

# UNOFFICIAL COPY

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*Done*

DEPT-01 RECORDING \$35.00  
T#0000 TRAN 0169 05/19/98 10:49:00  
#5507 # RC \*-98-4 11860  
COOK COUNTY RECORDER

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16

Property of Cook County Clerk's Office

## SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT JBCIV Limited Partnership, an Illinois limited partnership, for and in consideration of the sum of Ten and No/100 Dollars \$10.00 cash in hand paid by Scott H. Gendell, Joseph B. Bitta and David Bossy "Grantee" whose address is c/o Terrace, Inc. 5707 Skokie Blvd., Skokie, Illinois 60077, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, and by these presents does GRANT, bargain, sell and CONVEY unto Grantee, that certain tract of real property situated in Cook County, Illinois, and described in Exhibit A attached hereto and made a part hereof for all purposes, together with all and singular the rights, privileges, hereditaments, and appurtenances pertaining to such real property, including any and all improvements and fixtures currently attached to and located thereon (the "Property").

This document prepared by and after recording return to:  
Pandy S. Gissis  
Spaw Gissis Tomanski Fishman & Glantz  
111 W. Washington Street, #100  
Chicago, IL 60602

FIN: 37-15-301-003-0000  
37-15-301-004-0000

Recorder's Office  
Cook County, Illinois  
98411860  
Clerk of Recorder's Office

MAX 329-CTI

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TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee's successors and assigns forever; and subject to the exceptions set forth on the attached Exhibit A, Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend title of the Property unto the Grantee and Grantee's successors and assigns, against every person whatsoever lawfully claiming same title, or any part thereof by, through or under Grantor, but not otherwise.

EXECUTED to be effective the 11 day of Nov, 1998

GRANTOR:

RGBI Limited Partnership

By: RGB Realty Partners, Inc.

By:

Scott R. Gendell  
Scott R. Gendell,  
President

STATE OF ILLINOIS

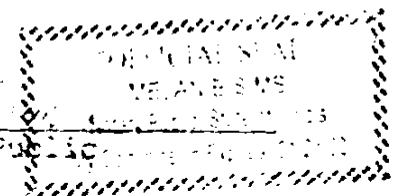
COUNTY OF COOK

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Scott R. Gendell personally known to me to be the president of RGB Realty Partners, Inc., 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 he signed and delivered the said instrument as his 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 official seal, this 11 day of Nov, 1998.

Commission Expires:

Notary Public



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## EXHIBIT A

### LEGAL DESCRIPTION

#### PARCEL 1:

LOT 1 IN THE RE-SUBDIVISION OF PART OF LOTS 1 AND 2 IN KNOSHE-BEDFORD SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAN THEREOF RECORDED AUGUST 26, 1974 AS DOCUMENT 266729.

#### PARCEL 2:

LOT 1, EXCEPT THAT EAST THEREOF DEDICATED FOR PUBLIC STREET PER DOCUMENT NO. 267177, IN KNOSHE-BEDFORD SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAN THEREOF RECORDED SEPTEMBER 30, 1968 AS DOCUMENT NUMBER 267177, IN COOK COUNTY, ILLINOIS.

9310-9324 W. 154th Street, Oak Park, IL  
9350-9370 W. 154th Street Oak Park, IL

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# CHICAGO TITLE INSURANCE COMPANY

## OWNER'S POLICY (1992)

### SCHEDULE B

POLICY NO.: 1401 007712261 02

NOTWITHSTANDING THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS OF THIS POLICY, ALL ENDORSEMENTS, IF ANY, ATTACHED HERETO ARE VALID DESPITE THE LACK OF SIGNATURE BY EITHER THE PRESIDENT, A VICE PRESIDENT, THE SECRETARY, AN ASSISTANT SECRETARY, OR VALIDATING OFFICER OR AUTHORIZED SIGNATORY OF THE COMPANY.

### EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEY'S FEES OR EXPENSES) BY REASON OF THE FOLLOWING EXCEPTIONS:

#### GENERAL EXCEPTIONS:

- (1) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
- (2) ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PREMISES.
- (3) EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
- (4) ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- (5) TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.

SPECIAL EXCEPTIONS: THE MORTGAGE, IF ANY, REFERRED TO IN ITEM 4 OF SCHEDULE A.

A 6.

TAXES FOR THE YEARS 1997 & 1998.  
1998 TAXES ARE NOT YET DUE OR PAYABLE.

