

# UNOFFICIAL COPY

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## SPECIAL WARRANTY DEED IN TRUST

THIS INDENTURE WITNESSETH, That the Grantor, SANTA FE PACIFIC REALTY CORPORATION, a Delaware corporation, (hereinafter "Grantor"), for and in consideration of Ten (\$10.00) Dollars, and other good and valuable considerations in hand paid, does hereby REMISE, RELEASE, ALIEN, AND CONVEY unto the Grantee, CHICAGO TITLE AND TRUST COMPANY, a corporation of Illinois, whose address is 111 West Washington Street, Chicago, Illinois 60602, as Trustee under the provisions of a Trust Agreement dated the 28th day of October, 1988, known as Trust Number 1092281, (hereinafter "Trustee"), the following described real estate in the County of Cook and State of Illinois, to-wit:

See Exhibit "A", attached hereto and made a part hereof (hereinafter the "Property").

SUBJECT ONLY TO the Permitted Exceptions set forth on Exhibit "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the Property with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

Grantor, for itself and its successors, does covenant, promise and agree with Trustee, his successors and assigns, that Grantor has not done or suffered to be done, anything whereby the Property is in any manner encumbered or charged, except as herein recited, and Grantor, on behalf of itself and its successors, hereby SPECIALLY WARRANTS AND WILL FOREVER DEFEND the title to the Property against all persons lawfully claiming, or to claim, title to the Property by, through, or under Grantor, subject to the matters herein recited.

Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said Property or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide said Property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said Property or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said Property, or any part thereof, to lease said Property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said Property, or any part thereof, for other real or personal Property, to grant easements or charges of any kind,

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to release, convey or assign any right, title or interest in or about or easement appurtenant to said Property or any part thereof, and to deal with said Property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee in relation to said Property, or to whom said Property or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on said Property, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust", or "upon condition", or "with limitations", or words of similar import, in accordance with the statute in such case made and provided.

And the said Grantor hereby expressly waives and releases any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

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Grantor represents that it is not a foreign person for purposes of Section 1445 of the Internal Revenue Code and that its proper name, address and taxpayer identifying number (U. S. Employer number) are as set forth in Exhibit "C", attached hereto and hereby made a part hereof.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereto affixed and has caused its name to be signed to these presents by its Director of Sales and Land Management and attested by its Assistant Secretary, this 27<sup>th</sup> day of November, 19 89.

ATTEST:

SANTA FE PACIFIC REALTY CORPORATION

W. Wright  
W. Wright  
Its Assistant Secretary

J. D. Saunders  
J. D. Saunders  
Director of Sales and Land Management

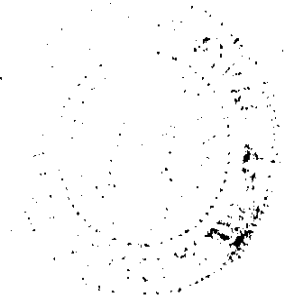
Permanent Real Estate Index Numbers:

18-32-202-024  
13-32-400-013  
~~18-28-103-020~~ 18-28-103-020  
18-28-200-021  
18-28-200-023  
18-28-200-037  
18-22-304-024  
18-22-200-020  
18-15-400-021  
18-22-200-024

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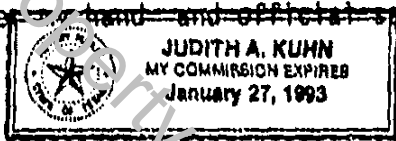
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2005-03-13

STATE OF TEXAS )  
 ) SS.  
COUNTY OF DALLAS )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY THAT T. D. Saunders and W. Wright, personally known to me to be the Director of Sales and Land Management and Assistant Secretary, respectively, of Santa Fe Pacific Realty Corporation, a Delaware 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 Director of Sales and Land Management and Assistant Secretary of said corporation, they have executed the foregoing instrument 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 voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under ~~hand and official seal~~, this 27<sup>th</sup> day of November, 1989.



Judith A. Kuhn  
Notary Public

My Commission expires January 27, 19 93.

