

0326240.01

SPECIAL WARRANTY DEED
Illinois

THIS INDENTURE, made this 11th day of September, 1997, between PETRIE RETAIL, INC., 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 ("Grantor") whose address is 150 Meadowlands Parkway, Secaucus, New Jersey 07094 and CENTERPOINT PROPERTIES CORPORATION ("Grantee") whose address is 401 North Michigan Avenue, Suite 3000, Chicago, Illinois 60611 WITNESSETH, that Grantor for and in consideration of the sum of Ten and No Dollars and other good and valuable consideration in hand paid by Grantee, 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 Grantee, and to its successors and assigns, FOREVER, all the real estate, situated in the County of Cook and State of Illinois, as described in Exhibit A attached hereto and made a part hereof ("Property"), together with all and singular the improvements, 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 and demand whatsoever, of Grantor, either in law or equity, of, in and to the Property with the hereditaments and appurtenances: TO HAVE AND TO HOLD the Property with the appurtenances, unto Grantee, its successors and assigns forever.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the Property is or may be in any manner encumbered or charged, and that the Property against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to the matter set forth in Exhibit B attached hereto and made a part hereto.

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 Sr. Vice President, and attested to by its _____ Secretary the day and year first above written.

PETRIE RETAIL, INC.

By: Francis H. [Signature]
Sr. Vice President

Attest: [Signature]
Secretary

Permanent Real Estate Index Number(s): 19-30-200-025-0000 and
19-30-200-033-0000

Address of Real Estate: 7400 South Narragansett Avenue, Bedford
Park, Illinois

BOX 333-CT1

VILLAGE OF BEDFORD PARK
\$50.00
REAL ESTATE TRANSFER

76765098

UNOFFICIAL COPY

1695088

STATE OF New Jersey
COUNTY OF Bergen

NOTARY PUBLIC
999 00

I, Priscilla L. Martin, a notary public

in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Francis A. Shea

personally known to me to be the Si. Vice President of Retrie Retail, Inc.

Delaware corporation, and Michael C. McLeans, personally known to me to be the

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 Si. Vice President and 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 12th day of November, 1997

Priscilla L. Martin
Notary Public

Commission expires Oct. 14, 1998

STATE OF ILLINOIS
999 00

STATE OF ILLINOIS
999 00

STATE OF ILLINOIS
999 00

STATE OF ILLINOIS
700 00

STATE OF ILLINOIS
999 00

UNOFFICIAL COPY

0326240.01

STATE OF NEW JERSEY)

COUNTY OF Bergen)

I, Priscilla L. Martin, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Frank H. Shea, as Sec. Vice President of PETRIE RETAIL, INC. and Michael B. McEwen, as Secretary of said Corporation, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instruments as their own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth; and said Secretary did then and there acknowledge that he, as custodian of the corporate seal of said Corporation, did affix the corporate seal of said Corporation to said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 12th day of September, 1997.

Priscilla L. Martin
Notary Public

PRISCILLA L. MARTIN
NOTARY PUBLIC OF NEW JERSEY
COMMISSION EXPIRES OCT. 14, 1998

This instrument was prepared by: After recording return to:
Erin E. Smith, Esq. Amy K. Kozlowski, Esq.
Willkie Parr & Gallagher 333 West Wacker Drive
One Citicorp Center Suite 1800
153 East 53rd Street Chicago, Illinois 60606
New York, New York 10022-4677

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF A LINE 2059.00 FEET SOUTH OF (MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 30 (BEING THE SOUTH LINE OF WEST 74TH STREET) AND THE WEST LINE OF THE EAST 50.0 FEET MEASURED AT RIGHT ANGLES) OF THE NORTHEAST 1/4 OF SECTION 30, AFORESAID (BEING THE WEST LINE OF SOUTH NARRAGANSETT AVENUE); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF WEST 74TH STREET, AFORESAID, 617.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 426.355 FT TO A POINT ON A LINE 190.00 FEET NORTH OF (MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 30, AFORESAID; THENCE SOUTH 89 DEGREES 58 MINUTES 30 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 614.87 FEET TO ITS INTERSECTION WITH THE WEST LINE OF SOUTH NARRAGANSETT AVENUE, AFORESAID; THENCE NORTH 00 DEGREES 17 MINUTES 10 SECONDS EAST 426.629 FEET ALONG AS WEST LINE OF SOUTH NARRAGANSETT AVENUE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 2;

