

# UNOFFICIAL COPY

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## SPECIAL WARRANTY DEED

71-18-333  
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KNOW ALL MEN BY THESE PRESENTS, that ELGIN NATIONAL INDUSTRIES INC., a corporation of Delaware, whose address is 120 S. Riverside Pl Chicago, Illinois 60606 (the "Grantor") for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, does hereby grant and convey to John N. Oest, nominee, whose address is c/o Lord, Bissell & Brook, 115 S. LaSalle Street, Chicago, Illinois 60603 (the "Grantee") all right title and interest of the Grantor in and to the land situated in the County of Cook and the State of Illinois described on Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said land with all the privileges and appurtenances belonging thereto, unto the Grantee, his heirs and representatives forever.

Grantor, for itself and its successors, represents and warrants that it has not done or caused to be done anything whereby the land hereby granted has been alienated or encumbered in any way whatsoever except for the matters set forth on Exhibit B attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Grantor has caused its name to be signed and its corporate seal to be affixed by its duly authorized officer this 19th day of January, 1988.

ELGIN NATIONAL INDUSTRIES, INC.  
a corporation of Delaware

Attest

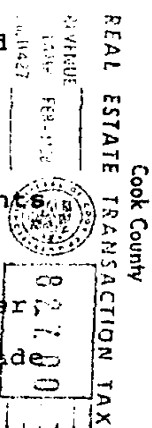
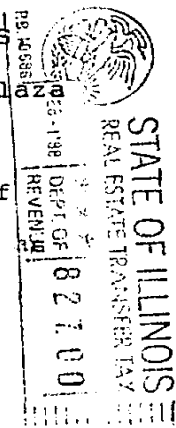
By: Warren W. Browning  
Name: Warren W. Browning  
Title: Secretary

By: John S. Maurer  
Name: John S. Maurer  
Title: Vice President

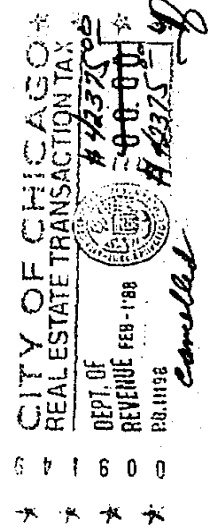
This Instrument Prepared By: Carol A. Williams  
Mayer, Brown & Platt  
190 S. LaSalle Street  
Chicago, Illinois 60603

Recording Return To:  
Simon H. Aronson  
Lord, Bissell & Brook  
115 S. LaSalle Street  
Chicago, Illinois 60603

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COOK 018  
CC. 018

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
FEB-1'88 DEPT. OF REVENUE 999.00  
RB. 10686

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
FEB-1'88 DEPT. OF REVENUE 999.00  
RB. 10686

COOK 018  
CC. 018

Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE STAMP FEB-1'88 999.00  
No. 01427

Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE STAMP FEB-1'88 999.00

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STATE OF Illinois )  
 )  
COUNTY OF Cook )

I, Wendy J. Metz, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Warren W. Browning and John S. Maurer personally known to me to be the Secretary and Vice President of Elgin National Industries, Inc., a corporation organized and existing under the laws of the State of Delaware, 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 acknowledged that as such they signed and delivered the said instrument pursuant to proper 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.

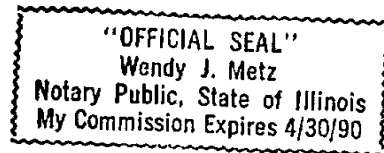
GIVEN under my hand and notarial seal this 19th day of January, 1988.

Wendy J. Metz  
Notary Public

[SEAL]

My Commission Expires:

