

93974475

CORPORATION LIMITED WARRANTY DEED

AND
BILL OF SALE

DEPT-01 RECORDING \$27.50
T43335 TRAN 7815 11/30/93 15:39:00
43976 * -93-974475
COOK COUNTY RECORDER

Document No. _____ filed for Record in Recorder's office of _____ County, Illinois
_____ at _____ o'clock _____ M.

CORPORATION LIMITED WARRANTY DEED _____ Recorder of Deeds.

THIS INDENTURE WITNESSETH, That the Grantor, AMERICA'S FAVORITE CHICKEN COMPANY, successor by merger to Al Copeland Enterprises, Inc., f/k/a Church's Fried Chicken, Inc. ("Grantor"), a corporation duly organized and existing under and by virtue of the laws of the State of Minnesota, for and in consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, and pursuant to authority given by the Board of Directors of said corporation, GRANTS, BARGAINS AND SELLS to MARWAN ABU-REZEQ and RIZEG ABU-RIZEG, individuals (collectively, "Grantee"), whose address is 2318 South Austin, Cicero, Illinois 60650, the real estate described in Exhibit "A" attached hereto and made a part hereof (together with all improvements thereon and appurtenances thereto, the "Premises").

Grantee agrees to accept said Premises that are included in this sale "as is, where is, what is" and with all faults.

Grantee has investigated and has knowledge of (a) operative or proposed governmental laws, ordinances, regulations and related matters, including, without limitation, zoning, environmental, and land use laws, ordinances, regulations and related matters, to which the Premises are or may be subject, (b) the physical and environmental condition of the Premises, and (c) the value and fitness for intended use of the Premises (the foregoing matters in clauses (a), (b), and (c) are hereinafter collectively called the "Conditions"), and Grantee is accepting the Premises upon the basis of its own investigation, review and determination of these Conditions. Grantee assumes the risk that its investigation of the Conditions may not have revealed any or all of the Conditions to have been adverse to it, or to the Premises.

Grantee agrees to indemnify and hold harmless Grantor from and against any and all claims, actions, causes of action, demands, rights, costs, expenses or compensation whatsoever, direct or indirect, known or unknown, foreseen or unforeseen, arising in any way out of the Conditions being adverse to the Grantee, or to the Premises.

Grantee acknowledges that Grantor, its shareholders, directors, officers, employees, agents, and any others acting on behalf of the Grantor, have made no representations or warranty of any kind in connection with the Conditions upon which Grantee has relied, either directly or indirectly, for any purpose, Grantee instead relying solely on its own investigation, review and determination of the Conditions. Grantee hereby waives and releases Grantor from any and all claims, actions, causes of action, demands, rights, damages, costs, expenses or compensation whatsoever, direct or indirect, known or unknown, foreseen or unforeseen, which Grantee now has or which may arise in the future on account of, or in any way growing out of, or connected with, the Conditions.

FIRST AMERICAN TITLE INSURANCE # C69988 1/1 du 12

93974475

2750

UNOFFICIAL COPY

Grantee agrees to indemnify and hold harmless Grantor from and against any and all damage or loss to persons or property caused by, or arising in any way from, any engineering study, survey, testing, or any other form of investigation whatsoever, of the Premises, by or on behalf of Grantor.

The Premises are being conveyed subject to a restrictive covenant restricting for twenty-five (25) years from and after the date of this deed (or, if applicable law will not permit a restrictive covenant against the land for this duration, then this covenant shall last for as long as permitted by such law) its use as a fast food restaurant in which total annual sales of "bone-in" fried chicken exceed ten percent (10%) of the gross annual sales; and subject to all restrictions, encumbrances, easements, covenants and conditions and matters of record, if any, relating to the hereinabove described Premises as the same are filed for record in the official records of Cook County, Illinois.

