UNOFFICIAL COPY

88398899

88 SEP -1 AM 11:53

88398899

15 00

BG #9
Zierk's Furniture

DEED AND ASSIGNMENT

THIS DEED AND ASSIGNMENT made as of August 23rd, 1988 between FREEDOM ONE, an Illinois general partnership ("Grantor") and FREEDOM TWO LIMITED PARTNERSHIP, an Illinois limited partnership, 300 Park Boulevard, Suite 100, Itasca, Illinois 60143 ("Grantee").

W I T N E S S E T H:

THAT, Grantor, for and in consideration of the sum of Ten Dollars ($10) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby quitclaim, convey, transfer and assign unto Grantee and its successors and assigns, all of Grantor's right, title and interest in and to:

ITEM FIRST: All that certain land described in Exhibit A attached hereto and hereby made a part hereof, together with all buildings and all other improvements, if any, now located on or affixed to the land described in Exhibit A, and all of Grantor's right, title and interest in and to all fixtures attached to such land, buildings or improvements and all streets, alleys, rights-of-way or other strips of land adjacent to the property described in Exhibit A

ITEM SECOND: All furniture, appliances, equipment, machinery, furnishings, supplies, apparatus and all other tangible personal property of whatsoever kind or character located at the site of the land, buildings and improvements hereinabove described and used exclusively in connection with the operation thereof.

ITEM THIRD: All rights, titles and interests of Grantor in, to and under all contracts (including, without limitation, any option) relating to the purchase, sale or other disposition of any property conveyed by this Deed and Assignment [or under which supplies or services are provided to the land and/or buildings and improvements hereinabove described, but only to the extent related exclusively to such land and/or buildings and improvements.]

ITEM FOURTH: All of the lessor's or sub-lessor's rights, titles and interest in, to and under leases, subleases and rental agreements covering any portion of the land and/or improvements hereinabove described, including, but not limited to, all rentals payable thereunder and all rights, titles, interests and reversions of the lessor or sublessor thereunder.

ITEM FIFTH: All permits, permissions, licenses, approvals, contracts, rights, agreements, warranties, guaranties, and indemnities from and claims against all persons, entities and governmental authorities whatsoever (including specifically, without limitation, for workmanship, materials and performance which may exist against any contractor, subcontractor, manufacturer, supplier, laborer or in connection with any other services) relating directly or indirectly to the property conveyed by this Deed and Assignment.

ITEM SIXTH: All trademarks and trade names relating directly or indirectly to the property conveyed by this Deed and Assignment.

ITEM SEVENTH: All correspondence, books, records, files, operating reports, plans, drawings, specifications, booklets, manuals, brochures, and all advertising, promotional, and leas-

88398899

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

ing materials and all other tangible property which relate directly or indirectly and exclusively to the ownership, use and operation of the property conveyed by this Deed and Assignment.

TO HAVE AND TO HOLD, the above described property and hereditaments, together with all and singular the rights, easements and appurtenances thereunto in anywise appertaining or belonging, unto Grantee, its successors and assigns forever.

All of the above property is being transferred AS IS, without any representation or warranty of any kind, including, but not limited to any representation or warranty of merchantability, quality or fitness for a particular purpose.

IN WITNESS WHEREOF, this instrument has been executed as of the day and year first above written.

FREEDOM ONE, an Illinois general partnership

By: _____
Allan J. Hamilton
Partner

This Instrument Prepared by, and after recording should be returned to:

Lawrence J. Moss
D'Ancona & Pflaum
30 North LaSalle Street
Suite 3100
Chicago, Illinois 60602

BOX 389

Property of Cook County Clerk's Office

88398899

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

COUNTY OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Susan Vorey, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Allan J. Hamilton, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he is a partner of Freedom One, an Illinois general partnership, and that he signed, sealed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of said partnership, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 22 day of December, 1988.

Susan Vorey
Notary Public

My Commission Expires:

July 22, 1991

Property of Cook County Clerk's Office

88398899

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

THAT PART OF THE NORTH 1/2 OF THE NORTH WEST 1/4 OF THE NORTH EAST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF OUTLOT "ZZ" IN STRATHMORE IN BUFFALO GROVE UNIT 1, BEING A RESUBDIVISION OF CERTAIN LOTS AND VACATED STREETS IN ARLINGTON HILLS IN BUFFALO GROVE, BEING A SUBDIVISION IN SECTIONS 5 AND 6 AND OF SUNDRY TRACTS OF LAND IN THE WEST 1/2 OF SAID SECTION 5, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID STRATHMORE IN BUFFALO GROVE UNIT 1, RECORDED MAY 3, 1967 AS DOCUMENT NO. 20125932, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF RELOCATED LAKE COOK ROAD, SAID NORTHERLY LINE BEING 50.00 FEET, AS MEASURED RADIALLY, NORTHERLY OF AND CONCENTRIC WITH THE CENTER LINE OF SAID RELOCATED LAKE COOK ROAD WITH THE EASTERLY LINE OF WEIDNER ROAD IN BUFFALO GROVE BUSINESS PARK UNIT 6, BEING A RESUBDIVISION IN THE NORTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 31, 1986 AS DOCUMENT NO. 86-120425; THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID RELOCATED LAKE COOK ROAD, BEING A CURVED LINE CONVEX SOUTHWESTERLY AND HAVING A RADIUS OF 1382.39 FEET, AN ARC DISTANCE OF 245.00 FEET TO A POINT FOR A PLACE OF BEGINNING (THE CHORD OF SAID ARC BEARS SOUTH 64 DEGREES 57 MINUTES 04 SECONDS EAST, 244.68 FEET); THENCE NORTH 19 DEGREES 58 MINUTES 16 SECONDS EAST, 211.81 FEET; THENCE SOUTHEASTERLY ALONG A CURVED LINE CONVEX SOUTHWESTERLY AND HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 37.45 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS SOUTH 84 DEGREES 32 MINUTES 01 SECONDS EAST, 37.40 FEET); THENCE SOUTH 89 DEGREES 53 MINUTES 54 SECONDS EAST ALONG A LINE TANGENT TO SAID LAST DESCRIBED CURVED LINE AT SAID LAST DESCRIBED POINT, 228.98 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG A CURVED LINE CONVEX NORTHEASTERLY, HAVING A RADIUS OF 90.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 140.59 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS SOUTH 45 DEGREES 08 MINUTES 54 SECONDS EAST, 126.72 FEET); THENCE SOUTH 00 DEGREES 23 MINUTES 54 SECONDS EAST ALONG A LINE TANGENT TO SAID LAST DESCRIBED CURVED LINE AT SAID LAST DESCRIBED POINT, 188.21 FEET TO A POINT ON THE NORTHERLY LINE OF RELOCATED LAKE COOK ROAD, AFORESAID, THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID RELOCATED LAKE COOK ROAD, BEING A CURVED LINE CONVEX SOUTHWESTERLY AND HAVING A RADIUS OF 1382.39 FEET, AN ARC DISTANCE OF 439.40 FEET TO THE PLACE OF BEGINNING (THE CHORD OF SAID ARC BEARS NORTH 79 DEGREES 08 MINUTES 03 SECONDS WEST, 437.55 FEET), IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

88398899

Exhibit A

PLAT ACT AFFIDAVIT

UNOFFICIAL COPY

STATE OF ILLINOIS)
)ss.
COUNTY OF COOK)

_____, being duly sworn on oath, states that he resides at _____. 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:

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 subdivisions 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 of any recorded subdivision which not 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 conveyance 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, 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 any local requirements applicable to the subdivision of land.

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 1st day of Sept, 1991.

Patrice Marcell Anderson
NOTARY PUBLIC

" OFFICIAL SEAL "
PATRICE MARCELL ANDERSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5/29/90

93398899

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office