

THIS INSTRUMENT  
PREPARED BY:  
John A. Graham  
Altman, Kritzer & Levick, Ltd.  
Suite 700  
1101 Perimeter Drive  
Schaumburg, Illinois 60173  
AFTER RECORDING  
RETURN TO:  
Brett L. Hopper  
Fennemore Craig  
3003 North Central Avenue  
Suite 2600  
Phoenix, Arizona 85012-2913

7650520 D2 TMS

RECORDER'S SPACE

PIN #  
Part of 10-24-310-043  
Address of Property:  
Vacant land adjacent to  
2201 Oakton Street  
Evanston, Illinois 60202

CITY OF EVANSTON 003500  
Real Estate Transfer Tax  
City Clerk's Office

PAID OCT 08 1997 Amount \$ 4250<sup>00</sup>xx

Agent MPH

SPECIAL WARRANTY DEED

THIS DEED, dated this 21st day of October, 1997, is given by HOME DEPOT U.S.A., INC., a Delaware corporation ("Grantor"), with an address of 2455 Paces Ferry Road, Atlanta, Georgia 30339, party of the first part, to ARIZONA FUNDING CORPORATION, a Delaware corporation ("Grantee"), with an address of 19601 North 27th Avenue, Phoenix, Arizona 85027, party of the second part.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, does by these presents remise, release, alien and convey, unto Grantee real estate situated in Evanston, Cook County, Illinois, described on EXHIBIT A attached hereto and incorporated herein, and subject to general taxes for the calendar year 1997 and thereafter, special taxes becoming a lien after the date of this Deed, zoning regulations and ordinances, and those items identified on EXHIBIT B;

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever. Grantor hereby

BOX 333-CTI

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11-23-13

covenants that it and its successors and assigns shall and will warrant and defend the title to the premises unto Grantee and to its successors and assigns forever, against the lawful claims of all persons claiming by, through or under Grantor but none other.

In Witness Whereof, Grantor has caused this Deed to be executed by its duly authorized representative the day and year first above written.

HOME DEPOT U.S.A., INC.,  
a Delaware corporation

By: [Signature]

Name: WILLIAM E. IFF

Title: Senior Corporate Counsel Real Estate

Send subsequent tax bills to:  
Arizona Funding Corporation  
19601 North 27th Avenue  
Phoenix, Arizona 85027

272305  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEC 23 '97  
REVENUE  
834.00  
P.D. 10686

10  
Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE  
STAMP DEC 23 '97  
P.D. 11427  
417.00

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STATE OF GEORGIA )  
 ) SS  
COUNTY OF COBB )

On the 2/5<sup>th</sup> day of October, 1997, before me personally came KATHARINE E. LEE known to me to be the person whose name is subscribed to the foregoing instrument and known by me to be an authorized signatory for HOME DEPOT U.S.A., INC., a Delaware corporation, the corporation described in and which executed the foregoing instrument, and acknowledged to me that: the instrument was executed for the purposes and consideration therein expressed as the act of the corporation, the seal was affixed, and the instrument was signed by the authorized signatory, all by order of the board of directors of said corporation.

[Signature]  
Notary Public

My Commission Expires: 9/17 2000  
~~1997~~

Clerk of Cook County Clerk's Office

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97969560

## EXHIBIT A

### LEGAL DESCRIPTION

LOT 2 IN HOME DEPOT SUBDIVISION EVANSTON, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 1997, AS DOCUMENT NO. 7796 9559.

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## EXHIBIT B

### PERMITTED TITLE EXCEPTIONS

1. General real estate taxes for the year 1997 and subsequent years.
2. 20 foot easement in favor of City of Evanston and public utilities, including the Illinois Bell Telephone Company, Northern Illinois Gas Company, and the Commonwealth Edison Company, and their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the plat recorded as Document No. 93980055.
3. Consent to Plat executed by Home Depot U.S.A., Inc., recorded December 24, 1997, as Document No. 97969559
4. Easements as disclosed by the Plat of Home Depot Subdivision Evanston recorded December 31, 1997, as Document No. 97969559
5. Encroachment of the 12 inch reinforced concrete pipe running across the premises, as shown on Plat of Survey Number 97-02-36 prepared by Regional Land Survey dated March 21, 1997.
6. Encroachment of the sanitary sewer line located mainly on the west lot line of the premises, as shown on Plat of Survey Number 97-02-36 prepared by Regional Land Survey dated March 21, 1997.

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