

91485978

The above space for recorder's use only

THIS INDENTURE made this 1st day of September, 1991 between HARRIS BANK BARRINGTON, NATIONAL ASSOCIATION, as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said company in pursuance of a trust agreement dated the 15th day of April, 1969, and known as Trust Number 398 party of the first part, and - - - - - VILLAGE OF HOFFMAN ESTATES, an Illinois home

rule municipal corporation - - - - - party of the second part.

WITNESSETH, That said party of the first, in consideration of the sum of - - - - - TEN AND NO/100 (\$10.00) - - - - - DOLLARS,

and other good and valuable considerations in hand paid does hereby convey and quit claim unto said party of the second part, the following described real estate, situated in Cook County, Illinois, to-wit:

The South 75.00 feet of the West 211.00 feet of the East 370.75 feet of the North East Quarter of the Southwest Quarter of Section 31, Township 42 North, Range 9 East of the Third Principal Meridian.

TOGETHER WITH

The North 10 rods (165.00 feet) of the West 211.00 feet of the East 370.75 feet of the Southeast Quarter of the Southwest Quarter of Section 31, Township 42 North, Range 9 East of the Third Principal Meridian all in Cook County, Illinois

PIN: 01-31-400-001, 01-31-302-001, 01-31-301-001

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ADDRESS OF GRANTEE:

1200 North Gannon Drive, Hoffman Estates, IL 60195

TO HAVE AND TO HOLD the same unto said party of the second part, and to the poster use, benefit and behoof forever of said party of the second part.

SUBJECT TO: Conditions, covenants, restrictions, easements, general real estate taxes for the year 1990 and subsequent years and all other matters of record, and attached Exhibit A - "Permitted Exceptions and Deed Restrictions."

DEPT-01 RECORDING \$15.29
T93333 TRAN 0105 09/18/91 \$6149100
\$4246 \$ *-91-488978

COOK COUNTY RECORDER

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement aforesaid. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereunto affixed, and has caused its name to be signed to these presents by its Land Trust Officer, as attested by its Trust Officer, on the day and year first above written.

HARRIS BANK BARRINGTON, NATIONAL ASSOCIATION, As Trustee as aforesaid.

HIS INSTRUMENT WAS PREPARED BY

MARGARET W. DUNOOLY

HARRIS BANK BARRINGTON, N.A.

201 S. GAY ST.

BARRINGTON, ILLINOIS 60010

By Margaret W. Dunooly, Land Trust Officer

Attest Gerald A. [Signature]

the undersigned

COUNTY OF Cook }
STATE OF ILLINOIS }

a Notary Public in and for said County, in the State of Illinois, DO HEREBY CERTIFY THAT

Margaret W. Dunooly, Land Trust Officer

HARRIS BANK BARRINGTON, NATIONAL ASSOCIATION,

Gerald A. [Signature]

of said bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such, and who respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said bank, for the uses and purposes therein set forth, and the said [Signature] did also then and there acknowledge that said [Signature] as custodian of the corporate seal of said bank, did affix the said corporate seal of said bank to said instrument as said [Signature] own free and voluntary act, and as the free and voluntary act of said bank, for the uses and purposes therein set forth.

Even under my hand and Notarial Seal this 1st day of September, 1991

Notary Public [Signature]

"OFFICIAL SEAL"
LIZ SEKLECKI
Notary Public, State of Illinois
My Commission Expires 6/6/95

2 of 3 Documents (GIG) - Order No. H449-3686 (CLTIC)

Exempt under provisions of Paragraph Section 4, Real Estate Transfer Tax Act.
Date Buyer, Seller or Representative

VILLAGE OF HOFFMAN ESTATES
REAL ESTATE TRANSFER TAX
4889 exempt

NAME Richard N. Williams, Esq.,
CORPORATE COUNSEL,
VILLAGE OF HOFFMAN ESTATES,
1200 North Gannon Drive,
Hoffman Estates, Illinois 60195

