

UNOFFICIAL COPY

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This Indenture Witnesseth That the Grantor (s) WENDY'S INTERNATIONAL, INC. a Corporation incorporated under the laws of the State of OHIO

of the County of FRANKLIN and State of OHIO for and in consideration of \$10.00 (ten) Dollars,

and other good and valuable considerations in hand, paid, Convey s. warrants Quit-Claim unto HARRIS TRUST AND SAVINGS BANK, 111 West Monroe Street, Chicago, Illinois 60660, a corporation of Illinois, as Trustee under the provisions of a trust agreement dated the 24th day of January 1989, known as Trust Number 94375, the following described real estate in the County of Cook and State of Illinois, to-wit:

Parcel 1: Lots 1 and 25 to 32, both inclusive, in the Subdivision of Blocks 20 and 21 in the Superior Court Commissioner's Partition of the West 1/4 of the Southwest 1/4 of Section 25, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois. 16-25-307-001

Parcel 2: The vacated alley lying West of and adjoining Lot 1, and East of and adjoining Lots 25 and 32, both inclusive, in the Subdivision of Blocks 20 and 21 in the Superior Court Commissioner's Partition of the West 1/4 of the Southwest 1/4 of Section 25, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois. 16-25-307-008

TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth. Warranty is subject to A ch n reverse side

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate, locate, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide any 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 premises 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 lease to commence in present or in future, and upon any terms and for any period or periods of time, not exceeding in the case of any single lease 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, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises 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 do 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 premises, or to whom said premises 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 premises, 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 interfere 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) that the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appraised and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of it, his or their predecessors 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, profits 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, profits 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 or execution or otherwise.

In Witness Whereof, the grantor Wendy's International, Inc. hereunto set its hand and seal this 27th day of January 1989.

Witnessed: Wendy's International, Inc. Wendy's International, Inc. Wendy's International, Inc.

THIS INSTRUMENT WAS PREPARED BY Raymond E. Spahr, Esq. 4266 N. Dublin-Granville Road Dublin, Ohio 43017

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mail to: Leo McElroy 53 W Jackson Chicago Ill. 60604

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BOX 8

TRUST No.

DEED IN TRUST

BENDY'S INTERNATIONAL, INC.

TO

FARMER TRUST AND SAVINGS BANK TRUSTEE

PROPERTY ADDRESS

2801 South Kedzie,
Chicago, Illinois 60648

FARMER TRUST AND SAVINGS BANK

111 West Monroe Street

CHICAGO

Property of Cook County Clerk's Office

Grantor warrants the title only against the claim of every person claiming, through or under Grantor, but not otherwise and subject to: (1) zoning ord-
inances, legal highways, restrictions, reservations and easements of record
and/or utility; and to (2) real property taxes and assessments for the current
year. Grantor does not warrant either expressly or impliedly the conditions
or fitness of the real estate conveyed hereunder, and such warranty being
hereby expressly negated. Grantee by acceptance hereof ~~acknowledges~~ ~~acknowledges~~
and is in all respects satisfied therewith and accepts the same "AS IS"

STATE OF ILLINOIS DEPT OF REVENUE REAL ESTATE TRANSFER TAX \$85.00
Cook County REAL ESTATE TRANSACTION TAX \$85.00

A Notary Public, in and for said County, in the State aforesaid, do hereby certify that:
who _____
personally known to me, to be the same person, whose name _____
the foregoing instrument appeared before me this day in person, and acknowledged that
signed, sealed and delivered the said instrument as
the said voluntary act, for the name and purpose therein set forth, including the release
and waiver of the right of homestead.
GIVEN under my hand and Notarial Seal this _____ day
of _____ 19____

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STATE OF OHIO
COUNTY OF FRANKLIN, SS:

The undersigned, a Notary Public in and for the above state and county, hereby certifies that on the 27th day of January, 1988, before me personally appeared

RONALD E. WALLACE and THOMAS C. COZLAND, III, the
Vice President Site Acquiring and Executive Vice President

respectively of WENDY'S INTERNATIONAL, INC., an Ohio corporation, who were known to me as the persons and officers described in and who executed the foregoing instrument on behalf of said corporation, and who acknowledged that they held the position or title set forth in the instrument and certificate, they signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last aforesaid.

(SEAL)

Nancy Madland
Notary Public

NANCY LEE MADLAND
Notary Public
My Commission Expires 11/1/89

DEPT-01 \$13.25
141111 TRAM 2350 02/01/89 09:05:00
#3339 # A #-89-049909
COOK COUNTY RECORDER

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