

MOC 9359  
U.S. 30 of Central  
Matteson, IL

1072

LIMITED WARRANTY DEED

647672-054 OF

97678918

KNOW ALL MEN BY THESE PRESENTS, that MARATHON OIL COMPANY, an Ohio corporation, whose address is c/o Property Tax Records, 539 South Main Street, Findlay, Ohio 45840, GRANTOR, for the consideration of Ten and No/100 Dollars (\$10.00), received to its full satisfaction of BEVERLY TRUST COMPANY, not personally, but as Trustee under the provisions of a trust agreement dated April 19, 1997 and known as Trust Number 74-2564, GRANTEE, does give, grant, bargain, sell and convey unto said GRANTEE the following described real estate in its existing "as is" condition inside the City of Matteson, County of Cook, and State of Illinois:

Phase One: That part of the Southwest Quarter of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian lying Southerly of Lincoln Highway (U.S. Route 30) and lying Westerly of Interstate Highway 57 (F.A.I. Route 57) and lying North of the Michigan Central (formerly New York Central) Railroad (Old Plank Trail) and lying East of Central Avenue less and except that portion dedicated for Lincoln Frontage Road recorded April 18, 1974 as Document No. 22689505, in Cook County, Illinois, being described as follows: Beginning at the Point of Intersection of the West line of said F.A.I. Route 57 and the North line of said Michigan Central Railroad (Old Plank Trail); thence South 89°52'48" West 433.93 feet along last said North line; thence North 04°24'35" East 1403.50 feet; thence North 40°30'48" West 428.65 feet; thence South 89°52'48" West 239.22 feet; thence North 00°00'00" West 87.73 feet; thence South 89°53'34" West 282.12 feet; thence North 00°00'00" West 623.18 feet to the Southerly line of Lincoln Highway (U.S. Route 30); thence South 86°43'25" East 334.77 feet along last said Southerly line to a point of curvature on the Westerly line of said F.A.I. Route 57; thence Southeasterly along last said Westerly line on a curve to the right convex to the Northeast having a radius of 238.73 feet an arc distance of 192.54 feet; thence South 40°30'48" East 933.54 feet along said Westerly line of F.A.I. Route 57 to a point of curvature; thence Southerly along last said Westerly line on a curve to the right convex to the Northeast having a radius of 477.46 feet an arc distance of 374.35 feet; thence South 04°24'35" West 1160.95 feet along last said Westerly line; thence South 03°08'00" West 118.95 feet (118.78 feet measured) along last said Westerly line to the Point of Beginning.

DEPT-01 RECORDING \$27.00  
T#0012 TRAN 6683 09/15/97 12:53:00  
#9147 # CG #-97-678918  
COOK COUNTY RECORDER

27

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THIS DEED IS BEING  
RECORDED TO AMEND THE LEGAL 1 OF BOX 333-CTI

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excepting therefrom that part located within Lot 1 of Lincoln-57 Subdivision, being a Subdivision of part of the Southwest Quarter of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian, according to the plat thereof recorded April 18, 1974 as Document 22689504.

**Phase Three:** That part of the Southwest Quarter of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian lying Southerly of Lincoln Highway (U.S. Route 30) and lying Westerly of Interstate Highway 57 (F.A.I. Route 57) and lying North of the Michigan Central (formerly New York Central) Railroad (Old Plank Trail) and lying East of Central Avenue less and except that portion dedicated for Lincoln Frontage Road recorded April 18, 1974 as Document No. 22689505 in Cook County, Illinois, being described as follows: Commencing at the Point of Intersection of the West line of said F.A.I. Route 57 and the North line of said Michigan Central Railroad (Old Plank Trail); thence South 89°59'58" West 433.93 feet along last said North line; thence North 04°24'35" East 80.24 feet to the Point of Beginning; thence South 89°59'58" West 84.83 feet to a point of curvature; thence Northwesterly along said curve to the right convex to the Southwest having a radius of 260.00 feet an arc distance of 260.68 feet to a point of reverse curve; thence Northwesterly along said reverse curve to the left convex to the Northeast having a radius of 340.00 feet an arc distance of ~~341.16~~ <sup>\*341.53</sup> feet; thence South 89°53'34" West ~~301.79~~ <sup>\*\*501.87</sup> feet; thence North 00°00'00" West 490.00 feet; thence North 59°06'54" West 116.52 feet; thence North 00°00'00" West 275.00 feet; thence North 89°53'34" East 550.00 feet; thence North 80°47'16" East 335.52 feet; thence North 61°29'27" East 430.13 feet; thence South 40°30'48" East 54.86 feet; thence South 04°24'35" West 1323.26 feet to the Point of Beginning.