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF WEST 74TH STREET, SAID SOUTH LINE BEING 2059.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SECTION 30, AND A LINE 50 FEET WEST OF THE EAST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 30; THENCE WESTERLY ALONG SAID SOUTH LINE OF WEST 74TH STREET, A DISTANCE OF 617.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY AT RIGHT ANGLES TO THE PREVIOUSLY DESCRIBED COURSE, A DISTANCE OF 426.35 FEET TO A POINT ON A LINE 190.00 FEET NORTH OF THE SOUTH LINE OF THE EAST 1/2 OF SAID NORTHEAST 1/4; THENCE WESTERLY ALONG SAID LINE 190.00 FEET NORTH OF THE SOUTH LINE OF THE EAST 1/2 OF SAID NORTHEAST 1/4, A DISTANCE OF 388.83 FEET; THENCE NORTHEASTERLY ON A STRAIGHT LINE, A DISTANCE OF 70.00 FEET TO A POINT 201.57 FEET NORTHERLY OF SAID SOUTH LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4; THENCE NORTHERLY, A DISTANCE OF 414.65 FEET TO THE SOUTH LINE OF WEST 74TH STREET SAID POINT ALSO BEING 247.00 FEET EAST OF THE WEST LINE OF THE EAST 1/2 OF SAID NORTHEAST 1/4 MEASURED ALONG THE SOUTH LINE OF WEST 74TH STREET; THENCE EASTERLY AT RIGHT ANGLES TO THE PREVIOUSLY DESCRIBED COURSE AND ALSO ALONG SAID SOUTH LINE OF WEST 74TH STREET, A DISTANCE OF 319.79 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 3:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, OPERATION AND USE OF A RAILROAD TRACK FOR RAILROAD PURPOSES, AND FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND USE OF PUBLIC UTILITIES LINES, CONTAINED IN GRANT AND DECLARATION OF RAILROAD AND UTILITY EASEMENTS RECORDED (1) MAY 11, 1973 AS DOCUMENT 22321181 (2) MAY 31, 1973 AS DOCUMENT 22344874 AND (3) JULY 27, 1973 AS DOCUMENT 22417050.

PARCEL 3:

NON-EXCLUSIVE EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, OPERATION AND USE OF SANITARY AND STORM SEWER FACILITIES, CONTAINED IN THE GRANT AND DECLARATION OF EASEMENTS FOR SANITARY AND STORM SEWERS RECORDED (1) AUGUST 10, 1978 AS DOCUMENT 23591225 AND (2) JULY 27, 1973 AS DOCUMENT 22417051.

EXHIBIT BPERMITTED EXCEPTIONS

1. TAXES FOR THE YEAR 1997, NOT YET DUE AND PAYABLE.
2. GRANT AND DECLARATION OF RAILROAD AND UTILITY EASEMENTS MADE MAY 10, 1973 AND RECORDED MAY 11, 1973 AS DOCUMENT 22321181 TO THE OWNER OR OWNERS OF BEDFORD PARK INDUSTRIAL PARK, A NON-EXCLUSIVE, PERPETUAL EASEMENT OVER PART OF THE LAND AND OTHER PROPERTY, FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND USE OF PUBLIC UTILITIES LINES, AND ALL OF THE TERMS, COVENANTS AND AGREEMENTS CONTAINED THEREIN.
3. TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE NON-EXCLUSIVE EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, OPERATION AND USE OF A RAILROAD TRACK FOR RAILROAD PURPOSES, AND FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND USE OF PUBLIC UTILITIES LINES, CONTAINED IN GRANT AND DECLARATION OF RAILROAD AND UTILITY EASEMENTS RECORDED (1) MAY 11, 1973 AS DOCUMENT 22321181, (2) MAY 31, 1973 AS DOCUMENT 22344874 AND (3) JULY 27, 1973 AS DOCUMENT 22417051 AND RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.
4. TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE NON-EXCLUSIVE EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, OPERATION AND USE OF SANITARY AND STORM SEWER FACILITIES, CONTAINED IN THE GRANT AND DECLARATION OF EASEMENTS FOR SANITARY AND STORM SEWERS RECORDED (1) AUGUST 10, 1978 AS DOCUMENT 2__591225 AND (2) JULY 27, 1973 AS DOCUMENT 22417051, AND RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.
5. PROTECTIVE COVENANTS AND RESTRICTIONS CONTAINED IN DECLARATION OF COVENANTS FOR BEDFORD INDUSTRIAL PARK BEDFORD PARK RECORDED MAY 11, 1973 AS DOCUMENT 22322180 RELATING TO ARCHITECTURAL GUIDELINES, LOT COVERAGE, SETBACK LINES, LANDSCAPING, SIGNS, PARKING RATES, STORAGE AND LOADING AREAS, LAND CLASSIFICATION, PERMITTED USES AND RESTRICTIONS, NUISANCES, PROPERTY MAINTENANCE, REPAIR OF BUILDINGS, VARIANCES, OTHER OPERATIONS AND USES, DECORATIONS, MODIFICATIONS AND REPEAL OF PROTECTIVE COVENANTS, ENFORCEMENT OF PROTECTIVE COVENANTS, AND RESERVATION OF UTILITY EASEMENTS.
6. VIOLATION OF SETBACK LINES BY THE LOADING FACILITIES AND LOADING DOCKS AS REQUIRED IN THE DECLARATION OF PROTECTIVE COVENANTS FOR BEDFORD INDUSTRIAL PARK RECORDED MAY 11, 1973 AS DOCUMENT 22321180, AS DISCLOSED BY SURVEY BY MACKIE CONSULTANTS, INC. DATED AUGUST 30, 1995 AND UPDATED AUGUST 28, 1997 NUMBER 2.327, BY APPROXIMATELY 40 FEET.