Grantor for valuable consideration, hereby sells, conveys and aliens to the Grantee all furniture, fixtures, equipment and other personal property, but expressly excluding any proprietary marks, located on the Premises (collectively, the "Personalty"). Grantee accepts the Personalty "as is, where is, what is." GRANTOR MAKES NO REPRESENTATIONS AS TO THE WHEREABOUTS, SERVICEABILITY OR FUNCTIONALITY OF THE PERSONALTY, AND THE SAME ARE ACCEPTED BY GRANTEE WITHOUT ANY EXPRESS OR IMPLIED WARRANTY WHATSOEVER. Grantee hereby waives any claims and causes of action it may have against the Grantor regarding the Personalty, and Grantee agrees to hold Grantor blameless and harmless and to fully indemnify Grantor from and against any and all claims, causes of action, costs, loss or damage, arising in any way from their taking delivery, ownership, use, maintenance, or resale, of said Personalty, whether same are brought by Grantee or anyone claiming by or through Grantee, or by third parties. Grantor does not warrant that the Personalty will be on the Premises coincident with delivery of this deed, but only that Grantor has not removed it.

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 Executive Vice President and attested by its Assistant Secretary, this 12th day of November, 1993.

AMERICA'S FAVORITE CHICKEN COMPANY

BY: Kamal M. Nassar

KAMAL M. NASSAR

EXECUTIVE VICE PRESIDENT

ATTEST:

BY: William H. Mathieu

WILLIAM H. MATHIEU
ASSISTANT SECRETARY

93974473
L.S. [Signature]
Date 11-11-93

UNOFFICIAL COPY

CORPORATE ACKNOWLEDGEMENT

STATE OF GEORGIA
COUNTY OF FULTON

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, **DO HEREBY CERTIFY THAT** Kamal M. Nassar, personally known to me to be the Executive Vice President of the Corporation who is the Grantor, and William H. Mathieu personally known to me to be the Assistant Secretary of said 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 Executive Vice President and Assistant Secretary, they signed and delivered the said instrument as Executive Vice President and Assistant Secretary of said corporation, 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 my hand and Notarial Seal this 12th day of November, 1993.

Charles E. Pate
Notary Public

Notary Public, State of Georgia
My commission expires after 11/11/99

Future Taxes to Grantee's Address

Return this document to: Grantee

This Instrument was Prepared by:

America's Favorite Chicken Company
Legal Department
Six Concourse Parkway, Suite 1700
Atlanta, Georgia 30328-5352



NO 7742



MARTIN J DRECKEN
2528 SO. AUSTIN BLVD.
CIBOLA, TX 76105

UNOFFICIAL COPY

AMERICA'S FAVORITE CHICKEN COMPANY EXHIBIT "A"

Property located at 8051 South Racine, Chicago, Illinois, ⁶⁰⁶²⁰ more particularly described as follows:

Lots 19, 20, 21 and 22 in Block 5 in Hansen and Raymond's Subdivision of Blocks 3, 5 and 6 in High Ridge Addition to Auburn, being a Subdivision of the Northwest 1/4 of the Northeast 1/4 of Section 32, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIA 20-32-208-043

Property located at 120 W. 154th, Harvey, Illinois, ⁶⁰⁴²⁶ more particularly described as follows:

Lots 7, 8, 9 and 10 in Block 15 in Harvey Residence Subdivision, a Subdivision of the West 1/2 of the Northeast 1/4 of Section 18, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIA 29-18-226-043

Property located at 6301 South Woodlawn, Chicago, Illinois, ⁶⁰⁶³⁷ more particularly described as follows:

Lot 6 (Except the South 65 feet thereof and Lot 7 (Except the South 65 feet thereof) in Block 3 in Waite and Bowen's Subdivision of that part of the West half of the Northeast Quarter of Section 23, Township 38 North, Range 14, East of the Third Principal Meridian, lying West of the Illinois Central Railroad, in Cook County, Illinois.

PIA 20-23-200-036

93974475

COOK COUNTY CLERK'S OFFICE
RECEIVED
NOV 30 1983
\$15.00

120000
COOK COUNTY
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
NOV 30 1983
DEPT OF REVENUE
\$02.50

COOK COUNTY CLERK'S OFFICE
RECEIVED
NOV 30 1983
\$15.00

STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
NOV 30 1983
DEPT OF REVENUE
\$05.00