

# UNOFFICIAL COPY

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97004713

Return to: (enclose self-addressed stamped envelope)

Name and Address:

Brian P. Evans, Esq.  
Kennedy, Covington, Lobdell & Hickman, L.L.P.  
Nationsbank Corporate Center, Suite 4200  
100 North Tryon Street  
Charlotte, NC 28202-4006

DEPT-01 RECORDING \$35.00  
T#0012 TRAN 3597 01/03/97 13:49:00  
45811 CG \*-97-004713  
COOK COUNTY RECORDER

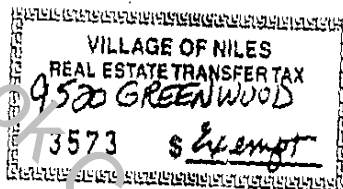
Send Subsequent Tax Bills to:

BB Niles Limited Partnership  
100 East Sybella Avenue, Suite 225  
Maitland, Florida 32751

Space above this line for Recorder's use

Permanent Index Nos:

- 09-14-111-004-0000
- 09-14-111-005-0000
- 09-14-111-006-0000
- 09-14-111-021-0000
- 09-14-111-022-0000
- 09-14-111-023-0000
- 09-14-111-024-0000
- 09-14-111-025-0000



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### WARRANTY DEED

THE GRANTOR, ROXBORO SQUARE LIMITED PARTNERSHIP, a North Carolina limited partnership, whose address is 100 East Sybella Avenue, Suite 225, Maitland, Florida 32751, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration in hand paid, pursuant to authority given by the Board of Directors of the general partner of said partnership. CONVEYS and WARRANTS TO ROXBORO SHOPPING CENTER, INC., a North Carolina corporation whose address is 100 East Sybella Avenue, Suite 225, Maitland, Florida 32751 as to an undivided 0.909% interest, MARC L. HAGLE, whose address is 100 East Sybella Avenue, Suite 225, Maitland, Florida 32751, as to an undivided 29.997% interest, WALTER T. KRUMM, 985 Bethel Road, Columbus, Ohio 43214, as to an undivided 29.997% interest, and R. JOE LOONEY, whose address is Box 292, 11310 Orange Blossom Trail, Orlando, Florida 32837, as to an undivided 29.997% interest, as tenants in common ("Grantee"), and its interest in the following described Real Estate situated in the County of Cook and State of Illinois, to wit:

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LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF.

THIS TRANSFER IS EXEMPT UNDER THE PROVISIONS OF PARAGRAPH E, SECTION 4 OF THE REAL ESTATE TRANSFER TAX ACT.

ROXBORO SQUARE LIMITED PARTNERSHIP, Grantor

By: Roxboro Shopping Center, Inc.

By:  President

BOX 333-CTI

Date: December 20, 1996

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and, in the same undivided interests, all its interest in and to that certain Lease originally entered into between Anson Station Limited Partnership and Roxboro Square Limited Partnership and Best Buy Co., Inc., dated November 16, 1995 (the "Lease"), subject only to the following matters:

1. Such easements, covenants, restrictions, and other matters as appear of record.
2. Taxes not yet due and payable.
3. The Lease.
4. The lien of that certain Mortgage and Security Agreement With Assignment of Rents and Fixture Filing in favor of Guardian Life Insurance Company recorded as Document Number 96206190 in the records of the Cook County Recorder.

In Witness Whereof, said Grantor has caused its name to be signed to these presents by the \_\_\_\_\_ President of its General Partner as of the 31st day of December, 1996.

GRANTOR:

ROXBORO SQUARE LIMITED PARTNERSHIP,  
a North Carolina limited partnership

[SEAL]

By: Roxboro Shopping Center, Inc.,  
a North Carolina corporation, General Partner

By:   
Its: \_\_\_\_\_  
President

[CORPORATE SEAL]

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STATE OF North Carolina )  
 ) ss.  
COUNTY OF Mecklenburg )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that R. Joe Looney personally known to me to be the - President of ROXBORO SHOPPING CENTER, INC., a North Carolina corporation, General Partner of ROXBORO SQUARE LIMITED PARTNERSHIP, a North Carolina limited partnership, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such - President, he signed and delivered the said instrument pursuant to authority given by the Board of Directors of said corporation, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, as General Partner of Roxboro Square Limited Partnership, for the uses and purposes therein set forth.

Given under my hand and official seal, this 22 day of December, 1996.

Madeline C. Leitch  
Notary Public  
Printed Name: MADLEINE C. LEITCH  
My Commission Expires: 7-29-98

[NOTARIAL STAMP OR SEAL]

This instrument was prepared by:

Brian P. Evans, Esq.  
Kennedy, Covington, Loddell & Hickman, L.L.P.  
Nationsbank Corporate Center, Suite 4200  
100 North Tryon Street  
Charlotte, NC 28202-4006

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## EXHIBIT A

### LEGAL DESCRIPTION (BEST BUY - NILES, ILLINOIS)

Being all of Lots 64, 65, 66, 67, 68, 69, 70 and 71 in Golf Greenwood Gardens, being a subdivision of the Northwest 1/4 of the Northwest 1/4 of Section 14, Township 41 North, Range 12 East, of the Third Principal Meridian, in Cook County, Illinois and recorded as Document Number 1232209, together with all that part of vacated Elm Drive as recorded by Document Number 95635668, and being more particularly described as follows:

BEGINNING at the southeasterly corner of Lot 64 as shown on that certain map entitled "Golf Greenwood Gardens Subdivision" recorded as Document Number 1232209 in Cook County, Illinois, said corner also being located at an iron pin in the westerly right-of-way margin of Greenwood Avenue (currently a 100-foot right-of-way) and running with the southerly property line of Lot 64, south 87 degrees 56 minutes 01 seconds west 185.00 feet to an iron pin; thence running with the westerly lines of Lots 64, 65, 66, 67, and 68 north 00 degrees 06 minutes 45 seconds west 449.68 feet to an iron pin; thence running with the southerly line of Lot 71, south 87 degrees 48 minutes 35 seconds west 112.09 feet to an iron pin; thence running with the westerly line of Lot 71, north 00 degrees 09 minutes 00 seconds west 201.27 feet; thence running with the westerly right-of-way line margin of the vacated right-of-way of Elm Drive (also known as Elmer Drive) as vacated by Document Number 95635668, north 00 degrees 09 minutes 00 seconds west 50.03 feet; thence north 87 degrees 50 minutes 22 seconds east 297.24 feet to a point; thence running south with the easterly right-of-way margin of the vacated right-of-way of Elm Drive, south 00 degrees 06 minutes 51 seconds east 50.03 feet; thence running with the easterly lines of Lots 69, 68, 67, 66, 65 and 64 south 00 degrees 06 minutes 51 seconds east 651.20 feet to an iron pin, said iron pin also being the point of BEGINNING.

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## STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: December 20, 1996

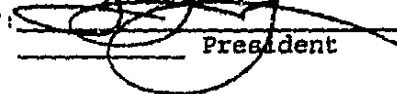
Signature:

ROXBORO SQUARE LIMITED  
PARTNERSHIP, Grantor

By: Roxboro Shopping Center, Inc.

Subscribed and sworn before me by the

said R. Joe Torrey  
this 20th day of December,  
1996.

By:   
President

Madeline C. Ferris  
Notary Public  
My Commission Expires September 29, 1998

The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: December 19, 1996

Signature:

  
Marc L. Hagle, Grantee

Subscribed and sworn before me by the

said MARC L. HAGLE  
this 19th day of December,  
1996.

Madeline C. Ferris  
Notary Public  
My Commission Expires September 29, 1998

NOTE:

Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Tax Act.)

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## STATEMENT BY GRANTOR AND GRANTEE [continued]

The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: December 30, 1996

Signature: \_\_\_\_\_

R. Joe Looney, Grantee

Subscribed and sworn before me by the

said R. Joe Looney  
this 30th day of December  
19 96.

Madeline C. Davis  
Notary Public

My Commission Expires September 20, 1998

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Tax Act.]

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## STATEMENT BY GRANTOR AND GRANTEE [continued]

The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: DECEMBER 18, 1996 Signature: Walter T. Krumm  
Walter T. Krumm, Grantee

Subscribed and sworn before me by the  
said Grantor WALTER T. KRUMM  
this 18<sup>th</sup> day of December,  
1996.

Patricia A. Lamb  
Notary Public  
**PATRICIA A. LAMB**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES FEB. 5, 2001

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Tax Act.)

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SMALL A REGISTER  
ON 10 15 1974, 10 15 1974  
10 15 1974 10 15 1974

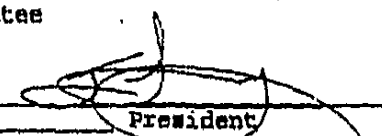
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## STATEMENT BY GRANTOR AND GRANTEE [continued]

The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: December 20, 1996

Signature: ROXBORO SHOPPING CENTER, INC.,  
Grantee

By:   
President

Subscribed and sworn before me by the  
said C. Joe Rooney  
this 20th day of December  
19 96.

Madeline C. Jones  
Notary Public

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois. It exempt under provisions of Section 4 of the Illinois Real Estate Tax Act.)

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