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70-67-162

STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
REGISTRY DEPT. OF REVENUE
149.25



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310 08/20
1992

COUNTY OF COOK
REAL ESTATE TRANSFER TAX
REVENUE
STAMP 149.25
149.25

THIS INDENTURE WITNESSETH, that CONSOLIDATED RAIL CORPORATION, a Corporation of the Commonwealth of Pennsylvania, having an office at Six Penn Center Plaza, Philadelphia, Pennsylvania, 19103, hereinafter referred to as the Grantor, for and in consideration of TWO HUNDRED NINETY-EIGHT THOUSAND THREE HUNDRED THIRTY-ONE DOLLARS AND SIXTY CENTS (\$298,331.60) and pursuant to the authority given by the Board of Directors of said Grantor, quitclaims unto JETCO PROPERTIES, INC., a Corporation of the State of Delaware, whose mailing address is 5725 North East River Road, Chicago, Illinois 60631, hereinafter referred to as the Grantee, all the rights under and by virtue of the Homestead Exemption Laws and all title and interest of the said Grantor, in and to the following described real estate:

25-06-501-001-0000
De Ck

ALL THAT CERTAIN portion of right of way of railroad of Consolidated Rail Corporation (formerly Philadelphia, Baltimore and Washington Railroad Company) known as the Bernice Secondary Track and identified as Line Code 3207 in the records of the United States Railway Association, being a part of the East Half of the Southeast Quarter of Section 6, Township 37 North, Range 14 East of the Third Principal Meridian situate in the City of Chicago, County of Cook and State of Illinois, lying south of the south line of West 94th Street as projected to the west, and north of the north line of West 95th Street, according to the plat of subdivision recorded August 25, 1981 as Document No. 344712 (except therefrom the south 21 feet thereof taken for the widening of said West 95th Street), and being more particularly bounded and described in accordance with a plat of survey prepared by Maynard H. Riley, R.L.S. No. 2638 of Mackle Consultants, Inc. Chicago, Illinois, dated February 26, 1986; as follows:

BEING a 100 foot right of way lying west of and adjacent to Beverly Avenue (39 feet wide), south of the south line of West 94th Street, as projected to the west and north of the north line of West 95th Street, as widened.

CONTAINING 60,884 square feet, more or less, of land.

BEING a part or portion of the same premises which John C. Kohl, as Trustee of the Property of the Philadelphia, Baltimore and Washington Railroad Company, Debtor, by Conveyance Document No. PB&W-CRC-RP-7, dated March 29, 1976, filed and recorded on June 28, 1979, in the Recorder's Office of Cook County, Illinois, in Plat Jacket 25037856, granted and conveyed the aforesaid property unto Consolidated Rail Corporation.

UNDER and SUBJECT, however, to (1) whatever rights the public may have to the use of any roads, alleys, bridges or streets crossing the premises herein described, (2) any streams, rivers and creeks passing under, across or through the premises herein described, and (3) any easements or agreements of record or otherwise affecting the land hereby conveyed, and to the state of facts which a personal inspection or accurate survey would disclose, and to any pipes, wires, poles, cables,

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STATE OF ILLINOIS, COUNTY OF COOK

IN SENATE, January 10, 1901.

REPORT OF THE COMMISSIONERS OF THE LAND OFFICE, CONCERNING THE SALE OF THE PUBLIC LANDS IN THE COUNTY OF COOK, ILLINOIS, FOR THE YEAR ENDING DECEMBER 31, 1900.

The following is a summary of the land sold during the year ending December 31, 1900:

Total land sold, 1,234,567 acres.

Total proceeds, \$1,234,567.

The following is a summary of the land sold during the year ending December 31, 1900:

Total land sold, 1,234,567 acres.

Total proceeds, \$1,234,567.

Property of Cook County Clerk's Office

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Total proceeds, \$1,234,567.

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culverts, drainage courses or systems and their appurtenances now existing and remaining in, on, under, over, across and through the herein conveyed premises, together with the right to maintain, repair, renew, replace, use and remove same.

THIS INSTRUMENT is executed and delivered by Grantor, and is accepted by Grantee, subject to the covenants set forth below, which shall be deemed part of the consideration of this conveyance and which shall run with the land and be binding upon, and inure to the benefit of, the respective heirs, personal representatives, successors and assigns of Grantor and Grantee. Grantee hereby knowingly, willingly, and voluntarily waives the benefit of any rule, law, custom, or statute of the State of Illinois now or hereafter in force with respect to the covenants set forth below.

(1) Grantor shall neither be liable or obligated to construct or maintain any fence or similar structure between the land hereinbefore described and adjoining land of Grantor nor shall Grantor be liable or obligated to pay for any part of the cost or expense of constructing or maintaining any fence or similar structure, and Grantee hereby forever releases Grantor from any loss or damage, direct or consequential, that may be caused by or arise from the lack or failure to maintain any such fence or similar structure.

(2) That the Grantor and Grantee do not contemplate that Grantor shall (a) operate its trains, cars and engines to or on the land hereinbefore described (or any portion thereof), (b) interchange traffic with Grantee or its successors or assigns (c) participate in any rail rate relationship with Grantee (d) establish or maintain a track connection with Grantee, or (e) provide cars or car service to Grantee. If Grantee hereafter desires that Grantor do any of the foregoing, the Grantor and Grantee agree that such activities shall be conducted only on such terms and conditions as Grantor and Grantee hereto may hereafter mutually agree upon in writing. Grantor and Grantee further agree that in respect to the matters referred to in items (a) through (e), above, Grantor shall not be called upon, or required, by Grantee (or its successors, assigns, assignees, Grantees, lessees, or licensees) to accept obligations in excess of those expressly assumed by Grantor by written agreement between Grantor and Grantee hereto.

