

94958823

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WJP
MK
75-17-95001

THIS INDENTURE, made this 9th day of November, 1994, between THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

a corporation created and existing under and by virtue of the laws of the State of New Jersey and duly authorized to transact business in the State of Illinois, party of the first part, and SEARS, ROEBUCK AND CO., a New York corporation, having its principal office at 3333 Beverly Road, Hoffman Estates, Illinois
(NAME AND ADDRESS OF GRANTEE)

party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) dollars and other good and valuable consideration

Above Space For Recorder's Use Only

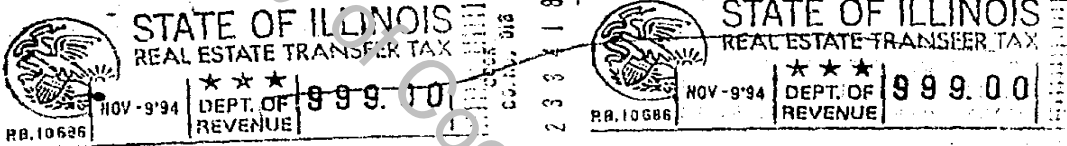
in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and pursuant to authority of the Board of Directors of said corporation, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its heirs and assigns, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois known and described as follows, to wit:

See Exhibit A attached hereto and made a part hereof.

Subject to: See Exhibit B attached hereto and made a part hereof.

318

BOX 333-GTI



94958823

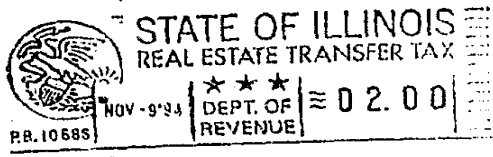
Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its heirs and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to:

Permanent Real Estate Index Number(s): 31-22-300-026-0000

Address(es) of real estate: Lincoln Mall, Matteson, Illinois

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Vice President, and attested by its Assistant Secretary, the day and year first above written.



THE PRUDENTIAL INSURANCE COMPANY OF AMERICA
(Name of Corporation)

By [Signature] Vice President
Attest: [Signature] Assistant Secretary

This instrument was prepared by Matthew K. Phillips, Bell, Boyd & Lloyd, 70 W. Madison, Suite 3100, Chicago, Illinois 60602
(NAME AND ADDRESS)

MAIL TO: William Ulrich, Jr.
Hinshaw & Culbertson
4343 Commerce Court
Suite 415
Lisle, IL 60532
(Address)
(City, State and Zip)

SEND SUBSEQUENT TAX BILLS TO:
Sears, Roebuck and Co.
3333 Beverly Road
Hoffman Estates, Illinois
(Name)
(Address)
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO. 333

UNOFFICIAL COPY

STATE OF ILLINOIS
COUNTY OF COOK } ss.

I, Bernadette Hultheim, a notary public
in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Bernard C. Buchholz
personally known to me to be the Vice President of THE PRUDENTIAL INSURANCE COMPANY OF
a New Jersey corporation, and Rory Dean Smith, personally known to me to be the
Asst. 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 Vice President and Asst Secretary, they signed and
delivered the said 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.

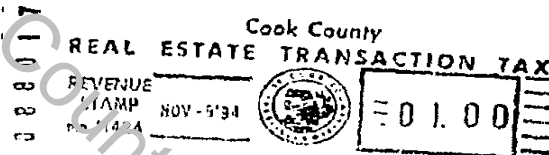
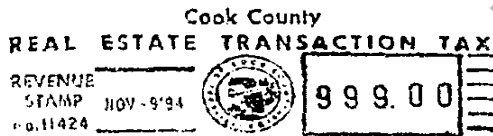
GIVEN under my hand and official seal this 9th day of November, 1994.

Bernadette Hultheim
Notary Public



Commission expires _____

028016



COOK COUNTY, ILLINOIS
FILED FOR RECORD
94 NOV 10 AM 9:27

Box _____

SPECIAL WARRANTY DEED

Corporation to Individual

TO

ADDRESS OF PROPERTY:

MAIL TO:

94958823

GEORGE E. COLE®
LEGAL FORMS

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EXHIBIT A

PARCEL 1:

LOT 5 IN LINCOLN HALL, BEING A SUBDIVISION OF PART OF THE SOUTH WEST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN COOK COUNTY, ILLINOIS, ON MARCH 20, 1972 AS DOCUMENT NO. 21840371.