4/30/90



COOK COUNTY, ILLINOIS  
FILED FOR RECORD  
1988 FEB - 1 PM 2:25

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EXHIBIT A

A TRACT OF LAND IN THE SOUTH EAST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH LINE OF FULLERTON AVENUE, SOUTH OF A LINE DRAWN PARALLEL WITH AND 780 FEET NORTH OF THE SOUTH LINE OF SAID SOUTH EAST 1/4 OF SECTION 30; NORTH AND EASTERLY OF THE NORTH BRANCH OF THE CHICAGO RIVER AND WEST OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, SAID TRACT OF LAND BEING MORE DEFINITELY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF FULLERTON AVENUE WITH THE WESTERLY FACE OF THE CONCRETE DOCK CONSTRUCTED ON THE EASTERLY AND NORTHERLY SIDE OF THE NORTH BRANCH OF THE CHICAGO RIVER, SAID INTERSECTION BEING 24.0 FEET NORTH AND 999.58 FEET EAST OF THE SOUTH AND WEST LINES RESPECTIVELY OF THE SOUTH EAST 1/4 OF SECTION 30 AFORESAID, THENCE EAST ALONG THE SAID NORTH LINE OF FULLERTON AVENUE BEING 24 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SAID SOUTH EAST 1/4, A DISTANCE OF 126.38 FEET; THENCE NORTH PARALLEL WITH SAID WEST LINE OF SAID SOUTH EAST 1/4, A DISTANCE OF 16 FEET TO A POINT 40 FEET NORTH AND 1,125.96 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY; THENCE CONTINUING EAST ALONG THE NORTH LINE OF FULLERTON AVENUE, A DISTANCE OF 503.26 FEET TO ITS INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 15 FEET WESTERLY OF THE WESTERLY LINE OF THE ORIGINAL 66 FOOT RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 473.40 FEET TO A POINT 491.01 FEET NORTH AND 1,488.25 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY OF THE SOUTH EAST 1/4 AFORESAID; THENCE NORTHEASTERLY ON A CURVED LINE CONVEXED TO THE SOUTH WEST, TANGENT TO SAID PARALLEL LINE CONCENTRIC WITH THE ORIGINAL WESTERLY RIGHT OF WAY LINE AFORESAID AND HAVING A RADIUS OF 5,789.0 FEET, A DISTANCE OF 300.98 FEET TO ITS INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 780 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 30; THENCE WEST ALONG THE LAST DESCRIBED PARALLEL LINE A DISTANCE OF 700.72 FEET TO ITS INTERSECTION WITH THE WESTERLY FACE OF THE CONCRETE DOCK CONSTRUCTED ALONG THE NORTHEASTERLY SIDE OF THE NORTH BRANCH OF THE CHICAGO RIVER; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY FACE OF SAID DOCK, A DISTANCE OF 231.01 FEET TO A POINT 635.19 FEET NORTH AND 887.61 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY FACE OF SAID DOCK, A DISTANCE OF 23.27 FEET TO A POINT 616.75 FEET NORTH AND 901.68 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY FACE OF SAID DOCK, A DISTANCE OF 82.15 FEET TO A POINT 546.05 FEET NORTH AND 943.07 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY; THENCE SOUTHEASTERLY ALONG THE WESTERLY FACE OF SAID DOCK, A DISTANCE OF 94.23 FEET TO A POINT 461.18 FEET NORTH AND 983.46 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY; THENCE SOUTHEASTERLY ALONG THE WESTERLY FACE OF SAID DOCK, A DISTANCE OF 225.38 FEET TO A POINT 236.90 FEET NORTH

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AND 1,004.28 FEET EAST OF SAID SOUTH AND WEST LINES RESPECTIVELY; THENCE SOUTHERLY ALONG THE WESTERLY FACE OF SAID DOCK A DISTANCE OF 212.92 FEET TO A POINT OF BEGINNING (EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF FULLERTON AVENUE WITH THE WESTERLY FACE OF THE CONCRETE DOCK CONSTRUCTED ON THE EASTERLY SIDE OF THE NORTH BRANCH OF THE CHICAGO RIVER, SAID INTERSECTION BEING 24 FEET NORTH AND 299.58 FEET EAST OF THE SOUTH AND WEST LINES OF SAID SOUTH EAST 1/4, RESPECTIVELY; THENCE EAST ALONG SAID NORTH LINE OF FULLERTON AVENUE, BEING 24 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SAID SOUTH EAST 1/4 A DISTANCE OF 126.38 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SOUTH EAST 1/4, A DISTANCE OF 16 FEET TO A POINT 40 FEET NORTH AND 1,125.96 FEET EAST OF SAID SOUTH AND WEST LINES OF THE SOUTH EAST 1/4 RESPECTIVELY; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SOUTH EAST 1/4 AFORESAID, A DISTANCE OF 109.29 FEET; THENCE NORTH AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 6.0 FEET TO A POINT 46.0 FEET NORTH AND 1,016.70 FEET EAST OF THE SOUTH AND WEST LINES OF THE SOUTH EAST 1/4 AFORESAID; THENCE WEST PARALLEL TO SAID SOUTH LINE OF THE SOUTH EAST 1/4, A DISTANCE OF 16.64 FEET TO THE WEST FACE OF CONCRETE DOCK; THENCE SOUTHERLY ALONG THE WESTERLY FACE OF THE CONCRETE DOCK, A DISTANCE OF 22.0 FEET TO POINT OF BEGINNING) IN COOK COUNTY, ILLINOIS.

