

SPECIAL WARRANTY DEED

THIS INDENTURE, made the 11 day of JUNE, 1998, between PDV Midwest Refining, L.L.C., a Delaware Limited Liability Company, P.O. Box 22072, Tulsa, Oklahoma 74121, party of the first part, and CAPT'N NEMO'S GROUP, L.L.C., an Illinois Limited Liability Company, 7367 N. Clark Street, Chicago, Illinois 60626, party of the second part;

WITNESSETH:

That for and in consideration of the sum of Ten Dollars and No/100 (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does hereby convey, with Special Warranty of Title, unto the said party of the second part, that certain real property, described on Exhibit A, attached hereto and made a part hereof, containing the legal description and other terms, conditions and restrictions.

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above-described real estate to the center lines thereof; together with appurtenances, if any, and all the estate and rights of the party of the first part in and to said real estate.

SUBJECT TO current taxes and assessments not yet delinquent and taxes and assessments for subsequent years; covenants, restrictions, reservations, rights, rights-of-way and easements of record; zoning ordinances or statutes and building, use and occupancy restrictions of public record, and also subject to the following restrictive covenant which shall run with the above described real estate:

Neither the party of the second part nor its successors, assigns or legal representatives, lessees, or sublessees, shall conduct or permit the conduct on the above described real estate of, and the above described real estate shall never be used for the sale or storage of petroleum products or motor fuels, or for the retail sale of petroleum products or motor fuels.

TO HAVE AND TO HOLD the real estate herein granted unto the party of the second part, the successors and assigns of the party of the second part forever.

And the party of the first part covenants that it has the right to convey the said real estate to the party of the second part; and that the said party of the first part will, and its successors and assigns shall, warrant and defend the same to the said party of the second part, the successors and assigns of the party of the second part, against the lawful claims and demands of all persons claiming by, through or under the party of the first part, but not otherwise subject as aforesaid.

IN WITNESS WHEREOF, the said party of the first part has caused this deed to be executed in its name by ERRA C. HUNT, its VICE-PRESIDENT, said PARTY being hereunto duly authorized, all as of the day, month and year first above written.

ATTEST:

By: [Signature]
Title: ASST. SECRETARY

PDV Midwest Refining, L.L.C. 08-09-402-028

By: [Signature]
Title: Vice-President

76 60. 773 PDV

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RECORDED

THIS INSTRUMENT WAS PREPARED BY:

Stuart Rains, Esquire
6100 South Yale Avenue
Tulsa, Oklahoma 74136

State of OKLAHOMA

County of TULSA

SS.

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that

EZRA C. HUNT, VICE PRESIDENT

personally known to me to be the same person whose name subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that HE signed, sealed and delivered the said instrument as HIS free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 11 day of JUNE, 1998

Mary Calvert
NOTARY PUBLIC

My Commission Expires July 11, 2000

PROPERTY ADDRESS:

AFTER RECORDING, PLEASE MAIL TO:

THE CHICAGO TRUST COMPANY
171 N. CLARK STREET M109LT
CHICAGO, IL 60601-3294

OR BOX NO. 333 (COOK COUNTY ONLY)

G.D. HADERLEN
3413 N. LINCOLN
CHGO. IL. 60657

COOK
CO. NO. 016

098506



STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX

JUN 17 '98 DEPT. OF REVENUE
168.50

126162

Cook County
REAL ESTATE TRANSACTION TAX
REVENUE STAMP JUN 15 '98
84.25

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RE-16126
9064-208

EXHIBIT A

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PARCEL 1:

THAT PART OF LOT 2 IN "TOM'S ACRES" (HEREINAFTER DESCRIBED) FALLING WITHIN LOT 1 IN ANDERSON'S SUBDIVISION OF PART OF THE SOUTH EAST 1/4 OF SECTION 9, SAID "TOM'S ACRES", A SUBDIVISION IN THE SOUTH EAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON JUNE 26, 1973 AS DOCUMENT NO. LR2700380, EXCEPT THAT PART THEREOF CONDEMNED IN CASE NO. 93L50743), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 2 IN "TOM'S ACRES" (HEREINAFTER DESCRIBED) (EXCEPT THAT PART THEREOF FALLING WITHIN LOT 1 IN ANDERSON'S SUBDIVISION OF PART OF THE SOUTH EAST 1/4 OF SECTION 9 AND ALSO EXCEPT THAT PART THEREOF CONDEMNED IN CASE NO. 93L50743), SAID "TOM'S ACRES", A SUBDIVISION IN THE SOUTH EAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON JUNE 26, 1973 AS DOCUMENT NO. LR2700380, IN COOK COUNTY, ILLINOIS.

08-09-402-028

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