PERMANENT INDEX NUMBER: 27-15-301-004-0000.  
AFFECTS PARCEL 1.

NOTE: 1997 FIRST INSTALLMENT NOT BILLED:

NOTE: 1998 FINAL INSTALLMENT NOT DELINQUENT BEFORE AUGUST 1, 1998.

TAXES FOR THE YEARS 1997 & 1998.  
1998 TAXES ARE NOT YET DUE OR PAYABLE.

PERMANENT INDEX NUMBER: 27-15-301-003-0000.

(AFFECTS PARCEL 2.)

NOTE: 1997 FIRST INSTALLMENT IS PAID.

NOTE: 1997 FINAL INSTALLMENT IS NOT DELINQUENT BEFORE AUGUST 1, 1998.

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EXCEPTIONS FROM COVERAGE  
(CONTINUED)

- C 7. EASEMENT OVER THE LAND FOR THE PURPOSE OF INSTALLING AND MAINTAINING THE LAND WITH TELEPHONE AND ELECTRICAL SERVICE, TOGETHER WITH THE RIGHT TO OVERHANG AERIAL SERVICE WIRES AND THE RIGHT OF ACCESS TO SUCH WIRES, AS CREATED BY GRANT TO THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS RECORDED JULY 6, 1982 AS DOCUMENT 26283411.
- (AFFECTS THE SOUTH 25 FEET OF PARCEL 1)
- D 8. EASEMENT OVER THE LAND FOR THE PURPOSE OF INSTALLING AND MAINTAINING ALL EQUIPMENT NECESSARY TO SERVE THE SUBDIVISION AND OTHER PROPERTY WITH TELEPHONE AND ELECTRICAL SERVICE, TOGETHER WITH RIGHT TO OVERHANG AERIAL SERVICE WIRES AND THE RIGHT OF ACCESS TO SUCH WIRES AS CREATED BY GRANT TO THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED SEPTEMBER 30, 1982 AS DOCUMENT 26367123.
- E 9. EASEMENT OVER THE LAND FOR THE PURPOSE OF INSTALLING AND MAINTAINING ALL EQUIPMENT NECESSARY TO SERVE THE SUBDIVISION AND OTHER LAND WITH GAS SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT AS CREATED BY GRANT TO NORTHERN ILLINOIS GAS COMPANY ITS SUCCESSORS AND ASSIGNS AND AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED SEPTEMBER 30, 1982 AS DOCUMENT 26367123.
- F 10. A PERPETUAL NON-EXCLUSIVE EASEMENT IS GRANTED TO THE VILLAGE OF ORLAND PARK, A MUNICIPAL CORPORATION OF ILLINOIS ITS SUCCESSORS AND ASSIGNS, (SUBJECT TO AN EASEMENT AGREEMENT DATED SEPTEMBER 20, 1982 BETWEEN THE VILLAGE OF ORLAND PARK AND JETCO PROPERTIES, INC.) FOR THE FULL AND FREE RIGHT AND AUTHORITY TO INSTALL, CONSTRUCT AND OTHERWISE ESTABLISH, RELOCATE, REMOVE, RENEW, REPLACE, OPERATE, INSPECT, REPAIR FACILITIES, SANITARY SEWER PIPES, MANHOLES AND SEWER CONNECTIONS, STORM SEWER PIPES, ELECTRIC TRANSMISSION AND DISTRIBUTION WIRES AND CABLES, IN, ON, UPON, OVER, THROUGH, ACROSS AND UNDER ALL OF REAL ESTATE DESCRIBED AND DESIGNATED A WITHIN PUBLIC UTILITY EASEMENTS, SAID EASEMENTS BEING DESIGNAED BY THE DASHED LINES AND DESIGNATIONS OF WIDTH. ALSO IN, ON, UPON, OVER, THROUGH, ACROSS AND UNDER ALL OF THAT REAL ESTATE HEREBON DESCRIBED AND DESIGNATED BY THE DASHED AND DOTTED LINES AND DESIGNATIONS OF WIDTH, AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED SEPTEMBER 30, 1982 AS DOCUMENT 26367123.

