GEORGE E. COLE® **LEGAL FORMS** 

No. 801 November 1994

WARRANTY DEED Statutory (Illinois) (Corporation to Corporation) 96162111

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THE GRANT IR

ARIZONA FUNDING CORPORATION

a corporation created and existing under and by virtue of the laws of the State of Delaware and other authorized to transact business in the State of Illinois, for and in consideration of Ten and NO/100 (\$10.00) Dollars, and other good and valuable consideration in hand paid, and pursuant to authority given by the Board of Directors of said corporation, CONVEYS and WARRANTS to PMT Investors #1, LTD, a

DEPT-01 RECORDING **437.50** T#7777 TRAN 8269 03/01/96 16:04:00 \$1471 \$ SK #-96-162111 COOK COUNTY RECORDER

Above Space for Recorder's Use Only

Texas limited partnership having its principal office at the following address 8411 Preston Rd. - Suite 850, Dallas, TX 75225, the following describe: Real Estate situated in the County of Cook and State of Illinois, to wit:

See legal description attached hereto and make a party hereof. Subject to: See Exhibit A 12 C/0/4: attached hereto.

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Permanent Real Estate Index	Number(s): See Ext	ribit A attached	d hereto.		
Address(es) of Real Estate:	1285 E Higgins	Road, E S	Schaumberg,	IL 50173	
In Witness Whereof, said Gra	ntor has caused its co	orporate seal to	o be hereto affix	ed, and has eque:	d its name to be
signed to these presents by its	: Vice Presid	ent, and attest	ed by its <u>Assi</u>	stant	Secretary, this
26th day of Februar	<u>-y</u> , 1996.		·		Ö

(Name of Corporation)

Impiess Here

Arizona Funding Cornoration, a Delaware corporation

Vice President

Assistant Secretary

Corporate Scal

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•		erson and severally acknowledged that as such		
	President and	Secretary, they signed and delivered the said		
IMPRESS		sea of said corporation to be affixed thereto,		
NOTARIAL	pursuant to authority given by the Board of Directors of said corporation, as their free			
SEAL		voluntary act and deed of said corporation, for the		
HERE	uses and purposes therein set forth.	(Q <sub>A</sub> ,		
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		96162111		
Given under my ha	nd and official seal, this	day of Ox 19		
Commission expires	s19	, C.		
		NOTARY PUBLIC		
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Square, CA 94306		Jodward Castro Huddleson & Tatum, Five Pelo Alto		
	•	and all paracetrism at the part of the		
		SEND SUBSEQUENT TAX BILLS TO:		
_	PMT INVESTORS #1, LTD.	PMT INVESTORS #1, LTD.		
MAIL TO:	8411 PRESTON RD SUITE 850	(Name) 8411 Preston Rd. #850		
•	DAILAS, TEXAS 75225	Dallas, Texas 75225		
-				
	(City, State and Zip)	(City, State and Zip)		

State of Massachusetts, County of Suffolk, ss. I, the undersigned a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Tiffany Percival personally known to me to be the Vice President of Arizona Funding Corporation, a Delaware corporation, and Laurie A. Fitzgerald 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 Vice President and Assistant 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 ict, and as the free and voluntary act and deed of said corporation, for the uses and rurposes therein set forth.

Given under my hand and official seal, this 26th day of February, 1996.

JANE D. WISEMAN, Notary Public My Commission Expires Dec. 2, 1999

NOTARY PUBLIC

County Clark's Office 96162111

Property of Cook County Clark's Office

Petsmart #438 Schaumburg, Cook County, Illinois

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#### EXHIBIT A

#### PARCEL 1:

Lot 1 in Park St. Claire Plaza Resubdivision No. 1, recorded May 2, 1995 as Document Number 95288758, and re-recorded July 7, 1995 as Document Number 95441456, being a resubdivision of Lot 2 in Fark St. Claire Plaza, a subdivision of part of the Southwest quarter (1/4) of the Southwest quarter (1/4) of Section 13, Township 41 North, Range 10, East of the Third Principal Meridian, in Cook County, Pin ois.