PIN: 14-30-400-064-0000

Common Address 1800 W Fullerton

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Cook County Clerk's Office

## EXHIBIT B

### Permitted Exceptions

1. Agreement dated December 1, 1947 between the Chicago and North Western Railway Company; Chicago, Milwaukee, St. Paul and Pacific Railroad Company and American Colortype Company, and supplements and amendments thereto dated March 28, 1955, November 25, 1955, November 4, 1956, and February 3, 1959 relating to the ownership and maintenance of railroad tracks over the land.

2. Grant dated November 9, 1925 and recorded November 24, 1925 as document 9106310 made by International Harvester Company to the Peoples Gas Light and Coke Company, a corporation of Illinois, granting to said second party the right and privilege of constructing, laying, using and maintaining gas mains and service pipes and the necessary attachments, connections and fixtures for distributing, supplying and selling gas in, through and along a strip of land 6 feet wide in the private highway starting at a point 355 feet West of the East line of Chester Street and 22 feet South of the North line of Fullerton Avenue extending parallel with the railroad switch tracks on the East Bank of the North Branch of the Chicago River to a point 750 feet North of the North line of Fullerton Avenue.

3. Provisions of an Agreement dated November 30, 1956 and recorded January 17, 1957 as document 16803930 and re-recorded as document 16812022 between the American Colortype Company, a corporation of New Jersey, as party of the first part, and Lynn Paper Products Manufacturing Company, a corporation of Illinois, as party of the second part, relating to the water tank tower located on the land as a source of water supply for the sprinkler system now installed in the building located on the property adjoining the land originally owned by the first party.

4. Easement and reservations contained in the Warranty Deed from International Harvester Company, a corporation of New Jersey, to American Colortype Company, a corporation of Illinois, dated October 30, 1944 and recorded November 1, 1944 as document 13388121, as follows:

Excepting and reserving in perpetuity for the benefit of other lands of the first party lying Northerly of the above described premises the full and free right and easement to use so much of the existing Railroad trackage as is now located on the land above described or as the same may from time to time be relocated or changed as shall be necessary to provide convenient, full and adequate ingress and egress of the railroad cars of one railroad to or from the said Northerly lands of the first party. It is agreed that the lands herein conveyed and the lands lying Northerly thereof retained and owned by the first party are now served jointly by the Chicago and Northwestern Railway Company and the Chicago, Milwaukee and St. Paul Railway Company or their respective successors or assigns under the agreement dated September 16, 1910, but in the event of termination or modification of said agreement or relocation of any part of the trackage as now located on the land herein conveyed, second parties, successors or assigns provide railroad trackage of and from one railroad over and across the lands to be conveyed thereunder, necessary and adequate to serve said lands of the first party lying Northerly thereof and connecting with the trackage on the lands retained and owned by the first party at the South West corner or border thereof.

It is further agreed that in order to provide for adequate ingress and egress of railroad cars to or from the land and other property, second party and the railroad companies presently serving the properties to be conveyed hereunder shall, for so long as the lands retained by first party shall have railroad service through the lands to be conveyed to second party, have free right of access to and an easement to use so much of the existing system of railroad trackage, in particular the trackage located just Easterly of the North Branch of the Chicago River as is presently located on the land retained by the first party.

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(Exhibit B - Permitted Exceptions continued)

It is further agreed that so long as the above described easement for the benefit of the first party shall be in effect and so long as those certain switch tracks are maintained and operated over and across Clybourn and Wrightwood Avenues in Chicago in their present location, as authorized by certain Ordinance passed by the City Council of the City of Chicago on April 21, 1926, or any extension or renewal thereof, the parties thereto, their respective successors and assigns, shall divide equally the annual compensation paid to the City of Chicago for the right to maintain and operate said switch tracks across said Clybourn and Wrightwood Avenues.

NOTE: Grant made by International Harvester Company, a corporation of New York, to American Colortype Company, a corporation of Illinois, dated August 23, 1946 and recorded September 4, 1946 as document 13883481, confirming and amending the provisions contained in document 13388121 noted above.