ALSO

PARCEL 2:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIAN, THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE PROTECTION WATER STORAGE TANK AND PUMP HOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF COMMON FOUNDATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANGS, AWNINGS, BELL BELLIES, SIGNS, LIGHTS AND LIGHTING DEVICES, UTILITY VAULTS AND OTHER SIMILAR APPURTENANCES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION, OR RECONSTRUCTION OF IMPROVEMENTS, CREATED AND GRANTED AS APPURTENANCES TO THE AFORESAID PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED ON MARCH 24, 1972 AS DOCUMENT NUMBER 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON FIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AND WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, IN, ON, OVER, UPON AND UNDER LOTS 1, 2, 3, 4 AND 6 IN LINCOLN HALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO SAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT AND AS AMENDED BY DOCUMENTS RECORDED NOVEMBER 21, 1973 AS 22551241 AND SEPTEMBER 9, 1977 AS DOCUMENT 24099069.

ALSO

PARCEL 3:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFORESAID PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT NUMBER 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON FIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C.

PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57855, IN, ON, OVER, UPON AND UNDER LOTS 1, 2, 3, 4, 8, 9, 10, 11 AND 12 IN LINCOLN HALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO SAID TOTAL SITE AGREEMENT AND AS AMENDED BY DOCUMENT RECORDED NOVEMBER 21, 1973 AS DOCUMENT 22551241 AND BY DOCUMENT RECORDED SEPTEMBER 9, 1977 AS DOCUMENT 24099069 AND BY DOCUMENTS 24188603 AND 25022985.

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Exhibit B
"Permitted Exceptions"

1. TAXES FOR THE YEAR 1994.
1994 TAXES ARE NOT YET DUE OR PAYABLE.

PERMANENT INDEX NUMBER: 31-22-300-026-0000.

NOTE: 1993 FIRST ESTIMATED INSTALLMENT AMOUNTING TO \$133,566.80 IS PAID.

NOTE: 1993 FINAL INSTALLMENT AMOUNTING TO \$148,774.63 IS PAID.

2. EASEMENT OVER THE NORTH 70 FEET (EXCEPT THAT PART TAKEN FOR LINCOLN HIGHWAY) OF THE WEST 66 FEET OF THE EAST 483 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, TO CONSTRUCT AND MAINTAIN A 16 INCH WATER MAIN AND APPURTENANCES THEREON, TOGETHER WITH RIGHT OF ACCESS FOR THE PURPOSE OF RECONSTRUCTION, REPAIR, MAINTENANCE, OR OPERATION OF THE UTILITY, AS GRANTED TO THE VILLAGE OF MATTESON, BY EASEMENT AGREEMENT DATED NOVEMBER 25, 1969 AND RECORDED DECEMBER 12, 1969 AS DOCUMENT 21036085.

(AFFECTS PARCELS 2 AND 3)

3. GRANT RECORDED NOVEMBER 19, 1959 AS DOCUMENT 17716707 TO NORTHERN ILLINOIS GAS COMPANY, GRANTING THE RIGHT TO LAY, MAINTAIN, OPERATE, RENEW AND REMOVE A GAS MAIN OVER, UNDER, ALONG AND ACROSS THE NORTH 50 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(AFFECTS PARCELS 2 AND 3)

4. RIGHTS OF THE PUBLIC, STATE OF ILLINOIS, AND THE VILLAGE OF MATTESON IN AND TO THAT PART OF THE LAND DEDICATED FOR LINCOLN HIGHWAY.

(AFFECTS PARCELS 2 AND 3)

5. DECLARATION OF RESTRICTIONS AND EASEMENT FOR INGRESS AND EGRESS, 50 FEET IN WIDTH AS CREATED BY DECLARATION RECORDED NOVEMBER 8, 1968 AS DOCUMENT 20671343, AND TERMS AND CONDITIONS THEREIN CONTAINED.

(AFFECTS PARCELS 2 AND 3)

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6. A PERPETUAL EASEMENT FOR THE SOLE PURPOSE OF DRAINAGE IN, UPON AND OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BEING A 35 FOOT STRIP OF LAND, LYING EQUIDISTANT ABOUT THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE EAST LINE OF CICERO AVENUE, DISTANT 1454.12 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE EAST, AT RIGHT ANGLES TO SAID EAST LINE, A DISTANCE OF 206.14 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE, CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 60 DEGREES, A DISTANCE OF 52.36 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, A DISTANCE OF 555.14 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 5 DEGREES TO THE LEFT OF THE LAST DESCRIBED COURSE A DISTANCE OF 213.72 FEET TO THE POINT OF TERMINATION; AND A LICENSE TO CONSTRUCT A TEMPORARY DRAINAGE DITCH FROM THE EAST END OF THE ABOVE DESCRIBED LAND TO THE NEAREST PRACTICAL POINT OF NATURAL DRAINAGE, AS CREATED BY EASEMENT AGREEMENT BETWEEN LA SALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NO. 40798, AND STATE OF ILLINOIS ACTING BY AND THROUGH ITS DEPARTMENT OF PUBLIC WORKS AND BUILDINGS, DATED DECEMBER 10, 1970 AND RECORDED MARCH 29, 1971 AS DOCUMENT 21433656, AND THE TERMS, LIMITATIONS, CONDITIONS, RESERVATION AND COVENANTS CONTAINED THEREIN.
(AFFECTS PARCELS 2 AND 3)