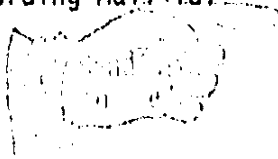
Address of Property:

Property at the intersection of Willow Springs Road and the The Atchison, Topeka and Santa Fe Railway Company Right-of-Way; Properties on or near Santa Fe Drive east of the Tri-State Tollway and west of Interstate 55; and Properties on River Road west of Interstate 55; all in Hodgkins or Willow Springs, Illinois.

Send Subsequent Tax Bills To:

MEH/VAR  
c/o Minard E. Hulse, Esq.  
Keck, Mahin & Cate  
233 South Wacker, 83rd Floor  
Chicago, Illinois 60506

After Recording Mail To:



Minard E. Hulse, Esq.  
Keck, Mahin & Cate  
233 South Wacker, 83rd Floor  
Chicago, Illinois 60606

THIS INSTRUMENT WAS PREPARED BY:

Judith A. Kuhn  
Santa Fe Pacific Realty Corporation  
5429 LBJ Freeway, Suite 600  
Dallas, Texas 75240-2609

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## EXHIBIT "A" THE PROPERTY

### PARCEL ONE

THAT PART OF THE NORTHEAST AND SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 32; THENCE SOUTH ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 32, A DISTANCE OF 14.03 FEET; THENCE SOUTH 39 DEGREES 42 MINUTES 31 SECONDS EAST, 595.52 FEET ALONG THE CENTERLINE OF OLD WILLOW SPRINGS ROAD (WENTWORTH AVENUE); THENCE NORTH 50 DEGREES 17 MINUTES 29 SECONDS EAST 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF OLD WILLOW SPRINGS ROAD; THENCE NORTH 32 DEGREES 00 MINUTES 01 SECONDS EAST 56.88 FEET TO THE POINT OF BEGINNING; THENCE NORTH 32 DEGREES 00 MINUTES 01 SECONDS EAST 834.87 FEET, ALONG A LINE 50 FEET SOUTHEASTERLY OF A JOINT FEE STRIP CONVEYED TO THE CHICAGO & ILLINOIS WESTERN RAILROAD AND COMMONWEALTH EDISON COMPANY PER DOCUMENT NO'S 13840023 AND 13840024; THENCE SOUTH 49 DEGREES 01 MINUTES 16 SECONDS EAST 581.54 FEET, ALONG THE SOUTHWESTERLY LINE OF A PARCEL PER DOCUMENT NO. 44220; THENCE SOUTH 40 DEGREES 58 MINUTES 44 SECONDS WEST 852.03 FEET, ALONG A LINE 50.00 FEET NORTHWESTERLY OF THE CENTERLINE OF THE WESTBOUND MAIN TRACK OF THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY; THENCE NORTH 45 DEGREES 32 MINUTES 53 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF A PARCEL FOR ROADWAY PURPOSES PER DOCUMENT NO. 23255064, A DISTANCE OF 452.08 FEET TO THE POINT OF BEGINNING, CONTAINING 9.9177 ACRES OR 432,017 FEET, MORE OR LESS, IN COOK COUNTY, ILLINOIS.

### PARCEL TWO

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 41 MINUTES 42 SECONDS, EAST, ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 28, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 12 MINUTES 34 SECONDS EAST, ALONG A LINE 33.00 FEET EASTERLY OF THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 663.70 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 40 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 518.02 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF A JOINT FEE STRIP CONVEYED TO CHICAGO AND ILLINOIS WESTERN RAILROAD, AND COMMONWEALTH EDISON COMPANY PER DOCUMENT #13840023 AND #13840024; THENCE SOUTH 37 DEGREES, 31 MINUTES 10 SECONDS WEST, ALONG SAID JOINT FEE STRIP, 833.77 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 28; THENCE NORTH 89 DEGREES 41 MINUTES 42 SECONDS WEST, ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 28, A DISTANCE OF 12.65 FEET TO THE POINT OF BEGINNING, CONTAINING 4.0427 ACRES OR 176,102 SQUARE FEET, MORE OR LESS, IN COOK COUNTY, ILLINOIS.

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## PARCEL THREE

LOT 1 IN THE SANTA FE HODGKINS-WILLOW SPRINGS INDUSTRIAL DISTRICT UNIT SIX BEING A SUBDIVISION IN PARTS OF SECTION 21 AND 28, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

## PARCEL FOUR

LOT 1 AND LOT 2 IN THE SANTA FE HODGKINS WILLOW SPRINGS INDUSTRIAL DISTRICT UNIT EIGHT, EXCEPT THE SOUTHWESTERLY 380.00 FEET (AS MEASURED ALONG THE NORTHWESTERLY LINE OF LOT 2) OF SAID LOT 2, BEING THAT PART DESIGNATED AS LOT 1 IN UNIT NINE, ALL IN SECTIONS 21, 22 AND 28, IN TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 25808034. LOT 1 AND THAT PART OF LOT 2 DESCRIBED HEREIN, TOGETHER AS A TRACT CONTAINING 12.9232 ACRES, MORE OR LESS, IN COOK COUNTY, ILLINOIS.

## PARCEL FIVE

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 22 WITH THE CENTER LINE OF THE WEST BOUND MAIN TRACK OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, SAID POINT OF INTERSECTION BEING 1665.44 FEET EAST FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 33 DEGREES 49 MINUTES 26 SECONDS WEST, ALONG THE CENTER LINE OF SAID WEST BOUND MAIN TRACK A DISTANCE OF 195.04 FEET TO AN INTERSECTION WITH A NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF 67TH STREET, DEDICATED BY DOCUMENT NO. 21332308; THENCE SOUTH 56 DEGREES 05 MINUTES 04 SECONDS EAST, ALONG SAID EXTENSION OF 67TH STREET, 80.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56 DEGREES 05 MINUTES 04 SECONDS EAST, ALONG SAID SOUTHWESTERLY LINE OF 67TH STREET A DISTANCE OF 748.20 FEET TO THE SOUTHEASTERLY LINE (IN THE SOUTHWEST QUARTER OF SAID SECTION 22) OF TRACT 2 OF THE LANDS CONVEYED TO SANTA FE LAND IMPROVEMENT COMPANY BY DEED RECORDED AS DOCUMENT NO. 20562252; THENCE SOUTH 33 DEGREES 38 MINUTES 30 SECONDS WEST, ALONG SAID LAST DESCRIBED LINE A DISTANCE OF 1259.56 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF THE PARCEL OF LAND DESIGNATED "PARCEL NO. SW 4-6.2" IN THE DEED TO THE STATE OF ILLINOIS RECORDED AS DOCUMENT NO. 19179735; THENCE SOUTH 83 DEGREES 00 MINUTES 54 SECONDS WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 693.80 FEET TO A POINT 300.00 FEET, MEASURED ALONG SAID NORTHERLY LINE, EASTERLY FROM THE POINT OF INTERSECTION OF SAID NORTHERLY LINE WITH LINE 80.00 FEET, MEASURED PERPENDICULARLY, SOUTH-EASTERLY FROM AND PARALLEL WITH THE CENTER LINE OF SAID WEST BOUND MAIN TRACK OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY; THENCE NORTH 55 DEGREES 10 MINUTES 56 SECONDS WEST, 227.10 FEET TO A POINT ON SAID LAST DESCRIBED PARALLEL LINE DISTANCE 200.00 FEET, MEASURED ALONG SAID PARALLEL LINE, NORTHEAST FROM THE POINT OF INTERSECTION OF SAID PARALLEL LINE WITH SAID NORTHERLY LINE OF "PARCEL SW 4-6.2"; THENCE NORTH 33 DEGREES 49 MINUTES 26 SECONDS EAST, ALONG SAID PARALLEL LINE A DISTANCE OF 1710.24 FEET TO THE POINT OF BEGINNING, CONTAINING 1,166,929 SQUARE FEET OR 26.7890 ACRES, MORE OR LESS, IN COOK COUNTY, ILLINOIS.

