

QUIT CLAIM DEED

THIS INDENTURE made this

12 day of November, A D,

1997, WITNESSETH, that the

INDIANA HARBOR BELT

RAILROAD COMPANY, an

Indiana corporation, F/K/A

Indiana Harbor Belt Railroad Company of Illinois, who acquired title as the Terminal Railroad

Company, an Illinois Corporation, with an office at 2721 - 161st Street, Hammond, Indiana

46323-1099, hereinafter referred to as the "Grantor," for Ten Dollars (\$10 00) and other good

and valuable consideration to it paid, the receipt of which is hereby acknowledged, quitclaims and

conveys unto BORG-WARNER AUTOMATIC TRANSMISSION SYSTEMS

CORPORATION, a Delaware Corporation, with an office at 11 Eisenhower Lane, Lombard,

Illinois 60148, hereinafter referred to as the "grantee", all right, title and interest of the said

grantor, of, in and to the following described real estate:

**THAT PART OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:**

**A PARCEL OF LAND SITUATED IN THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 9 AFORESAID; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 9, A DISTANCE OF 93.27 FEET; THENCE NORTH 81 DEGREES 56 MINUTES 00 SECONDS WEST, A DISTANCE OF 33.33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHWESTERLY ALONG LAST DESCRIBED LINE, A DISTANCE OF 698.02 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF CIRCLE (OF NON TANGENT CURVE) CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 451.68 FEET, A DISTANCE OF 186.60 FEET TO THE POINT OF COMPOUND CURVE WHICH IS 74.00 FEET (MEASURED PERPENDICULARLY) NORTHERLY FROM SAID**

ALL  
11/12/97  
97079719  
7601960

BOX 333-571

UNOFFICIAL COPY

Property of Cook County Clerk's Office

NORTHERLY RIGHT OF WAY LINE AND 4.58 FEET, (MEASURED PERPENDICULARLY EAST FROM EAST LINE OF INDUSTRIAL AVENUE EXTENDED SOUTH) THENCE NORTHWESTWARDLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 1156.28 FEET AN ARC DISTANCE OF 5.37 FEET TO THE INTERSECTION WITH THE EAST LINE OF INDUSTRIAL AVENUE EXTENDED SOUTH, SAID POINT BEING 76.93 FEET NORTH OF POINT OF INTERSECTION OF THE EAST LINE OF INDUSTRIAL AVENUE EXTENDED SOUTH AND NORTHERLY LINE OF CHICAGO AND NORTHWESTERN RAILWAY COMPANY (MEASURED ALONG SAID EXTENDED LINE), NORTH FROM POINT OF INTERSECTION AND 75.17 FEET MEASURED PERPENDICULARLY, NORTHERLY FROM SAID NORTHERLY RIGHT OF WAY LINE; THENCE NORTH ALONG SAID EXTENDED EAST LINE OF INDUSTRIAL AVENUE, A DISTANCE OF 45.54 FEET; THENCE SOUTHEASTERLY ALONG A CURVED LINE CONVEX TO THE SOUTHWEST, A DISTANCE OF 170.36 FEET TO THE POINT WHICH IS 15.00 FEET NORMALLY DISTANT FROM AND NORTHERLY OF THE CENTER LINE OF NORTHERLY RAILROAD TRACK; THENCE NORTHEASTERLY ALONG THE STRAIGHT LINE DISTANCE OF 186.50 FEET TO THE POINT ON NORTHERLY LINE OF THE INDIANA HARBOR BELT RAIL ROAD (BEING THE SOUTH LINE OF LOT 2), IN OWNER'S DIVISION IN THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 12, SAID POINT BEING 533.81 FEET WESTERLY FROM SOUTHEAST CORNER OF LOT 2; THENCE EASTERLY ALONG AFORESAID LINE, A DISTANCE OF 533.81 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 9, (SAID LINE BEING 33.00 FEET WEST OF SAID EAST LINE, MEASURED AT 90 DEGREES), A DISTANCE OF 64.36 FEET TO THE POINT OF BEGINNING.

**PROPERTY ADDRESS** 1 169 acres of vacant land located in Bellwood, Illinois

**PIN NUMBER** 15-09-504-008

**UNDER and SUBJECT**, however, to (1) whatever rights the public may have to the use of any roads, alleys, bridges or streets crossing the premises herein described, (2) any easements or agreements of record or otherwise affecting the land hereby conveyed, and to the state of facts which a personal inspection or accurate survey would disclose, and to any pipes, wires, poles, cables, culverts, drainage courses or systems and their appurtenances now existing and remaining in, on, under, over, across and through the premises herein described, together with the right to maintain, repair, renew, replace, use and remove same.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

**THIS INSTRUMENT** is executed and delivered by Grantor, and is accepted by Grantee, subject to the covenants set forth below, which shall be deemed part of the consideration of this conveyance and which shall run with the land and be binding upon, and inure to the benefit of, the respective heirs, personal representatives, successors and assigns of Grantor and Grantee. Grantee hereby knowingly, willingly, and voluntarily waives the benefit of any rule, law, custom, or statute of the State of Indiana now or hereafter in force with respect to the covenants set forth below

(1) Grantee shall indemnify and defend Grantor against, and hold Grantor harmless from, all claims, actions, proceedings, judgments and awards, for death, injury, loss, or damage to any person or property, brought by any person, firm, corporation, or governmental entity, caused by, resulting to, arising from, or in connection with, the active or passive effects of existence of any physical substance of any nature or character, on, under, or in the land, water, air, structures, fixtures, or personal property comprising the premises, from and after the date of delivery of this deed

(2) Should a claim adverse to the title hereby quitclaimed by asserted and/or proved, no recourse shall be had against the Grantor herein.

