8920/0167 03 001 Page 1 of 5
1998-07-27 11:08:31
Cook County Recorder 29.00

### SPECIAL WARRANTY DEED IN TRUST

THIS INDENTURE WITNESSETH, That the Grantor, SUN LIFE ASSURANCE COMPANY OF CANADA, a corporation of the dominion of Canada and owning real property located in the County of Cook and State of Illinois for and in consideration of Ten and no hundredths Dollars (\$10.00), and other good and valuable consideration in hand paid, conveys and warrants unto CONTINENTAL COMMUNITY BANK AND TRUST COMPANY, a corporation of Illinois, as Trustee under the provisions of a trust

(The Above Space For Recorder's Use Only)

agreement dated the 7th day of November, 1969, known as Trust Number 2553, the following described real estate in the County of Cook and State of Illinois, to wit:

Lot 19 in Higgins Industrial Park Unit 3, being a subdivision of part of the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois

P.I.N.: 08-26-204-007-000

TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth against any party claiming by, through or under Grantor, subject to those exceptions listed in **Exhibit A**. The powers and authority conferred upon said trust Grantee are recited on the reverse side hereof and incorporated herein by reference.

The words "in trust", or "upon condition", or "with limitations", or words of similar import, in accordance with the statute in such case made and provided.

And the said grantor hereby expressly waives and releases any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the grantor aforesaid has hereunto caused its duly authorized officer or officers to execute this instrument on its behalf as of this April 22, 1998.

Sun Life Assurance Company of Canada, a corporation of the dominion of Canada

By:

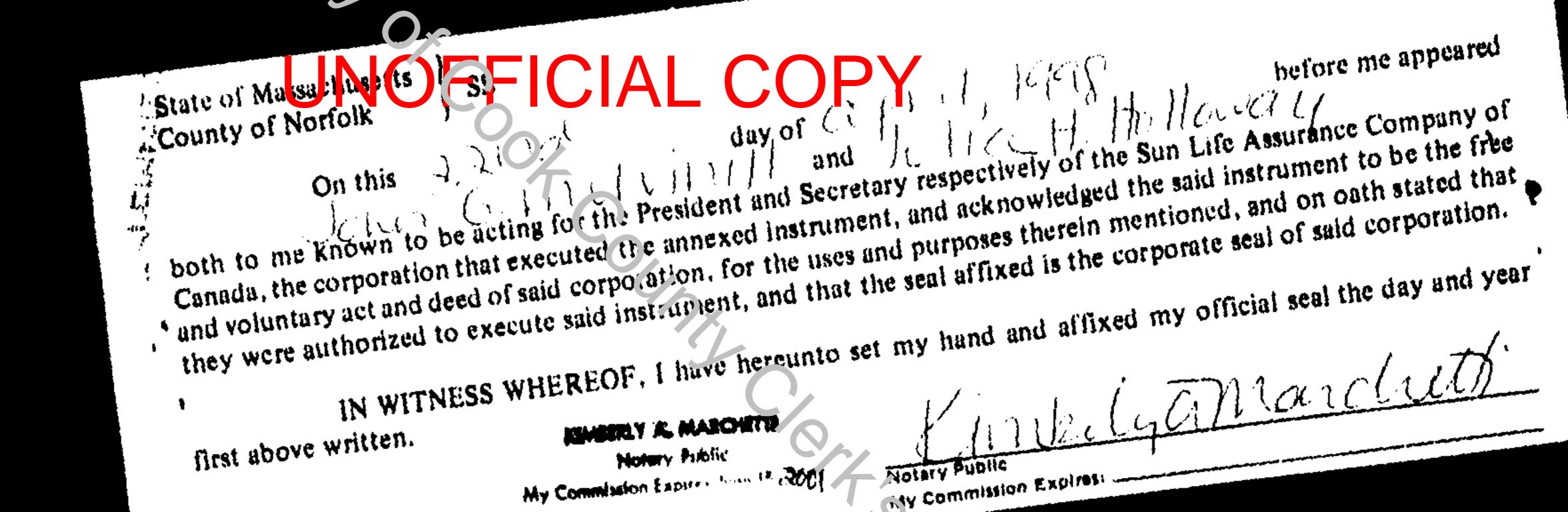
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Commonw County of	realth of Massachusetts ) ) ss.
I, the undersigned, a Notary Public in and for the County, in the State aforesaid, hereby CERTIFY, that personally known to me to be the same person whose name is subscribe to the foregoing instrument, appeared before me this day in person, and acknowledged that signed, sealed and delivered the said instrument as free and voluntary accompanies, for the uses and purposes therein set forth.	
	Notary Public
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This space for affixing Riders and Revenue Stamps

#### TRUST POWERS

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways or alleys and to vicite any subdivision or part thereof, and to resubdivide said property 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 premises or any part thereof to a successor or successors in (rest 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 property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or future, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 148 years, and to renew or extend leases upon any terms and for any period or periods of time and lo 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 property, 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 premises of any part thereof, and to deal with said property and every part thereof in all other ways and for such other consideration 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 in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the 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 in relation to said real estate shall be conclusive evidence in favor of every person 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 some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustee 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

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The interest of each and every beneficiary hereunder 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 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 the earnings, avails and proceeds thereof as aforesaid.

## THIS INSTRUMENT WAS PREPARED BY:

MSIL TO Bradford Aaron, Esq. Sonnenschein Nath & Rosenthal 8000 Sears Tower Chicago, Illinois 60605-5404

## GRANTEE'S ADDRESS:

# CONTINENTAL COMMUNITY BANK AND TRUST COMPANY ounx

411 Madison Street Maywood, Illinois 60153 708/345-1100 · Cook County Recorder Box 3

105-117 Weiler Read

Arlington Heigh's, Illinois 60005

For information only insert street address of property legally described above

Office

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## EXHIBIT A

#### **EXCEPTIONS**

1. Existing leases and tenancles;

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- 2. Special taxes or assessments for improvements not yet completed;
- 3. Installments not due at the date hereof of any special tax or assessment for improvements heretofore completed;
- 4. General taxes for the year 1997 and subsequent years including taxes which may accrue by reason of new or additional improvements;
- 5. Covenants, conditions and restrictions contained in Declaration by Higgins Industrial Corporation dated September 1, 1965 and recorded October 6, 1965 as document 19609484 relating to use, improvements, approval of plans, location of buildings and loading docks, materials to be used in buildings and signs on the land:
- 6. Easement for public utilities over the East 10 feet of the land and other property as shown on plat of said Surgivision;
- Easement over the East 10 feet of the land for the purpose of installing and maintaining all equipment necessary or the purpose of servicing the Subdivision and other property with telephone and Arctric service together with right of access thereto as granted to the Illinois Bell Telephone Company and the Commonwealth Edison Company and the Northern Illinois Gas Company recorded December 15, 1966 as document 200224/7:
- 8. Grant of Easement made by Madeline E. MacMaster to the Illinois Bell Telephone Company and the Commonwealth Edison Company, recorded September 7, 1967 as document 20253314 (affects South 10 (set of Lot 19);
- 9. Encroachment of the building on the land over the easement noted at exception 8, by 5 feet;
- 10. Possible easement for sewer and water as shown on survey by Haeger-Kraemer and Associates, Inc. dated August 11, 1971 as revised to February 26, 1973 wherein are designated three manhole covers and two inlets located in the area covered by the asphalt parking lot located on the land; and
- 11. Such other exceptions as may have arisen from the acts of Purchaser.

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