(3) Grantor shall (1) retain ownership of the railroad track and its appurtenances, signal and communication equipment, ballast and related materials located on the land hereinbefore described, and (2) Grantor, its agents or contractors, shall have the right of ingress and egress to and from aforesaid premises for 180 days from the delivery and recordation of this indenture for the purpose of removing said items; and the said Grantee shall have the option, at its sole cost and expense, to remove the railroad track and its appurtenances, signal and communication equipment, ballast and related materials located on the aforesaid premises and stockpile same on Grantor's adjacent property in a neat and orderly manner for pickup by Grantor. It being expressly understood and agreed that said Grantee shall notify Grantor's Area Engineer seven (7) days prior to such removal.

THE words "Grantor" and "Grantee" used herein shall be construed as if they read "Grantors" and "Grantees", respectively, whenever the sense of this instrument so requires and whether singular or plural, such words shall be deemed to include in all cases the heirs or successors and assigns of the respective parties.

IN WITNESS WHEREOF, said Grantor has caused its corporate

* * * * *
CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX
747.50
DEPT. OF REVENUE DECISIONS
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CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX
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DEPT. OF REVENUE DECISIONS
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seal to be hereto affixed and has caused its name to be signed to these presents by its Assistant Vice President-Real Estate, and attested by its Assistant Secretary, this 24th day of November A. D. 1988.

SEALED AND DELIVERED
In the presence of us:

CONSOLIDATED RAIL CORPORATION
By:

W. H. Fink

John P. Jaeger
John P. Jaeger, Assistant
Vice President-Real Estate

Jeanne Thomas

ATTEST:

J. E. McGeehan
J. E. McGeehan, Assistant Secretary

COOK COUNTY CLERK'S OFFICE
FILED FOR RECORD

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF PHILADELPHIA)

86608740

I, **Francis O. Flynn**, a Notary Public in and for said Commonwealth and County, do hereby certify that John P. Jaeger, personally known to me to be the Assistant Vice President-Real Estate of CONSOLIDATED RAIL CORPORATION, and **J. E. McGEEHAN** personally known to me to be the Assistant Secretary of said Corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing Instrument, appeared before me this day in person and severally acknowledged that as such Assistant Vice President-Real Estate and Assistant Secretary, they signed and delivered the said Instrument as Assistant Vice President-Real Estate and Assistant Secretary of said Corporation and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and

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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 24th day of November A. D. 1986.


Notary Public

FRANCIS C. FLYNN
Notary Public, Philadelphia, Philadelphia Co.
My Commission Expires July 2, 1992.

THIS INSTRUMENT PREPARED BY:

Juliana R. Dzielwit
Consolidated Rail Corporation
Ninth Floor, 1528 Walnut Street
Philadelphia, Pennsylvania 19102

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CERTIFICATION OF NONFOREIGN STATUS BY CORPORATION

TO: JETCO PROPERTIES, INC.
5725 North East River Road
Chicago, Illinois 60631

FROM: CONSOLIDATED RAIL CORPORATION
Six Penn Center Plaza
Philadelphia, Pennsylvania, 19103

Section 1445 of the Internal Revenue Code provides that a transferee of a U.S. real property interest must withhold tax if the transferor is a foreign person. To inform the transferee that withholding of tax is not required upon the disposition of a 60,884 square foot parcel of land in Chicago, Cook County, Illinois as further identified in a deed dated to Jetco Properties, Inc. by Consolidated Rail Corporation, the undersigned hereby certifies the following on behalf of Consolidated Rail Corporation:

1. Consolidated Rail Corporation is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);

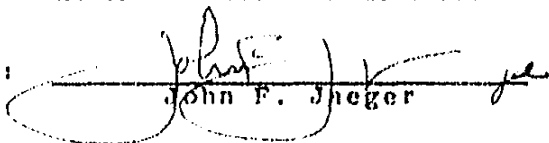
2. Consolidated Rail Corporation's U.S. employer identification number is 23-1989084; and

3. Consolidated Rail Corporation's principal office address is Six Penn Center Plaza, Philadelphia, Pennsylvania, 19103.

Consolidated Rail Corporation understands that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalties of perjury I declare that I have examined this certification and to the best of my knowledge and belief, it is true, correct and complete, and I further declare that I have authority to sign this document on behalf of Consolidated Rail Corporation.

CONSOLIDATED RAIL CORPORATION

BY: 
John F. Jeger

TITLE: AVP, Real Estate

DATE: November 24, 1986

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Mail to:

Jewel Companies, Inc
5725 N. Elston Avenue Rd
Chicago, Ill 60631
Attn: Earl Barnes

N HV

Box 333

STATE OF ILLINOIS)

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) ss.

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COUNTY OF COOK)

T. DAVID YATES, being duly sworn on oath, states that he resides at _____

That the attached deed is not in violation on Paragraph 1 of Chapter 109 of the Illinois Revised Statutes for one of the following reasons:

A. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed.

-OR-

B. The conveyance falls in one of the following exemptions enumerated in said Paragraph 1:

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 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 between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interest therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyances of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5 acres from a larger tract when a survey is made by a registered surveyor; provided, however, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973.

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CIRCLE NUMBER AND/OR LETTER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

SUBSCRIBED and SWORN to before me this 15 day of October 1986

T. David Yates

[Signature]
Notary Public

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CONSOLIDATED RAIL CORPORATION

-10-

JETCO PROPERTIES, INC.

Land situate in the City of Chicago,
County of Cook and State of Illinois.

Prep:
Apvd:
CHKd:

Descp:
Compd:

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