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## PARCEL SIX

LOT 1 IN UNIT FIVE OF THE SANTA FE HODGKINS-WILLOW SPRINGS INDUSTRIAL DISTRICT BEING A SUBDIVISION IN THE NORTH HALF OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS CONTAINING 6.8144 ACRES (296,835.26 SQUARE FEET), MORE OR LESS.

## PARCEL SEVEN

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 15 AND NORTHEAST 1/4 OF SECTION 22 IN TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SOUTHEAST 1/4 OF SECTION 15, THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 15, A DISTANCE OF 1017.74 FEET TO THE POINT OF BEGINNING; THENCE, NORTH 32 DEGREES 04 MINUTES 56 SECONDS EAST ALONG A LINE PARALLEL WITH AND 180 FEET EAST OF THE CENTERLINE OF THE HATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY WEST BOUND MAIN TRACK, 1730.79 FEET; THENCE SOUTH 57 DEGREES 54 MINUTES 56 SECONDS EAST ALONG THE SOUTHERLY LINE OF PROPERTY CONVEYED TO CHICAGO M.S.D., 517.90 FEET; THENCE SOUTH 13 DEGREES 55 MINUTES 15 SECONDS WEST, 312.41 FEET; THENCE ALONG THE NORTHWESTERLY LINE OF A ROADWAY CONVEYED TO CHICAGO M.S.D. BY QUITCLAIM DEED #S-620 AS PARCEL "A" SOUTH 38 DEGREES 52 MINUTES 02 SECONDS WEST, 1086.50 FEET; THENCE SOUTH 30 DEGREES 45 MINUTES 47 SECONDS WEST, 187.07 FEET; THENCE DEPARTING SAID ROADWAY AND CONTINUING ALONG A TRACT CONVEYED TO THE VILLAGE OF HODGKINS, NORTH 62 DEGREES 24 MINUTES 36 SECONDS WEST, 208.28 FEET; THENCE SOUTH 27 DEGREES 36 MINUTES 10 SECONDS WEST, 150.00 FEET; THENCE ALONG THE NORTHERLY LINE OF LAND CONVEYED TO COMMONWEALTH EDISON PER DOCUMENT NO. 16215659, NORTH 62 DEGREES 23 MINUTES 50 SECONDS WEST, 296.19 FEET; THENCE NORTH 32 DEGREES 04 MINUTES 56 SECONDS EAST, 20.98 FEET TO THE POINT OF BEGINNING, CONTAINING 20.8276 ACRES (907,250.26 SQUARE FEET), MORE OR LESS, IN COOK COUNTY, ILLINOIS.

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2. Sign Lease No. IL0310120 dated January 29, 1988 for the placement of a 14 foot by 48 foot double-faced, illuminated signboard at the South West corner of Parcel 2, as disclosed by survey by Albert H. Halff Associates, Inc. dated August 22, 1989, wherein the Santa Fe Land Improvement Company is the Lessor and the National Advertising Company is the Lessee.
3. Right of Natural Gas Pipeline Company, their agents and licensees to maintain the green sign in the Southerly portion of Parcel 2, as disclosed by survey by Albert H. Halff Associates, Inc., dated August 22, 1989.
4. Rights of public or quasi-public utilities in and to the power pole located on the Southerly end of Parcel 2, as disclosed by survey by Albert H. Halff Associates, Inc., dated August 22, 1989.
5. Adverse encroachment of the fence appurtenant to land adjacent to and adjoining the North line of Parcel 2, onto the land, by varying distances of up to 1.0 feet, as disclosed by survey by Albert H. Halff Associates, Inc., dated August 22, 1989.

## PARCEL THREE

1. General taxes for the year 1989 and subsequent years.  
Tax Identification No.: 18-28-200.02 Vol. No.: 083
2. Covenants, conditions and restrictions contained in the Declaration of Restrictions recorded on November 16, 1983 as Document 26864718, re-recorded February 15, 1984 as Document 26969810, and amended by Amendment to Declaration of Protective Covenants recorded April 22, 1987 as Document No. 87213038, relating to use limitations; nuisances; building coverage; setback requirements; parking, loading docks and areas; signs; landscaping; waste containment; storage and screening; construction standards, and the terms and provisions thereof.
3. Easement Agreement made January 6, 1966, by and between The Atchison, Topeka and Santa Fe Railway Company, a corporation of Kansas, Chanslor-Western Oil and Development Company, a Delaware corporation, and the Metropolitan Sanitary District of Greater Chicago, for an intercepting sewer, recorded April 22, 1966 as Document No. 19804322.
4. Grant of Easement from Santa Fe Land Improvement Company, a California corporation, unto the Village of Hodgkins, recorded January 31, 1980 as Document No. 25344925, and as shown on plat of easements recorded as Document 25037445, for the installation, operation, maintenance and renewal of utility facilities, and appurtenances thereto, through, under and across the following described parcels of land: Two strips of parcels of land, each 20 feet in width, and adjoining the Northwestern and Southeastern right-of-way lines, respectively of Santa Fe Drive, as dedicated for public purposes by plat of dedication

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recorded in the recorder's office of Cook County on October 26, 1976, as Document No. 23687489, and extending between the Southerly right-of-way line of the Adlai E. Stevenson Expressway, as defined in deed recorded on July 9, 1964, as Document No. 19179727, and the Southeastern right-of-way line, as conveyed to the Illinois State Toll Highway Commission by instrument recorded as Document No. 17026902.

5. Sign Lease dated November 1, 1985 for the placement of a 20 foot by 60 foot double-faced signboard at the North West corner of Parcel 3, as disclosed by survey by Albert H. Halff Associates, Inc. dated July 14, 1989, wherein the Santa Fe Land Improvement Company is the Lessor and the National Advertising Company is the Lessee.
6. Adverse encroachment of the fence appurtenant to land adjacent to and adjoining the North line of Parcel 3, onto the land, by varying distances of 0.8 feet to 1.4 feet, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 14, 1989.
7. Rights of adjoining owners in and to the uninterrupted flow of the waters of the ditch along the Southwesterly line of Parcel 3, and in and to the 48" corrugated metal pipe, the 12" reinforced concrete pipe and the 72" by 48" corrugated metal pipe, all as disclosed by survey by Albert H. Halff Associates, Inc., dated July 14, 1989.

## PARCEL FOUR

1. General taxes for the year 1989 and subsequent years.  
Tax Identification No.: 18-28-200-023 Vol. No.: 083  
Tan Identification No.: 18-28-200-037 Vol. No.: 083
2. Covenants, conditions and restrictions contained in the Declaration of Restrictions recorded on November 16, 1983 as Document 26864718, re-recorded February 15, 1984 as Document 26969810, and Amended by Amendment to Declaration of Protective Covenant's recorded April 22, 1987 as Document No. 87213038, relating to use limitations; nuisances; building coverage; setback requirements; parking; loading docks and areas; signs; landscaping; waste containment; storage and screening; construction standards, and the terms and provisions thereof.
3. Easement Agreement made January 6, 1966, by and between The Atchison, Topeka and Santa Fe Railway Company, a corporation of Kansas, Chanslor-Western Oil and Development Company, a Delaware corporation, and the Metropolitan Sanitary District of Greater Chicago, for an intercepting sewer, recorded April 22, 1966 as Document No. 19804328.

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4. Grant of Easement from Santa Fe Land Improvement Company, a California corporation, unto the Village of Hodgkins, recorded January 31, 1980 as Document No. 25344925, and as shown on plat of easements recorded as Document 25037445, for the installation, operation, maintenance and renewal of utility facilities, and appurtenances thereto, through, under and across the following described parcels of land: Two strips of parcels of land, each 20 feet in width, and adjoining the Northwestern and Southeastern right-of-way lines, respectively, of Santa Fe Drive, as dedicated for public purposes by plat of dedication recorded in the recorder's office of Cook County on October 26, 1976, as Document No. 23687489, and extending between the Southerly right-of-way line of the Adlai E. Stevenson Expressway, as defined in deed recorded on July 9, 1964, as Document No. 19179727, and the Southeastern right-of-way line, as conveyed to the Illinois State Toll Highway Commission by Instrument recorded as Document No. 17026902.
5. Easement Agreement made March 8, 1982, by and between Santa Fe Land Improvement Company, a California corporation, and the Metropolitan Sanitary District of Greater Chicago, for the perpetual easement, right, privilege and authority to construct, reconstruct, repair, maintain and operate a pump station and deep tunnel storm water storage facility, together with the right of reasonable access, recorded September 7, 1983 as Document No. 26767755.
6. Easement Agreement made March 10, 1959, by and between The Atchison, Topeka and Santa Fe Railway Company, a corporation of Kansas, and the Metropolitan Sanitary District of Greater Chicago, for the perpetual right to construct, reconstruct, repair, maintain and operate an intercepting sewer, recorded March 24, 1959 as Document No. 17488446.  
*(as amended)*
7. Sign Lease dated ~~JUNE 1, 1985~~ / for the placement of a 20 foot by 60 foot double-faced, illuminated signboard at the North line of Parcel 4, as disclosed by survey by Albert H. Halff, Inc., dated July 14, 1989, wherein the Santa Fe Land Improvement Company is the Lessor and the National Advertising Company is the Lessee.
8. Rights of others in and to the uninterrupted flow of the waters of the drainage ditch located on Parcel 4, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 14, 1989. (The flow line of said drainage ditch is located along the common lot line of Lots 1 and 2 in Parcel 4).

## PARCEL FIVE

1. General taxes for the year 1989 and subsequent years.  
Tax Identification No.: 18-22-304-024      Vol. No.: 082

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2. Special Assessment (Docket No. 7 - Hodgkins) for paving, confirmed on December 5, 1988 for \$259,161.99, and reconfirmed on March 13, 1989, payable in 10 annual installments. Volume 429, Page 61.
3. Permanent Easement over, through and under a strip of land 90 feet in width for River Road and related municipal and public utilities, running parallel and adjacent to, and Northwesterly of, the Northwesterly line of the Des Plaines River Diversion Channel, and indicated as "Easement E-2" on the survey by Albert H. Halff Associates, Inc., dated July 10, 1989.
4. Permanent Easement over, through and under a strip of land 50 feet in width for the installation, construction, reconstruction, repair, service, maintenance and operation of municipal utilities, municipal services and public utilities, said strip running parallel and adjacent to, and North of, the Northerly right of way line of the Stevenson Expressway, and indicated as "Easement E-1" and "Easement E-3" on the survey by Albery H. Halff Associates, Inc., Dated July 10, 1989.
5. Rights of Illinois Bell Telephone Company in and to the box on the concrete pad near the Northerly corner of the land, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 10, 1989.
6. Rights of the adjoining owners in and to the uninterrupted flow of the water of the ditch running along the Southerly line of the land, and in and to the corrugated metal pipe connected thereto, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 10, 1989.
7. Rights of the public, the municipality and the State of Illinois in and to that portion of Parcel 5 within the boundary of River Road.
8. Sign Lease dated April 18, 1989 for the placement of a 20 foot by 60 foot double-faced, illuminated signboard at the Southeast end of Parcel 5, as shown on the diagram attached thereto, wherein the Santa Fe Pacific Realty Corporation is the Lessor and the National Advertising Company is the Lessee.
9. Rights of public or quasi-public utilities in and to the storm manhole, I.B.T. box on concrete pad, wood poles and overhead wires located on the Northeast line of the Property, as disclosed by survey by Albery H. Halff Associates, Inc., dated July 10, 1989.
10. Rights of public or quasi-public utilities in and to the wood poles and overhead wires located North of the Southeast line of the Property, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 10, 1989.

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11. Rights of third parties in and to the metal street sign located South of the Northeast line of the Property, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 10, 1989.

