

UNOFFICIAL COPY

93513151

SPECIAL WARRANTY DEED

THE STATE OF COLORADO
COUNTY OF ARAPAHOE

§
§
§

KNOW ALL PERSONS BY THESE PRESENTS:

That GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY, a Colorado corporation (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor paid by ERLING EIDE, whose mailing address is c/o Interline, 3830 Cypress Drive, Petaluna, California 94954 (hereinafter referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee all of (i) the tracts or parcels of land in Cook County, Illinois commonly known as the Village Green Shopping Center, 14812-14850 South LaGrange Road, Orland Park, Illinois and legally described on Exhibit "A" hereto, together with all of Seller's right, title and interest in and to: adjacent streets, alleys, rights-of-way and any strips or gores of real estate adjoining the land (collectively the "Land"); (ii) all improvements located on the Land (the "Improvements"); and (iii) all rights, titles and interests appurtenant to the Land and Improvements ("Appurtenances"); (herein the Land, Improvements, Rights and Appurtenances are collectively referred to as the "Property").

This conveyance is made by Grantor and accepted by Grantee subject only to the matters listed on Exhibit "B" attached hereto and incorporated herein for all purposes, but only to the extent that the same are currently valid and enforceable against the Property.

TO HAVE AND TO HOLD the Property, subject to the matters herein set forth, together with all and singular the rights and appurtenances thereto in anyway belonging, unto Grantee, its successors, legal representatives and assigns FOREVER; and Grantor does hereby bind itself, and its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED this 23rd day of June, 1993.

DEPT-01 RECORDING \$39.50
160000 TRAM 2339 07/02/93 15:49:00
#8673 * -93-513151

GRANTOR: COOK COUNTY RECORDER

GREAT-WEST LIFE & ANNUITY
INSURANCE COMPANY, a Colorado
corporation

By: W A Pauley
Name: W A Pauley
Title: ASSISTANT VICE PRESIDENT, OPERATIONS
of GWL Properties Inc.,
authorized signatory

By: James F. Swan
Name: JAMES F. SWAN
Title: VICE PRESIDENT, FINANCE
of GWL Properties Inc.,
authorized signatory

3950
X

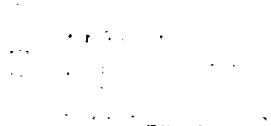
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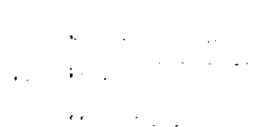
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
[Illegible text]



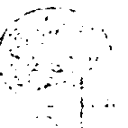
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STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
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STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
[Illegible text]



[Illegible text]

Property of Cook County Clerk's Office

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151C1536

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THE STATE OF COLORADO

COUNTY OF ARAPAHOE

This instrument was acknowledged before me on 23 RD OF JUNE
19 93 by W. R. BAILEY, Assistant Vice President, Operations
of GWL Properties Inc., authorized signatory for GREAT-WEST LIFE
& ANNUITY INSURANCE COMPANY, a Colorado corporation.

[Signature]
Notary public in and for the
State of Colorado

Julie Zamagni
Notary's Name Printed

THE STATE OF COLORADO

COUNTY OF ARAPAHOE

This instrument was acknowledged before me on 23 RD OF JUNE
19 93 by JAMES F. LAVAN, Vice President, Finance
of GWL Properties Inc., authorized signatory for GREAT-WEST LIFE
& ANNUITY INSURANCE COMPANY, a Colorado corporation.

[Signature]
Notary public in and for the
State of Colorado

Julie Zamagni
Notary's Name Printed

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EXHIBIT "A"

PARCEL 1:

Lot 1 in The Village Green Subdivision, being a subdivision of part of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded November 1, 1988 as Document Number 88504250 and filed March 8, 1991 as Document Number LR 3948254, in Cook County, Illinois.

PARCEL 2:

A non-exclusive easement appurtenant to and for the benefit of Parcel 1 for vehicular ingress and egress on, over and across the following described easement parcel:

A part of Lot 1 in Village Center Subdivision, a part of the West 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, and part of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, more particularly described as follows:

Commencing at the Northeast corner of the South 1/2 of the North 1/2 of the West 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian; thence South 89 degrees 38 minutes 50 seconds East 33.00 feet; thence South 0 degrees 00 minutes 00 seconds East 28.36 feet to the point of beginning; thence South 0 degrees 00 minutes 00 seconds East 48.00 feet; thence Westerly along a curve convex to the South with a long chord of North 74 degrees 45 minutes 36 seconds West 159.29 feet, radius 302.99 feet, arc 161.15 feet; thence North 30 degrees 28 minutes 47 seconds East 48.00 feet; thence Easterly along a curve convex to the South with a long chord of South 74 degrees 45 minutes 37 seconds East 134.05 feet, radius 254.99 feet, arc 135.65 feet to the point of beginning, as granted by and set forth in the Access Easement Agreement by and between the Village of Orland Park, an Illinois home rule municipal corporation, and American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated September 21, 1987 and known as Trust No. 103503-04, dated March 8, 1991 and recorded March 11, 1991 as Document Number 91109067 and filed with the Registrar of Titles of Cook County, Illinois on March 11, 1991 as Document Number LR 3948604.