5. Perpetual easement created by the Grant made by Clement Colortype, Inc., a corporation of New York, to The City of Chicago, a municipal corporation, dated February 25, 1959 and recorded August 10, 1959 as document 17624647 solely for the purpose of the construction and maintenance of a side slope of a filled approach to a fixed bridge in Fullerton Avenue over the North Branch of the Chicago River, upon and across that part of the land described as follows:

A portion of land in the South East quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows: Beginning at a point 1428.0 feet East and 40 feet North of the West and South lines of the South East quarter of said Section 30, respectively; thence North parallel with the said West line, a distance of 5.97 feet; thence North Westerly along a line forming an angle with the last described parallel line of 86 degrees, 06 minutes, 20 seconds from North to West, a distance of 373.33 feet to a point 69 feet North and 1055.52 feet East of the said South and West lines of said South East quarter, respectively, said point being on a curved line 24 feet Easterly of and concentric with an arc of a circle convexing South Westerly and having a radius of 299.94 feet and beginning at a point 1038 feet East of the West line of said South East quarter (as measured along the South line of the said South East quarter) and 40 feet North of and at right angles to the South line of said South East quarter, the tangent to said arc making an angle of 72 degrees 43 minutes 37 seconds in the North West quadrant with a line parallel to the South line of said South East quarter; thence South Easterly along aforesaid concentric curved line and having a radius of 275.94 feet, a distance of 30.14 feet (arc) to a point 40 feet North of the South line of said South East quarter; thence East parallel with the said South line of the South East quarter, a distance of 364.51 feet to the point of beginning, and the covenants and agreements therein contained.

6. Agreement dated November 5, 1956 between American Colortype Company, Lynn Paper Products Manufacturing Company, Chicago and Northwestern Railway Company and Chicago, Milwaukee, St. Paul and Pacific Railroad Company relating to railroad tracks and switch and spur tracks on the land as set forth in Warranty Deed recorded October 2, 1963 as document 18929947 and referred to in Warranty Deed recorded March 25, 1965 as document 19416485.

7. Agreement entered into January 27, 1966 and recorded February 24, 1966 as document 19749242 by and among Amerline Corporation, 2550 Clybourn Building Corporation, the Exchange National Bank of Chicago, as Trustee under Trust Agreement dated November 13, 1956 and known as Trust No. 7036 and Lynn Paper Products Manufacturing Company relating to an agreement relating to a water tank tower, dated

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(Exhibit B - Permitted Exceptions continued)

March 29, 1955 and recorded as document 16253459 between American Colortype Company (predecessor in title to Amerline) and 2550 Clybourn Building Corporation; an agreement dated November 11, 1966, and recorded as document 16803930 between American Colortype and Lynn Paper Products Manufacturing Company. Also, an agreement relating to water mains dated March 29, 1955 as document 16275105 between American Colortype Company and 2550 Clybourn Building Corporation and an agreement dated November 30, 1956 and recorded as document 16803929 between American Colortype Company and Lynn Paper Products Manufacturing Company. All the above parties being "released and discharged from any further obligation under each and all of said respective aforesaid agreements" described above, including any easements, are cancelled and terminated.

Agreement recorded as document 19749242 also provides for the sale of pump room equipment by Amerline to Clybourn and Lynn.

8. Easement for water main as disclosed by instrument recorded as document 16803929.
9. Matters shown on Plat of Survey, dated November 20, 1986 and as revised December 18, 1986 and as revised January 20, 1987, prepared by Silander & Sons.
10. General real estate taxes not yet due and payable.
11. Railroad Right of Way, Switch and Spur Tracks, If any.
12. Rights of the United States of America, the State of Illinois, The Municipality and the Public in and to that Part of the Land Lying within the Bed of the North Branch of the Chicago River and The Rights of Other Owners of Land Bordering on the River in Respect to the Water of said River.

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## PLAT ACT AFFIDAVIT

STATE OF ILLINOIS )  
 ) ss.  
 COUNTY OF COOK )

Warren W. Browning, being duly sworn on oath,  
 states that            he resides at 699 Bluff Road, Lake Bluff, IL 60044  
 and that the attached deed is not in violation  
 of Section 1 of Chapter 109 of the Illinois Revised Statutes for one of the  
 following reasons:

1. Said Act is not applicable as the grantors own no property adjoining the premises described in said deed. (Existing Parcel)  
 -OR-  
 the conveyance falls in one of the following exemptions permitted by the Amend Act which became effective July 17, 1959.
2. 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.
3. 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.
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
6. The conveyance of land owned by railroad or other public utility which does not involve any new streets or easements of access.
7. 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.
8. Conveyances made to correct descriptions in prior conveyances.
9. The sale or exchange of parcels or tracts of land existing on the date of the Amendatory Act into no more than 2 parts and not involving any new streets or easements of access.
10. 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, and provided also that this exemption does not invalidate and local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIANT FURTHER STATES THAT            he makes this affidavit for the purposes of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

Warren W. Browning  
 Warren W. Browning

SUBSCRIBED and SWORN to before me

This 19th day of January, 1988.

Wendy J. Metz  
 Notary Public  
 "OFFICIAL SEAL"  
 Wendy J. Metz  
 Notary Public, State of Illinois  
 My Commission Expires 4/30/90

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