## PARCEL SIX

1. General taxes for the year 1989 and subsequent years.  
Tax Identification No.: 18-22-200-020 Vol. No.: 082
2. Covenants, conditions and restrictions contained in the Declaration of Restrictions recorded on November 16, 1983 as Document 26864718, re-recorded February 15, 1984 as Document 26969810, and amended by amendment to Declaration of Protective Covenants recorded April 22, 1987 as Document No. 87213038, relating to use limitations; nuisances; building coverage; setback requirements; parking; loading docks and areas; signs; landscaping; waste containment; storage and screening; construction standards, and the terms and provisions thereof.
3. Grant of Easement from Santa Fe Land Improvement Company, a California corporation, to the Village of Hodgkins, for the installation, operation, maintenance, and renewal of a sanitary sewer line, and appurtenances thereto, recorded January 31, 1980 as Document No. 25344926.
4. Easement Agreement from Santa Fe Pacific Realty Corporation, a Delaware corporation, to Corporate Property Associates 5, a California limited partnership, dated NOVEMBER 28, 1989 recorded November 29, 1989 as Document No. \_\_\_\_\_, for the operation and maintenance of a railroad spur track.
5. Special Assessment (Docket No. 7 - Hodgkins) for paving, confirmed on December 5, 1988 for \$9,567.58, reconfirmed on March 13, 1989, payable in 10 annual installments, Volume 429, Page 60.
6. Adverse encroachment of the fence appurtenant to the land adjacent to and adjoining the Southwesterly line of Parcel 6, over and onto the land, by about 4.50 Feet, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 14, 1989.
7. Adverse encroachment of the fence corner appurtenant to the land adjacent to and adjoining the Northeasterly line of Parcel 6, over and onto the land, by about 0.40 feet, as disclosed by survey by Albert H. Halff Associates, Inc. Dated July 14, 1989.

## PARCEL SEVEN

1. General taxes for the year 1989 and subsequent years.  
Tax Identification No.: 18-15-400-021 Vol. No.: 081  
18-22-200-024 Vol. No.: 082

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2. Document dated June 22, 1973 granting a License by the Santa Fe Land Improvement Company to the Village of Hodgkins to maintain a flood light approximately 70 feet Northeast of the Village's elevated water tank, as disclosed by survey by Albert H. Halff Associates, Inc. dated July 14, 1989, said License terminable at any time by either party upon 30 days' prior written notice.  
*(as amended)*
3. Sign Lease dated December 23, 1970 for the placement of a 20 foot by 80 foot single-faced signboard along the South East line of Parcel 7, as disclosed by survey by Albert H. Halff Associates, Inc. dated July 14, 1989, wherein the Santa Fe Land Improvement Company as the Lessor and the National Advertising Company is the Lessee (known as SFLI No. 1472, L310).  
*(as amended)*
4. Sign Lease dated ~~NOVEMBER 10~~, 1972 for the placement of a 20 foot by 80 foot single-faced signboard along the South East line of Parcel 7, as disclosed by survey by Albert H. Halff Associates, Inc. dated July 14, 1989, wherein the Santa Fe Land Improvement Company is the Lessor and the National Advertising Company is the Lessee (known as SFLI No. 1144, L215).
5. Special Assessment (Docket Number 7 - Hodgkins) for paving was confirmed on December 5, 1988 for \$122,889.12, reconfirmed on March 13, 1989. Payable in 10 annual installments, Volume 429, Page 60.
6. Special Assessment (Docket Number 7 - Hodgkins) for paving was confirmed on December 5, 1988 for \$8,017.17, reconfirmed on March 13, 1989. Payable in 10 annual installments, Volume 429, Page 60.
7. Rights of third parties in and to a concrete pad, 4 feet by 4 feet, and a 5" casing pipe, as disclosed by survey by Albert H. Halff Associates, Inc., dated July 14, 1989.
8. Permanent Easement, right and authority in favor of the Village of Hodgkins, to install, construct, reconstruct, repair, service, maintain and operate municipal utilities, municipal services and public utilities, awarded in case No. 71 CO 471, Village of Hodgkins, a municipal corporation vs. Chanslor-Western Oil & Development Co., a corporation, et al, over, upon and across the following parcel, among others: The southwesterly 20 feet of Parcel 7 as disclosed on the survey by Albert H. Halff Associates, Inc., dated July 14, 1989 (noted therein as "E-6").

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