Commonly known as: 14812 - 14850 S. LaGrange Road
Orland Park, Illinois

Permanent Index No.: 27-09-401-027-0000

93512151

**THIS INSTRUMENT WAS PREPARED BY AND
AFTER RECORDING RETURN TO:
FISCHER, KENDLE & WAHLERS
221 N. LaSalle Street - Suite 3410
Chicago, Illinois 60601
Attn: John L. Wahlers, Esq.**



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EXHIBIT B PERMITTED ENCUMBRANCES

1. General taxes for the year 1992 and subsequent years.

Permanent Tax Number: 27-09-401-027, Volume 146

(Affects Parcel 1 of the land except those parts thereof falling in 96th Avenue and dedicated for W. 149th Street - Affects Lot 1 in The Village Green Subdivision)

NOTE: The first (estimated) installment of 1992 taxes in the amount of \$122,693.74 has been paid.

NOTE: The second installment of 1992 taxes is not yet due and payable.

NOTE: Taxes for the year(s) 1993 are not yet due and payable.

2. Easements for public utilities and drainage, to install, construct, establish, operate and maintain water mains, fire hydrants, valves and water service facilities, sanitary sewer pipes, manholes and sewer connections and facilities and storm sewer pipes and storm sewer service connections and facilities, in, on, over, upon, through, across or under the North 10 feet of the land, as created and granted by Easement filed as Document Number LR 2496492; and also as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88504250 filed March 8, 1991 as Document Number LR 3948254.

3. Easement for storm water ditch over and upon the following described property, as granted by Storm Water Ditch Easement filed as Document Number LR 3386554, and also as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88504250 filed March 8, 1991 as Document Number LR 3948254:

A 20 foot wide strip of land that is legally described as being that part of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: Commencing at the Southeast corner of the said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9 and running thence South 89 degrees 45 minutes 41 seconds West, a distance of 282.50 feet to a point; thence North 0 degrees 15 minutes 10 seconds West, a distance of 40.0 feet to a point of beginning; thence continuing along the last described course, a distance of 195.00 feet to a point; thence South 89 degrees 45 minutes 41 seconds West, a distance of 20.0 feet to a point; thence South 0 degrees 15 minutes 10 seconds East, a distance of 195.0 feet to a point; thence North 89 degrees 45 minutes 41 seconds East, a distance of 20.0 feet to the place of beginning.

3386553

4. Easement for storm water ditch and storm water drainage and outfall over and upon the following described property, as granted by Storm Water Ditch Easement filed as Document Number LR 3386553, and also as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88504250 filed March 8, 1991 as Document Number LR 3948254:

(continued)

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EXHIBIT B PERMITTED ENCUMBRANCES CONTINUED

A 20 foot wide strip of land that is legally described as being that part of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: Commencing at the Southeast corner of the said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9 and running thence North 0 degrees 1 minutes 10 seconds West along the East line of the Southeast 1/4 of Section 9 aforesaid, a distance of 215.0 feet to a point; thence South 89 degrees 45 minutes 41 seconds West a distance of 120.37 feet to the point of beginning; thence continuing along the last described course, a distance of 148.0 feet to a point; thence North 0 degrees 15 minutes 10 seconds West a distance of 20.0 feet to a point; thence North 89 degrees 45 minutes 41 seconds East a distance of 148.0 feet to a point; thence South 0 degrees 15 minutes 10 seconds East, a distance of 20.0 feet to the point of beginning.

5. Storm sewer easement for water drainage and outfall over, under and across the following described property, as granted by Storm Sewer Easement filed as Document Number LR 3342408, and also as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88564750 filed March 8, 1991 and Document Number LR 3948254:

A 20 foot wide strip of land that is legally described as being that part of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: Commencing at the Southeast corner of said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9 and running thence South 89 degrees 45 minutes 41 seconds West along the South line of said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9 a distance of 282.50 feet to a point; thence North 0 degrees 15 minutes 10 seconds West, a distance of 215.0 feet to the point of beginning; thence South 89 degrees 45 minutes 41 seconds West, a distance of 5.0 feet to a point; thence North 0 degrees 15 minutes 10 seconds West along a straight line to a point on the North line of said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9 that is 290.20 feet West of the East line of said Southeast 1/4 of Section 9, thence Easterly along said North line of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, a distance of 20.0 feet to a point; thence South 0 degrees 15 minutes 10 seconds East along a straight line to a point that is 215.0 feet North of the South line of said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9; thence South 89 degrees 45 minutes 41 seconds West, a distance of 15.0 feet to the point of beginning, all in Cook County, Illinois; AND, A 20 foot wide strip of land that is legally described as being the North 20.0 feet (except the West 33.0 feet thereof) and (except the East 290.14 feet thereof) of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

(continued)

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EXHIBIT B PERMITTED ENCUMBRANCES CONTINUED

6. Easement for driveway and roadway and curb cut over, under and across the following described property, as granted by Easement filed as Document Number LR 3342809, and also as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88504250 filed March 8, 1991 as Document Number LR 3948254:

That part of the South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, Township 36 North, Range 12 East of the Third Principal Meridian, bounded and described as follows: Commencing at the Southeast corner of said South 1/2 of the North 1/2 of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 9, and running thence North 0 degrees 01 minutes 10 seconds West along the East line of said South East 1/4 of Section 9, a distance of 215.0 feet to the point of beginning; thence continuing along the last described course, a distance of 58.60 feet to a point; thence South 89 degrees 45 minutes 41 seconds West a distance of 58.60 feet to a point on the West right of way line of La Grange Road (according to Document Number 10123561); thence South 0 degrees 15 minutes 10 seconds East along said West right of way line, a distance of 15.0 feet to a point; thence South 89 degrees 45 minutes 41 seconds West, a distance of 67.0 feet to a point; thence South 0 degrees 15 minutes 10 seconds East, a distance of 43.0 feet to a point; thence North 89 degrees 45 minutes 41 seconds East, a distance of 120.37 feet to the point of beginning.

7. Easement Agreement dated March 30, 1987 filed June 26, 1987 as Document Number LR 3629824, granting to Commonwealth Edison Company and Illinois Bell Telephone Company, and their successors and assigns, for public utility purposes to install, construct, operate, maintain, repair, renew, replace and remove their respective electric and communications facilities, together with rights of access thereto in and upon those portions of the land as shown on Exhibit 'A' attached thereto.

8. A 10 ft. water main easement, over 10 ft. wide strips over, across and through the land, as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88504250 filed March 8, 1991 as Document Number LR 3948254.

9. A 15 ft. ingress-egress easement to the Village of Orland Park, over the Northerly 15 feet of the land, as shown on plat of subdivision of The Village Green Subdivision aforesaid recorded November 1, 1988 as Document Number 88504250 filed March 8, 1991 as Document Number LR 3948254.

10. Terms, provisions, conditions and limitations contained in the Access Easement Agreement recorded as Document Number 91109067 and filed as Document Number LR 3948604 creating the easement described and referred to herein as Parcel 2.

11. Rights of adjoining owner or owners and others thereto entitled in and to the concurrent use of the easement described and referred to herein as Parcel 2.

(continued)

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EXHIBIT B PERMITTED ENCUMBRANCES CONTINUED

12. Terms, provisions and conditions contained in existing unrecorded leases with the following named tenants shown below as lessees, and all rights thereunder of and all acts done or suffered thereunder by said lessees or any parties claiming by, through or under said lessees:

Tenants
Coldwell Banker Residential Real Estate, Inc.
Gary Abraham

Property of Cook County Clerk's Office

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Great-West

LIFE & ANNUITY INSURANCE COMPANY

8515 East Orchard Road
Englewood, CO 80111 Tel: (303) 689-3000
Address mail to: P.O. Box 1700, Denver, CO 80201

CERTIFICATION

This will certify that the following is a true and correct copy of the General Properties Resolution - United States Real Estate which was duly adopted by the Board of Directors of Great-West Life & Annuity Insurance Company on November 20, 1991 at a meeting properly constituted for that purpose:

RESOLVED, that effective January 1, 1992, any one of the President and Chief Executive Officer, or the Senior Vice-President, Chief Investment Officer, or the Vice-President, Investment Operations, or any two of the following officers of GWL PROPERTIES INC., the President, or the Vice-President, Finance, acting jointly with any one of the following named individuals: Eric Bell, William R. Bailey, or George C. Woolley, he and they are hereby authorized and empowered, for and on behalf of the Company, with respect to the Company's Real Estate Assets situate within the United States,

- (a) to acquire by purchase, exchange, lease, foreclosure or deed in lieu thereof, or otherwise, any and all real property and leaseholds, estates therein, improvements thereon and appurtenances thereto, including chattels, personalty and rights both real and personal, or any loans or other interest secured by the foregoing (collectively "Real Estate Assets");
- (b) to develop, improve, repair, lease, sell or otherwise deal with or dispose of any such Real Estate Assets;
- (c) with respect to any such Real Estate Assets, to grant extension, renewal, discharge, release, mainlevée and acquittance, in whole or in part, of any hypothec, privilege, mortgage, or other security or covenant which the Company may hold, with or without payment or consideration; and to waive past due or accrued interest, and to vary the rate of interest, the maturity date, and the period of amortization or any other term or condition in connection with any such hypothec, privilege, mortgage or other security; and to vary the terms and conditions of any contract, lease or agreement entered into by the Company pursuant to this resolution;
- (d) to make, enter into, execute, sign, seal and deliver any or all documents or instruments in writing, that may be required for the purposes aforesaid;
- (e) to delegate the authority and power hereinbefore granted to such officer or officers, person or persons as they may select; to limit in any manner and terminate at any time the authority and power so delegated; and to make and execute all mandates, powers of attorney and such other instruments as may be required to effect such delegation.

(SEAL)

GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY


Michael J. Polakovic
Assistant Vice President and Associate Counsel

Dated at Englewood, Colorado
this 3rd day of February, 1993

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GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY

GENERAL PROPERTIES RESOLUTION - UNITED STATES REAL ESTATE DELEGATION NO. 1

Pursuant to the General Properties Resolution - United States Real Estate approved by the Board of Directors of GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY dated November 20, 1991, and effective January 1, 1992, GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY, by the Vice President, Finance, GWL PROPERTIES INC and George C. Woolley, hereby authorizes any two (2) of the following officers of GWL PROPERTIES INC, the President, the Vice President, Finance, the Vice President, Operations, the Assistant Vice President, Operations, the Vice President, Legal, the Manager, Real Estate and Mortgages, acting jointly, or any one of the foregoing acting jointly with W. John Hare for and on behalf of the Company:

- a. to acquire by purchase, exchange, lease, foreclosure or deed in lieu thereof, or otherwise, any and all real property and leaseholds, estates therein, improvements thereon and appurtenances thereto, including chattels, personalty and rights both real and personal, or any loans or other interest secured by the foregoing (collectively "Real Estate Assets");
- b. to develop, improve, repair, lease, sell or otherwise deal with or dispose of any such Real Estate Assets;
- c. with respect to any such Real Estate Assets, to grant extension, renewal, discharge, release, mainlevée and acquittance, in whole or in part, or any hypothec, privilege, mortgage, or other security or covenant which the Company may hold, with or without payment or consideration; and to waive past due or accrued interest, and to vary rate of interest, the maturity date, and the period of amortization or any other term or condition in connection with any such hypothec, privilege, mortgage or other security; and to vary the terms and conditions of any contract, lease or agreement entered into by the Company pursuant to this Delegation No. 1 or the aforesaid General Properties Resolution - United States Real Estate;
- d. to make, enter into, execute, sign, seal and deliver any or all documents or instruments in writing, that may be required for the purposes aforesaid;

That this Delegation No. 1 supersedes and replaces any and all other Delegations No. 1 adopted pursuant to the aforesaid General Properties Resolution - United States Real Estate.

GREAT-WEST LIFE & ANNUITY
INSURANCE COMPANY

By:

James F. Lavan
James F. Lavan, V.P., Finance
GWL Properties Inc

By:

George C. Woolley
George C. Woolley, V.P., Legal
GWL Properties Inc

Effective date - January 1, 1992

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GWL PROPERTIES INC

G-105

INCUMBENCY CERTIFICATE

This will certify that the names of persons whose titles appear below are officer of *GWL Properties Inc.*

David Thomson, President

James F. Lavan, Vice President, Finance

Eric Bell, Vice President, Operations

William R. Bailey, Assistant Vice President, Operations

George C. Woolley, Vice President, Legal

Robert F. Mooly, Manager, Real Estate and Mortgages

GWL PROPERTIES INC

By: *[Signature]*
George C. Woolley,
Vice President, Legal

Dated at Englewood, Colorado
this *23rd* day of *April*, 1993.

STATE OF COLORADO)
)ss.
COUNTY OF ARAPAHOE)

This instrument was acknowledged before me this *23rd* day of *April*, 1993, by *George C. Woolley, Vice President, Legal* *GWL Properties Inc.*

[Signature]
Notary Public in and for the State of Colorado
Julie Zamagni
My Commission Expires: August 5, 1995

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