(3) Grantor shall neither be liable or obligated to construct or maintain any fence or similar structure between the land herein before described and adjoining land of Grantor nor shall Grantor be liable or obligated to pay for any part of the cost or expense of constructing or maintaining any fence or similar structure, and Grantee hereby forever releases Grantor from any loss or damage, direct or consequential, that may be caused by or arise from the lack or failure to maintain any such fence or similar structure

(4) Grantee hereby forever releases Grantor from all liability for any loss or damage, direct or consequential, to the land herein before described and to any buildings or improvements now or hereafter erected thereon and to the contents thereof, which may be caused by or arise from the normal operation, maintenance, repair, or renewal of Grantor's railroad or which may be caused by or arise from vibration resulting from the normal operation, maintenance, repair or renewal thereof

(5) In the event the tracks or land of Grantor are elevated or depressed, or the grades of any streets, avenues, roads, lanes, highways or alleys over such railroad in the vicinity of the land herein before described are changed so that they shall pass overhead or underneath such tracks or land, or in the event any grade crossing is vacated and closed, Grantee forever releases Grantor from all liability for any loss or damage, direct or consequential, caused by or arising from the separation or change of grades of such railroad or such streets, avenues, roads, lanes, highways, or alleys, or from the vacating and closing of any grade crossing.

**THE** words "Grantor and "Grantee" used herein shall be construed as if they read "Grantors" and "Grantees", respectively, whenever the sense of this instrument so requires and whether singular or plural, such words shall be deemed to include at all times and in all cases the heirs, legal representatives or successors and assigns of the Grantor and Grantee.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

IN WITNESS WHEREOF, INDIANA HARBOR BELT RAILROAD COMPANY, Grantor, pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal duly attested, to be hereunto affixed as of the day and year first above written

WITNESS

INDIANA HARBOR BELT RAILROAD COMPANY

[Handwritten Signature]

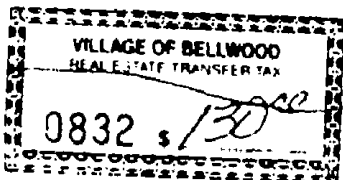
By [Handwritten Signature]  
Cary W Dickieson, President

WITNESS

ATTEST

[Handwritten Signature]

[Handwritten Signature]  
Wilberta Jackson, Secretary



Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office



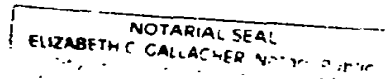
# UNOFFICIAL COPY

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS  
COUNTY OF PHILADELPHIA )

**BEFORE ME**, the undersigned, a Notary Public in and for said Commonwealth and County, personally appeared **CARY W. DICKIESON**, President and **WILBERTA JACKSON**, Secretary, respectively, of **INDIANA HARBOR BELT RAILROAD COMPANY**, and severally acknowledged the execution of the foregoing Instrument to be the voluntary act and deed of said **INDIANA HARBOR BELT RAILROAD COMPANY**, and their voluntary act and deed as such officers

WITNESS my hand and notarial seal, this 18th day of November, A D 1997.

*Elizabeth C. Callacher*  
Notary Public



**THIS INSTRUMENT PREPARED BY:**

Roger A. Serpe, General Counsel  
Indiana Harbor Belt Railroad Company  
175 W Jackson Boulevard, Suite 1460  
Chicago, IL 60604-2704  
(312) 715-3868

*[Faint handwritten notes and signatures]*

for public use of 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 she makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

*Robert A. Smith*

SUBSCRIBED and SWORN to before me

this 18th day of November, 1997.

*[Handwritten signature]*



UNOFFICIAL COPY

Property of Cook County Clerk's Office

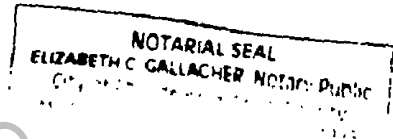
# UNOFFICIAL COPY

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS  
 COUNTY OF PHILADELPHIA )

BEFORE ME, the undersigned, a Notary Public in and for said Commonwealth and County, personally appeared **CARY W. DICKIESON**, President and **WILBERTA JACKSON**, Secretary, respectively, of **INDIANA HARBOR BELT RAILROAD COMPANY**, and severally acknowledged the execution of the foregoing Instrument to be the voluntary act and deed of said **INDIANA HARBOR BELT RAILROAD COMPANY**, and their voluntary act and deed as such officers.

WITNESS my hand and notarial seal, this 18<sup>th</sup> day of November, A D. 1997.

*Elizabeth C. Gallagher*  
 Notary Public



**THIS INSTRUMENT PREPARED BY**

Roger A. Serpe, General Counsel  
 Indiana Harbor Belt Railroad Company  
 175 W Jackson Boulevard, Suite 1460  
 Chicago, IL 60604-2704  
 (312) 715-3868

*Witnessed by me  
 Elizabeth C. Gallagher  
 Notary Public  
 November 18, 1997*

UNOFFICIAL COPY

Property of Cook County Clerk's Office

PLAT ACT AFFIDAVIT

STATE OF ILLINOIS

COUNTY OF COOK

} SS.

THE COFFEYS/BLVD

, being duly sworn on oath, states that

resides at 555 N WACKER, #800, CHICAGO, ILLINOIS. 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 17, 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.

James A. Smith

SUBSCRIBED and SWORN to before me

this 25th day of January, 1978.

[Signature]  
Notary Public



UNOFFICIAL COPY

Property of Cook County Clerk's Office