#### SPECIAL WARRANTY DEED (Yard 9)

95337200

THIS SPECIAL WARRANTY DEED, made this 20th day of May, 1995, between MATERIAL SERVICE CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware and duly authorized to transact business in the State of Illinois, party of the first part,

DEPT-01 RECORDING #31.00 T\$0012 TRAN 4275 05/23/95 14:29:00 , \$4606 \$ J門 ※一タ5ー337200 COOK COUNTY RECORDER

Above Space For Recorder's Use Only

and AMERICAP' MIDWEST BANK & TRUST COMPANY, not personally, but as Trustee under a Trust Agreement dated May 2, 1995, and known as Trust No. 6587, party of the second part;

WITNESSETH, that the party of the first part, for and in consideration of the sum of TEN & NO/100 (\$10.00) Dollars and other good and valuable consideration 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 successors, forever, all of the following described real estate situated in the County of Cook in the State of Illinois and legally described in Exhibit "A" attached hereto and hereby made a part hereof and containing 1.491 acres, more or less.

SUBJECT TO THE FOLLOWING RESTRICTION ON USE OF THE DESCRIBED REAL ESTATE: That no part of the real estate described above hereby conveyed shall ever be used for the purpose of excavating, extracting, quarrying, mining, processing, or transporting from the described real estate any or all types of minable and marketable gravel, sand, rock, stone and other such commercially saleable materials; and this covenant shall be construed as a covenant running with the land and be binding upon any successor-in-interest of the party of the second part.

Together with all and singular the hereditaments and appurtenance, 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 successors forever.

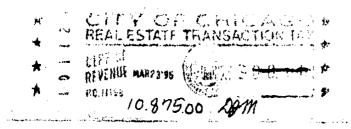
And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in

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any manner encumbered 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 the matters set forth on Exhibit "B" attached hereto.

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 President, and attested by its Secretary, the day and year first above written.

•	•
	MATERIAL SERVICE CORPORATION
ATTEST:	2
Mary Mulle	By: Dueld R. hazel
David M. Rubin, Assistant Secretary	Gerald R. Nagel, President
	,
STATE OF ILLINOIS ) SS.	
COUNTY OF COOK	
1, Lourie L. Wolsky a	Notary Public in and for said County, in the
State aforesaid, do hereby certify that Geral	R. Nagel and David M. Rubin personally
known to be as the President and Assistant	t Secretary respectively, of Material Service

State aforesaid, do hereby certify that Gerald R. Nagel and David M. Rubin personally known to be as the President and Assistant Secretary respectively, of Material Service Corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Assistant Secretary, appeared before me this day in person and acknowledged that they signed and delivered the same instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors, 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 seal this 20

20 day of May, 1995.

"OFFICIAL SEAL"
LAURIE L. WOLSKE
Notary Public, State of Illinois
My Commission Expires July 9, 1995

My commission expires:

This instrument was prepared by: Donald S. Horvath, Esq. Jenner & Block One IBM Plaza Chicago, Illinois 60611 MAIL TO: Cornelius F. Riordan, Esq. McNeela & Griffin Ltd. 175 West Jackson Boulevard, Suite 2141 Chicago, Illinois 60604 Property of County Clerk's Office

#### YARD 9 EXHIBIT A

#### Legal Description

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36. TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF CALIFORNIA AVENUE (SAID WEST LINE BUINS 33.00 FEET WEST FROM, MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 36) WITH THE NORTH LINE OF THE SOUTHEAST OUPSILER OF THE NORTHWEST QUARTER OF SAID SECTION 36 (SAID NORTH LINE BEING ALSO ARE SOUTH LINE OF THE EAST PART OF LOT 14 IN SANITARY DISTRICT TRUSTEES SUBDIVISION OF RIGHT OF WAY, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED MARCH 31 1908, IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, IN BOOK OF PLATS 100, PAGE 20, AS DOCUMENT NUMBER 4180216); THENCE WEST ALONG SAID SOUTH LINE OF LOT 14, A DISTANCE OF 329.00 FEET TO A CORNER OF SAID LOT;

THENCE SOUTH ALONG THE BOUNDARY OF SAID LOT (BEING A LINE 362.00 FEET WEST FROM, MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE AFOREMENTIONED EAST LINE OF THE NORTHWEST QUARTER OF SECTION 36), A DISTANCE OF 168.65 FEET TO A SOUTHERLY CORNER OF SAID LOT;

THENCE SOUTHWESTWARDLY ALONG A SCOTYARTY LINE OF SAID LOT 14 AND ALONG THE SOUTHERLY LINE OF LOT 16 IN SANITAR! DISTRICT TRUSTEES SUBDIVISION OF RIGHT OF WAY AFORESAID, A DISTANCE OF 636.04 FLET TO A POINT OF CURVE IN SAID SOUTHERLY LINE OF LOT 16;

THENCE SOUTHWESTWARDLY AND WESTWARDLY ALONG THE SOUTHERLY LINE OF LOTS 16 AND 18 IN SANITARY DISTRICT TRUSTERS SUBDIVISION, BEING HERE A CURVED LINE TANGENT TO THE LAST DESCRIBED LINE, CONVEXED SOUTHERLY AND FAVING A RADIUS OF 1383.00 FEET, AN ARC DISTANCE OF 806.96 FEET TO A POINT;

THENCE SOUTHWARDLY, ALONG AN EXTENSION OF A RADIAL LINE TO THE ABOVE CURVE THROUGH THE ABOVE POINT, A DISTANCE OF 17.00 FRET;

THENCE EASTWARDLY AND NORTHEASTWARDLY ALONG A CURVED LIVE, 17.00 FEET SOUTHERLY FROM AND PARALLEL WITH THE AFOREMENTIONED SOUTHERLY LINE (N) LOTS 16 AND 18, AN ARC DISTANCE OF 816.88 FEET TO AN INTERSECTION WITH A RADIAL LINE TO SAID CURVED LINE WHICH PASSES THROUGH THE AFOREMENTIONED POINT OF CURVE IN TAF SOUTHERLY LINE OF LOT 16;

THENCE NORTHEASTWARDLY ALONG A STRAIGHT LINE, TANGENT TO THE LAST DESCRIBED CURVED LINE, AND 17.00 FEET SOUTHEASTERLY FROM, MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE SOUTHERLY LINE OF LOTS 14 AND 16 AND THE NORTHEASTWARD EXTENSION THEREOF, A DISTANCE OF 982.87 FEET TO A POINT ON THE AFOREMENTIONED WEST LINE-OF CALIFORNIA AVENUE;

THENCE NORTH ALONG SAID WEST LINE, A DISTANCE OF 58.72 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 3300 South California, Chicago, Illinois 60608

P.I.N. Nos: 16-36-100-053

16-36-502-004

Property or Cook County Clerk's Office

#### EXHIBIT B

#### YARD 9 **Permitted Exceptions**

General real estate taxes for 1994 and subsequent years. 1.

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If you do not have enough room for your full name, just your last name will be adequate  Property index numbers (PIN #) MUST BE INCLUDED ON EVERY FORM		
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