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**PRIOR DEED REFERENCE:** Document No. 25874934 and 25874933

**PARCEL I.D. NUMBER:** 31-21-300-004-0000 and 31-21-300-005-0000

Subject parcel being conveyed is currently vacant land and has remained as such during the period of ownership by Grantor and any of its subsidiaries. It has never been used by Grantor or its affiliate organizations for the sale, marketing or storage of petroleum fuels or motor oils.

Subject to:

1. (a) taxes and assessments (both general and special) not now due and payable;
- (b) zoning ordinances, subdivision and planning laws and regulations and building code restrictions and all laws, rules and regulations relating to land

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and structures and their use, including but not limited to governmental regulations relating to buildings, building construction, building line and use and occupancy restrictions, and violations of any of the foregoing; (c) easements, conditions, reservations, agreements and restrictions of record, (d) such a state of facts as an accurate survey might show; and (e) all legal roads and highways.

2. Grantee agrees that for a period of Twenty-Five (25) years from and after the date of this conveyance, the premises shall not be used for a convenience store or for the sale, marketing, storage or advertising of petroleum fuels or motor oils (other than customarily sold at an automobile dealership), and that this restriction shall be a covenant running with the land and shall be contained in and made a part of every deed, mortgage, lease or other instrument affecting title to said premises.

AND THE GRANTOR does for itself, its successors and assigns covenant with the said GRANTEE, its successors and assigns, the GRANTOR has not made, done, executed, or suffered any act or thing whereby the above-described premises or any part thereof now are or at any time hereafter shall or may be imperiled, charged, or encumbered in any manner whatsoever; and the title to the above-granted premises against all persons lawfully claiming the same by, through or under the GRANTOR, said GRANTOR will forever warrant and defend.

IN WITNESS WHEREOF, said corporation sets its hand this 4th day of September, 1997.

Signed and acknowledged  
in the presence of:

MARATHON OIL COMPANY

Deborah A. Treier  
Printed: Deborah A. Treier

By: R. E. White  
Name: R. E. White  
Title: Vice President - Marketing

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APPROVED AS TO FORM  
9/15/97

Cynthia L. Snyder  
Printed: Cynthia L. Snyder

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
SEP 15 1997  
DEPT. OF REVENUE  
800.00

3

Cash County  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
800.00

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
SEP 15 1997  
DEPT. OF REVENUE  
800.00

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MOK: 9359  
U.S. 30 & Central  
Matteson, IL.

STATE OF OHIO )  
 ) SS.  
COUNTY OF HANCOCK )

BEFORE ME, a Notary Public in and for said State of Ohio personally appeared the above named Marathon Oil Company, an Ohio corporation, by R. E. White, its Vice President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said corporation, and the free act and deed of him personally and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Findlay, Ohio, this 4th day of September, 1997.

Deborah A. Treier  
Notary Public

My Commission Expires:  
DEBORAH A. TREIER  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires Dec. 28, 1998

This Instrument Prepared by:  
Q. H. Wood, Attorney-at-Law  
539 South Main Street  
Findlay, OH 45840

AFTER RECORDING MAIL TO:  
Grantee

Donna & Arnell  
1208 Royal Dublin Lane  
Dyer, Ind. 46311

ADDRESS OF PROPERTY:  
U.S. 30 & Central Ave.  
Matteson, Illinois

The Above Address Is For Statistical Purposes Only And Is Not A Part Of This Deed.