7. GRANT FOR UTILITY PURPOSES MADE BY J. WESLEY MC CORMACK, INC., TO ILLINOIS BELL TELEPHONE COMPANY, DATED NOVEMBER 3, 1952 AND RECORDED APRIL 6, 1953 AS DOCUMENT 15504692, CREATING AN EASEMENT OVER, UPON, ETC., A STRIP OF LAND 1 ROD WIDE PARALLEL WITH AND ADJACENT TO AND NORTH OF THE NORTHERLY RIGHT OF WAY LINE OF MICHIGAN CENTRAL RAILROAD, BEING THE SOUTHERLY 1 ROD OF PART OF THE SOUTHWEST QUARTER OF SECTION 22 (RAILROAD PROPERTY) AND EXCEPT THE EAST 75 FEET BY METES AND BOUNDS, AND UPON, OVER AND ACROSS PUBLIC ROADS AND STREETS ADJOINING SAID PROPERTY WITH RIGHT OF INGRESS AND EGRESS THERETO.

(AFFECTS PARCELS 2 AND 3)

8. GRANT OF EASEMENT FOR THE BENEFIT OF LOT 9 IN LINCOLN HALL AFORESAID, A 15 FOOT EASEMENT OVER AND UNDER AND ACROSS THE SPOKE ROAD PORTION OF PARCEL 1 AS SHOWN ON EXHIBIT "B" ATTACHED TO SAID GRANT FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF WATER LINES, GAS MAINS AND ELECTRICAL POWER LINES (ALL OF SUCH LINES AND MAINS TO BE UNDERGROUND) AS CONTAINED IN TOTAL SITE AGREEMENT DATED MARCH 7, 1972, AND RECORDED MARCH 24, 1972 AS DOCUMENT NO. 21846182, AND TERMS AND CONDITIONS THEREOF.

(AFFECTS PARCEL 1)

9. EASEMENTS OVER PARCEL 1 AS CREATED BY RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846183.

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10. COVENANTS MADE BY THE OWNERS IN THE RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846183.

NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION.
11. EASEMENTS OVER PARCEL 1 AS CREATED BY TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT NO. 21846182.
12. MEMORANDUM OF LINCOLN MALL CENTRAL PLANT AGREEMENT DATED JULY 23, 1973 AND RECORDED MARCH 5, 1974 AS DOCUMENT 22645324 MADE BETWEEN CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NO. 57420 AND WIRBOLET STORES, INC.
13. AGREEMENT FOR REGULATION OF PARKING OF MOTOR VEHICLES AND TRAFFIC AT SHOPPING CENTER DATED JANUARY 31, 1974 AND RECORDED JULY 2, 1974 AS DOCUMENT 22769729 BY AND BETWEEN THE VILLAGE OF MATTESON, AND LINCOLN MALL PROPERTIES, AND OTHERS. EXTENSION AGREEMENT FOR REGULATION OF PARKING OF MOTOR VEHICLES AND TRAFFIC AT LINCOLN MALL SHOPPING CENTER DATED DECEMBER 19, 1983 AND RECORDED MAY 15, 1984 AS DOCUMENT 27085793.
14. SECOND EXTENSION AGREEMENT DATED DECEMBER 16, 1988 AND RECORDED APRIL 25, 1990 AS DOCUMENT 90188941 EXTENDING THE TERMS, PROVISIONS AND CONDITIONS OF SAID AGREEMENT FOR AN ADDITIONAL FIVE YEAR PERIOD, TO AND INCLUDING JANUARY 31, 1994.
15. TERMS, PROVISIONS AND CONDITIONS RELATING TO THE EASEMENTS DESCRIBED AS PARCELS 2 AND 3 CONTAINED IN THE INSTRUMENTS CREATING SUCH EASEMENTS.
16. RIGHTS OF THE ADJOINING OWNERS TO THE CONCURRENT USE OF SAID EASEMENTS.
17. EASEMENT IN, OVER, UNDER, ACROSS AND ALONG SUCH PART OF PARCEL 1 TO BE THAT PART OF PARCEL 1 EXTENDING EASTWARD FROM AND ADJOINING CICERO AVENUE AND LYING SOUTH OF LOT 9 IN LINCOLN MALL SUBDIVISION AFORESAID AND AS MORE PARTICULARLY DESCRIBED IN THE GRANT OF EASEMENT FROM LINCOLN MALL PROPERTIES, INC. TO THE COMMONWEALTH EDISON COMPANY AND THE ILLINOIS BELL TELEPHONE COMPANY RECORDED SEPTEMBER 28, 1977 AS DOCUMENT 24125547 AND THE TERMS, PROVISIONS AND CONDITIONS CONTAINED THEREIN.

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