Secretary, as of the 31st day of December, 1984.

ATTEST

E. T. McCabe
Secretary

SWIFT & COMPANY

By *T. E. Howe*
Vice President

ARKO

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, RUTH T. KONRATH, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY That T. E. Howe personally known to me to be the Vice President of Swift & Company and E. T. McCabe personally known to me to be the Secretary

85172339

UNOFFICIAL COPY

8 5 1 7 2 3 9

of said Corporation, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President and Secretary, they signed and delivered the said instrument of writing as Vice President and as Secretary of said Corporation, and caused the seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation as their free and voluntary act, and as the free and voluntary act and deed of said Corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 31st day of December, A.D. 1984.

Richard J. Howard
Notary Public
My Commission Expires December 8, 1986

This Deed prepared by:

H. Richard George
1919 Swift Drive
Oak Brook, Illinois 60521

55172399

AFTER RECORDING THIS INSTRUMENT MAIL TO:

H. Richard George
Beatrice Meats, Inc.
1919 Swift Drive
Oak Brook, Illinois 60521

Cook County Clerk's Office

66E22T-SB * * * 1976
DEPT-01 RECORDING
00:25:00 ET 58/03/85 13:52:00

66E22T-SB * * * 1976
DEPT-01 RECORDING
00:25:00 ET 58/03/85 13:52:00

85172399