SEND SUBSEQUENT TAX BILLS TO:  
Mellor Consolidated, Inc.  
3250 W. Lincoln Hwy.  
Dickinson, IL 60446

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PLAT ACT AFFIDAVIT

State of Ohio )  
 ) S.S.  
County of Hancock )

James L. Kitts, being duly sworn on oath states that he is the Manager - Real Estate of Marathon Oil Company and that the attached deed is not in violation of Section 1 of Chapter 109 of the Illinois Revised Statutes for one of the following reasons: *(Circle the number below which is applicable to attached deed or lease.)*

- 1. Said Act is not applicable as the grantors own no property adjoining the premises described in said deed. (Existing Parcel)  
OR  
the conveyance falls in one of the following exemptions permitted by the Amended Act which became effective July 17, 1959.
- 2. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access.
- 3. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access.
- 4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
- 5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
- 6. The conveyance of land owned by railroad or other public utility which does not involve any new streets or easements of access.
- 7. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
- 8. Conveyances made to correct descriptions in prior conveyances.

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BOX 333-CTT

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- 9. The sale or exchange of parcels or tracts of land existing on the date of the Amendatory Act, July 17, 1959, into no more than 2 parts and not involving any new streets or easements of access.
- 10. The sale of a single lot of less than 5 acres from a larger tract when a survey is made by a registered surveyor; provided, however, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois to accept the attached deed for recording.

*James L. Kitts*  
 Printed: James L. Kitts



Subscribed and sworn to before me this 1th day of September, 19 97.

*Deborah A. Treier*  
 Notary Public

My Commission Expires:

DEBORAH A. TREIER  
 NOTARY PUBLIC, STATE OF ILL.  
 My Commission Expires Dec. 28, 1998

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TO THE RIGHT CONVEX TO THE NORTHEAST HAVING A RADIUS OF 340.00 FEET AN ARC DISTANCE OF 341.60 FT TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG SAID REVERSE CURVE TO THE LEFT CONVEX TO THE SOUTHWEST HAVING A RADIUS OF 260.00 FEET AN ARC DISTANCE OF 260.68 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS EAST 84.83 FEET; THENCE SOUTH 04 DEGREES 24 MINUTES 35 SECONDS WEST 80.24 FEET TO THE NORTH LINE OF THE MICHIGAN CENTRAL (FORMERLY NEW YORK CENTRAL) RAILROAD (OLD PLANK TRAIL); THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS WEST 1786.89 FEET ALONG LAST SAID NORTH LINE TO THE POINT OF BEGINNING.

## PARCEL 3:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHERLY OF LINCOLN HIGHWAY (U.S. ROUTE 30) AND LYING WESTERLY OF INTERSTATE HIGHWAY 57 (F.A.I. ROUTE 57) AND LYING NORTH OF THE MICHIGAN CENTRAL (FORMERLY NEW YORK CENTRAL) RAILROAD (OLD PLANK TRAIL) AND LYING EAST OF CENTRAL AVENUE AND EXCEPT THAT PORTION DEDICATED FOR LINCOLN FRONTAGE ROAD RECORDED APRIL 18, 1974 AS DOCUMENT NO. 22689505, IN COOK COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID F.A.I. ROUTE 57 AND THE NORTH LINE OF SAID MICHIGAN CENTRAL RAILROAD (OLD PLANK TRAIL); THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS WEST 433.93 FEET ALONG LAST SAID NORTH LINE; THENCE NORTH 04 DEGREES 24 MINUTES 35 SECONDS EAST 80.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS WEST 84.83 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT CONVEX TO THE SOUTHWEST HAVING A RADIUS OF 260.00 FEET AN AR DISTANCE OF 260.68 FEET TO A POINT OF REVERSE CURVE; THENCE NORTHWESTERLY ALONG SAID REVERSE CURVE TO THE LEFT CONVEX TO THE NORTHEAST HAVING A RADIUS OF 340.00 FEET AN ARC DISTANCE OF 341.60 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 34 SECONDS WEST 501.79 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 490.00 FEET; THENCE NORTH 59 DEGREES 06 MINUTES 54 SECONDS WEST 116.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 275.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 34 SECONDS EAST 550.00 FEET; THENCE NORTH 80 DEGREES 47 MINUTES 16 SECONDS EAST 335.52 FEET; THENCE NORTH 61 DEGREES 29 MINUTES 27 SECONDS EAST 430.13 FEET; THENCE SOUTH 40 DEGREES 30 MINUTES 48 SECONDS EAST 54.86 FEET; THENCE SOUTH 04 DEGREES 24 MINUTES 35 SECONDS WEST 1323.26 FEET TO THE POINT OF BEGINNING.

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