#### PARCEL 2:

Non-Exclusive easements appure nant to and for the benefit of Parcel 1, aforesaid, as created by and defined in Article 2 of the Operation and Easement Agreement ("Agreement") dated April 14, 1993 and recorded May 10, 1993 as Document Number 93351020, including, without limitation, the following:

- a. Non-Exclusive Easements for ingress, egreus and parking of vehicles and pedestrians over and across parking, driveway and sidewalk eges as more fully described in Article 2.1 of said Agreement;
- b. Non-Exclusive Perpetual Easements for utility lines, in, to, over, under, along and across portions of the Common Area as more fully described in Arcele 2.2 of said Agreement; and
- c. Non-Exclusive Easement for maintenance and replacement of foctings, foundations, columns or walls inadvertently constructed beyond a common boundary line as more fully described in Article 2.3 of said Agreement.

Permanent Index Number: 07-13-300-036-0000

1285 East Higgins Road, Schaumburg, Illinois 61073

EXMIBIT A - Solo Page

Property Address:

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Petsmart #438
Shaumburg, Cook County, Illinois

#### **EXHIBIT B**

#### Permitted Exceptions

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- 1. Terms and provisions contained in the Notice of Requirements for storm water detention recorded June 22, 1990 as Document Number 90299939. (Affects the land and other property)
- 2. Terms, provisions and conditions of Operation and Easement Agreement dated April 14, 1993 and recorded May 10, 1993 as Document Number 93351020, as affected by that certain Assignment And Assumption of Approving Party Designation dated July 6, 1995 and recorded July 7, 1995 as Document Number 95441462 for common use and operation of the find in Schedule A and other property, by establishing certain covenants, restrictions and agreements and granting reciprocal easements through the respective tracts.
- 3. A public utility easement along the South twenty (20) feet of the land as created by and shown on the Plat of Perk St. Claire Plaza recorded February 24, 1995 as Document Number 95129403 and on the Plat of Park St. Claire Plaza Resubdivision No. 1, recorded May 2, 1995 as Document Number 95288758, and re-recorded July 7, 1995 as Document Number 95441456.
- 4. Grant of easement ten (10) feet in width recorded October 25, 1993 as Document Number 93858783 in favor of Commonwealth Edison Company and Illinois Bell Telephone Company for public utility purposes, in and upon (i) part of the land approximately depicted on Exhibit A attached to said grant, and (ii) part of the land approximately as shown on drawings approved by Cwner.

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- 5. Terms, provisions and conditions of Easement Grant and Reservation Agreement relating to easements for sanitary sewer service, dated November 30, 1993 and recorded January 14, 1994 as Document Number 94051520, affecting that part of the land more particularly described therein.
- 6. A twenty (20) foot wide public utility easement beginning on Lot 3 to the North extending southerly through the subject land to a point on the East let line and connecting to the private sanitary sewer easement recorded as Document Number 94051520, as created by and shown on the Plat of Park St. Claire Resubdivision No. 1, recorded May 2, 1995 as Document Number 95288758, and re-recorded July 7, 1995 as Document Number 95441456.
- 7. Terms, provisions and conditions of Declaration of Roadway Access Restrictions dated February 17, 1995 and recorded February 22, 1995 as Document Number 95124041, by and between Dayton Hudson Corporation and American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated May 9, 1989 and known as Trust No. 108303-05, limiting right of access to and from Illinois Route 72 (Higgins

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Road) to the existing right-in right-out commercial access driveway located at the northwest corner of Lot 3 in Park St. Claire Plaza Resubdivision No. 1.

- Terms, provisions, and conditions of Declaration of Use Restrictions and Percentage 8. Allocations dated as of April 28, 1995 and recorded May 2, 1995 as Document Number 95288738, made by and between American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated May 9, 1989 and known as Trust No. 108303-05, and KHS Land Partnership.
- 9. Terms, provisions, and conditions of Declaration of Percentage Allocations dated as of July 6, 1995 and recorded July 7, 1995 as Document Number 95441457, by and between American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated May 9, 1989 and known as Trust No. 108303-05, and KHS Land Partne ship.
- Terms, provisions, and conditions of Declaration of Percentage Allocations dated as of 10. October 27, 1995 and recorded October 30, 1995 as Document Number 95740254, by and 1) E. N989

  OOK COUNTY CIERTS OFFICE between American Mational Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated May 9, 1989 and known as Trust No. 108303-05, and KHS Land Partnership.

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