FOR INFORMATION ONLY
INSERT STREET ADDRESS OF ABOVE
DESCRIBED PROPERTY HERE

Vacant

INSTRUCTIONS OR
RECORDER'S OFFICE BOX NUMBER

1529

UNOFFICIAL COPY

9 1 4 6 5 9 7 8

DEED RESTRICTIONS ATTACHED TO AND MADE A PART OF THAT CERTAIN TRUSTEE'S DEED DATED September 1, 1991, BETWEEN HARRIS BANK BARRINGTON, N.A., AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 15, 1969, AND KNOWN AS TRUST NO. 398, AS PARTY OF THE FIRST PART, AND THE VILLAGE OF HOFFMAN ESTATES, AS PARTY OF THE SECOND PART

The parties hereto acknowledge that pursuant to that certain Annexation and Development Agreement (the "Annexation Agreement") dated July 31, 1990, by and among the Village of Hoffman Estates (the "Village"), American National Bank and Trust Company of Chicago, as Trustee under Trust No. 108506-00 ("ANB Trustee"), and Sears, Roebuck and Co. ("Sears"), the Village is obligated to construct and operate a water storage tank (the "Water Tank") on the property conveyed hereby, all as more specifically set forth in the Annexation Agreement. The Village further acknowledges that the construction and operation of the Water Tank on the property conveyed hereby is a material inducement for the party of the first part to convey the property conveyed hereby to the Village. The Village hereby agrees that it shall only use the property conveyed hereby for the purposes of constructing and operating the Water Tank thereon (the "Use Restriction"). The Village further agrees that the Village shall use the property conveyed hereby solely for the purposes of constructing and operating the Water Tank in accordance with the terms and conditions of the Annexation Agreement and that in the event at any time before September 10, 2012, the Village ceases to so use the property conveyed hereby the Village shall, at the option of Sears, reconvey the property conveyed hereby to Sears, or its nominee. If the property conveyed hereby is so conveyed to Sears, or its nominee, the Use Restriction shall terminate as of the date of conveyance. Failure by the Village to so use the property conveyed hereby for Water Tank purposes shall in addition entitle ANB Trustee and Sears to all of their rights and remedies at law or in equity against the Village.

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Property of Cook County Clerk's Office

PERMITTED EXCEPTIONS

(Harris Deed)

1. General Real Estate Taxes on the land for the years 1991 and subsequent years.
2. Rights of way for drainage tiles, ditches, feeders and laterals, if any.
3. Right of way grant from John A. Polivka and Louise Polivka, his wife, to Badger Pipe Line Company, to construct, operate and maintain a pipeline for the transmission of petroleum products, water and other substances, and for access thereto, as recorded May 14, 1954 as Document Number 15922552.
4. Forty-nine point five (49.5) foot easement to Badger Pipeline Company, through the South 49.5 feet of Parcel 1, as shown on survey aforesaid.
5. Rights of the public, the municipality, and the State of Illinois, in and to that part, if any, of the land, taken or used for road, highway, or toll road purposes.

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AFFIDAVIT - FLAT ACT

STATE OF ILLINOIS }
COUNTY OF COOK } SS

William J. Sullivan, residing at 110 No. Riverside Avenue, Chicago, Ill., being duly sworn on oath, states that the attached deed is not in violation of Section I of Chapter 109 of the Illinois Revised Statutes for one or more of the following reasons:

1. The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of land is 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 is 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 is between owners of adjoining and contiguous land.
5. The conveyance is 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 is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or other public purpose 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. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than 5 acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configuration of said larger tract on October 1, 1973, and no sales, prior to this sale, of any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

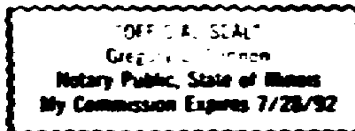
[CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.]

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, and that all local requirements applicable to the subdivision of land are met by the attached deed and the tract described therein.

SUBSCRIBED and SWORN to before me this 12th day of September, A.D. 1991.

Gregory L. Gannon
Notary Public

My Commission expires: _____



THIS INSTRUMENT PREPARED BY: