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Cook County Recorder 67.00

1436-90

QUITCLAIM DEED

8
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UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, Grantor, (successor in interest by merger to Union Pacific Railroad Company, a Utah corporation and the Chicago and North Western Railway Company) in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto RICHARD J. ANETSBERGER, as Trustee of the Residuary Trust under the Last Will and Testament of Frank Anetsberger, Deceased, as to an undivided 49%, whose address is 1230 Voltz Road, Northbrook, Illinois 60062 and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Trustee under Trust Agreement dated December 9, 1992 and known as Trust No. 4792-NF, as to an undivided 51%, whose address is 33 N. LaSalle Street, Chicago, Illinois 60690, Grantees, and unto the heirs, successors and assigns of said Trusts, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate (hereinafter the "Property") situated in Northbrook, Cook County, State of Illinois, as more particularly described in Exhibit A, hereto attached and hereby made a part hereof.

Grantees, the heirs, successors and assigns of said Trusts, agree not to alter drainage conditions in such a way to adversely affect the remaining real estate owned by Grantor.

EXCEPTING from this quitclaim and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including without limiting the generality of the foregoing, oil and gas and rights thereon, together with the sole, exclusive and perpetual rights to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by the Grantees, the heirs, successors and assigns of said Trusts.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging; TO HAVE AND TO HOLD, subject to the aforesaid provisions, the Property unto the said Grantees and unto the heirs, successors and assigns of said Trusts.

THE TERMS AND CONDITIONS APPEARING ON THE SECOND PAGE HEREOF OF THIS INSTRUMENT ARE MADE A PART HEREOF.

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Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alleys, to vacate any subdivision or part thereof, and to resubdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right title or interest in or about or easement appurtenant to said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (of including the Registrar Titles of said county) relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this Indenture and by said Trust Agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in said Trust Agreement or in all amendments thereof, if any, and binding upon all beneficiaries thereunder, (c) that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

This conveyance is made upon the express understanding and condition that neither American National Bank and Trust Company of Chicago, individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in its own name as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation, or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof.) All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said American National Bank and Trust Company of Chicago the entire legal and equitable title in fee simple, in and to all of the real estate above described.

If the title to any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust," "upon condition," or "with limitations," or words of similar import, in accordance with the statute in such case made and provided.

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Grantor, Federal ID No. 94-6001323, is not a foreign corporation and withholding of Federal Income Tax from the amount realized will not be made by Grantees. A Certification prepared in conformance with IRS regulations under Section 1445 of the Internal Revenue Code is attached as Exhibit B.

IN WITNESS WHEREOF, the Grantor has caused this deed to be duly executed as of the 11 day of May, 1998.

Attest:

UNION PACIFIC RAILROAD COMPANY

[Signature]
Assistant Secretary
(Seal)

By John W. Tolm
Title: APP Operations Support

Cook County
REAL ESTATE TRANSACTION
MAY 14 1998
2875

STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
MAY 14 1998
DEPT OF REVENUE
5750

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ACKNOWLEDGMENT

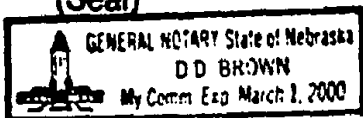
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 11 day of May, 1998, before me, a Notary Public in and for said County and State, personally appeared John Helm and ME HEALAN who are the ASST. VICE PRESIDENT and the Assistant Secretary, respectively, of Union Pacific Railroad Company, a Delaware corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
Notary Public

(Seal)



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UNION PACIFIC RAILROAD COMPANY
Northbrook, Cook County, Illinois

EXHIBIT "A"

Two parcels of land situate in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 10 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 both in Township 42 North, Range 12 East of the 3rd Principal Meridian, said parcels being more particularly described as follows:

Parcel 1

A parcel of land situate in said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10 and being more particularly described as follows:

COMMENCING at the point of intersection of the centerline between the two main tracks of Union Pacific Railroad Company (previously Chicago Northwestern Transportation Company) and the south line of the SE $\frac{1}{4}$ of said section;

thence S89°24'35"W, along said south line a distance of 71.06 feet, more or less, to a point 65.00 feet distant northwesterly, as measured at right angles, from said centerline;

thence N34°24'21"E, parallel with and 65.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 40.28 feet to a point in the north line of Voltz Road and the **TRUE POINT OF BEGINNING**;

thence continuing N34°24'21"E, parallel with and 65.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 261.91 feet to a point in the east line of aforesaid SE $\frac{1}{4}$ of said section;

thence N00°00'36"W, along said east line, a distance of 176.93 feet to a point 165.00 feet distant northwesterly, as measured at right angles, from said centerline;

thence S34°24'21"W, parallel with and 165.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 377.91 feet to a point in the north line of that certain parcel of land as heretofore conveyed by Chicago and Northwestern Railway Company to Village of Northbrook, Illinois by Quitclaim Deed dated June 3, 1953;

thence easterly, along said north line of said conveyed parcel parallel with aforesaid south line of said SE $\frac{1}{4}$ of said section, a distance of 115.96 feet to a point 70.00 feet distant northwesterly, as measured at right angles, from said centerline and the northeast corner of said conveyed parcel;

thence S34°24'21"W, along said east line of said conveyed parcel parallel with and 70.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 99.97 feet to a point in aforesaid north line of said Voltz Road;

thence N89°24'38"E, along said north line, a distance of 6.10 feet to the **TRUE POINT OF BEGINNING**.

Containing an area of 27,492 square feet or 0.631 of an acre, more or less.

Parcel 2

A parcel of land situate in aforesaid NE $\frac{1}{4}$ NE $\frac{1}{4}$ of aforesaid Section 15 and being more particularly described as follows:

COMMENCING at the point of intersection of the centerline between the two main tracks of Union Pacific Railroad Company (previously Chicago Northwestern Transportation Company) and the north line of the NE $\frac{1}{4}$ of said section;

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thence S89°24'38"W, along said north line a distance of 71.06 feet, more or less, to a point 65.00 feet distant northwesterly, as measured at right angles, from said centerline;

thence S34°24'21"W, parallel with and 65.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 40.28 feet to point in the south line of Voltz Road and the **TRUE POINT OF BEGINNING**;

thence continuing S34°24'21"W, parallel with and 65.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 181.91 feet to a point in the north line of Lot 1 of said Section 15;

thence S89°31'16"W, along said north line of said Lot 1, a distance of 121.91 feet to a point 165.00 feet distant northwesterly, as measured at right angles, from said centerline;

thence N34°24'21"E, parallel with and 165.00 feet distant northwesterly, as measured at right angles, from said centerline, a distance of 181.62 feet to a point in aforesaid south line of said Voltz Road;

thence N89°24'28"E, along said north line, a distance of 122.07 feet to the **TRUE POINT OF BEGINNING**;

Containing an area of 18,177 square feet or 0.417 acres, more or less.

The above two parcels aggregate a total of 45,669 square feet or 1.048 acres, more or less.

Office of Real Estate
Omaha, Nebraska
March 30, 1998

Written by: DDB
northbrk.il
1436-90

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EXHIBIT B

CERTIFICATION OF NON-FOREIGN STATUS

Under Section 1445(e) of the Internal Revenue Code, a corporation, partnership, trust, or estate must withhold tax with respect to certain transfers of property if a holder of an interest in the entity is a foreign person. To inform the transferee that no withholding is required with respect to UNION PACIFIC RAILROAD COMPANY's interest in it, the undersigned hereby certifies the following on behalf of UNION PACIFIC RAILROAD COMPANY (hereinafter the "COMPANY"):

- 1. The COMPANY is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);
- 2. The COMPANY's U.S. employer identification number is 94-6001323; and
- 3. The COMPANY's office address is 1416 Dodge Street, Omaha, Nebraska 68179 and state of incorporation is Delaware.

The COMPANY agrees to inform the transferee if it becomes a foreign person at any time during the three year period immediately following the date of this notice.

The COMPANY understands that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalties of perjury, I declare that I have examined this certification and to the best of my knowledge and belief it is true, correct, and complete, and I further declare that I have authority to sign this document on behalf of the COMPANY.

John W. Hoh

Title: AVP Op. Support

Date: 4-23-98

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PLAT ACT AFFIDAVIT

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

James L. Harrel being duly sworn on oath, states that
he resides at 1416 Dodge Street, Omaha, Nebraska 68179. That the
attached deed is not in violation of 765 ILCS 205.1 for one of the following reasons:

1. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

- OR -

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 1st, 1959.

2. The division or subdivision of the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
3. The divisions of lots or blocks of less than one 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 easement of access.
6. The conveyance of land owned by a 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.
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

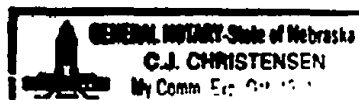
Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

SUBSCRIBED and SWORN to before me

this 12th day of May, 19 98.

[Signature]
Notary Public

James L. Harrel
James L. Harrel, Senior Manager -
Real Estate, Union Pacific Railroad
Company



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