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CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (1992)

SCHEDULE B

POLICY NO.: 1401 007712261 02

## EXCEPTIONS FROM COVERAGE (CONTINUED)

- G 11. A 12 FOOT PUBLIC EASEMENT ALONG THE WEST LINE OF THE LAND AS SHOWN ON DOCUMENT 25347178 AND AS SHOWN ON THE PLAT OF RESUBDIVISION  
  
(AFFECTS THE WEST LINE OF PARCEL 1)
- O 12. A 20 FOOT PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE OF THE LAND AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED SEPTEMBER 30, 1982 AS DOCUMENT 26367123  
  
(AFFECTS PARCEL 2)
- P 13. A 5 FOOT PUBLIC UTILITY EASEMENT ALONG THE WEST LINE OF THE LAND AS SHOWN ON THE PLAT OF SAID SUBDIVISION  
  
(AFFECTS PARCEL 2)
- Q 14. DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS DATED JULY 17, 1996 AND RECORDED AUGUST 28, 1996 AS DOCUMENT NUMBER 96659797 AND 96659798 BETWEEN JETCO PROPERTIES, INC. AND JBGIV LIMITED PARTNERSHIP, PROVIDING FOR BUILDING AREAS, DESIGN AND CONSTRUCTION OF BUILDINGS, COMMON AREA USE, PARKING, EASEMENTS FOR INGRESS AND EGRESS AND PARKING, UTILITY LINE EASEMENTS, RESTRICTIONS AS TO THE USE OF THE PROPERTY, AND OTHER MATTERS  
  
(AFFECTS PARCEL 2)
- R 15. EASEMENT IN FAVOR OF COMMONWEALTH EDISTON COMPANY AND ILLINOIS BELL TELEPHONE, AKA AMERITECH ILLINOIS CORPORATION, AND ITS/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 GRANT RECORDED MAY 16, 1997 AS DOCUMENT NO. 97350163, AFFECTING A PORTION OF THE LAND 10 FEET IN WIDTH, AS SHOWN ON EXHIBIT "A" OF SAID DOCUMENT.  
  
(AFFECTS PARCEL 2)
- S 16. LEASE MADE BY JBGIV LIMITED PARTNERSHIP TO HOLLYWOOD ENTERTAINMENT CORP. DATED OCTOBER 4, 1996 AND RECORDED OCTOBER 29, 1997 AS DOCUMENT NO. 97806854 , DEMISING THE LAND FOR A TERM OF YEARS BEGINNING OCTOBER 4, 1996 AND ENDING OCTOBER 4, 2011, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE.  
  
(AFFECTS PARCEL 2)
- T 17. RECIPROCAL GRANT OF EASEMENTS AND AGREEMENT BETWEEN U.S. BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 14, 1997 AND KNOWN AS TRUST NO. 3426 AND JBGIV LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP DATED NOVEMBER 20, 1997 AND RECORDED NOVEMBER 25, 1997 AS DOCUMENT NO. 97885291

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CHICAGO TITLE INSURANCE COMPANY

**OWNER'S POLICY (1992)**

**SCHEDULE B**

POLICY NO.: 1401 007712261 02

**EXCEPTIONS FROM COVERAGE  
(CONTINUED)**

(AFFECTS PARCEL 2)

- x 18. (A) TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 3 CONTAINED IN THE INSTRUMENT CREATING SAID EASEMENT.
- (B) RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.
- AD 19. EXISTING UNRECORDED LEASES IN FAVOR OF SMOKERS DELIGHT, GREAT CLIPS, MOTO PHOTO, EDDIE'S, CASUAL MALE, AND H&R BLOCK AS DISCLOSED BY ALTA STATEMENT DATED MAY 14, 1998 AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.

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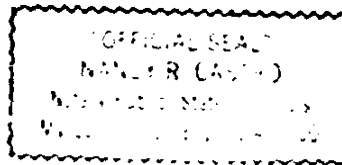
STATEMENT BY GRANTOR AND GRANTEE

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 5/14, 19 98 Signature: [Signature]  
Grantor or Agent

Subscribed and sworn to before me by the  
said agent  
this 14<sup>th</sup> day of May  
19 98.

[Signature]  
Notary Public

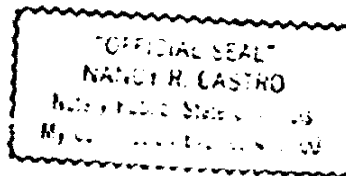


The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, 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 5/14/98, 19 98 Signature: [Signature]  
Grantee or Agent

Subscribed and sworn to before me by the  
said agent  
this 14<sup>th</sup> day of May  
19 98.

[Signature]  
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, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]

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