

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED

(Illinois)

FIRST INDUSTRIAL SECURITIES, L.P., a Delaware limited partnership ("Grantor"), for and in consideration of TEN AND 00/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, and pursuant to the authority of the undersigned,

CONVEYS to 2101 GARDNER L.L.C., an Illinois limited liability company ("Grantee"), of the following described Real Estate situated in the County of Cook, in the State of Illinois, to wit:

See Exhibit A attached hereto and made a part hereof for legal description.

Above Space for Recorder's Use Only

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Cook County Recorder 33.00



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Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the Grantor, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the Grantee, its successors and assigns forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to:

See Exhibit B attached hereto and made a part hereof.

Permanent Real Estate Index Numbers: 15-16-420-004-0000 and 15-16-420-005-0000

Address of Real Estate: 2101-2125 Gardner Road, Broadview, Illinois 60153

[Signature Page to Follow]

This instrument was prepared by:

Jason T. Tadych, Esq.  
Barack Ferrazzano Kirschbaum Perlman & Nagelberg  
333 West Wacker Drive, Suite 2700  
Chicago, Illinois 60606

After Recording, Please Return To:  
Stephen P. Sandler  
Gould & Ratner  
222 N. LaSalle Street, Suite 800  
Chicago, Illinois 60601

Send Subsequent Tax Bills To:  
2101 Gardner L.L.C.  
134 N. LaSalle Street, Suite 1614  
Chicago, Illinois 60601

**BOX 333-CTI**

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141632

REVENUE  
STAMP AUG23'99  
PA. 11424  
Cook County  
REAL ESTATE TRANSACTION TAX  
999.00

141630

REVENUE  
STAMP AUG23'99  
PA. 11424  
Cook County  
REAL ESTATE TRANSACTION TAX  
904.00

115126

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115124

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115122

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115121

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115119

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
808.00

141633

REVENUE  
STAMP AUG23'99  
PA. 11424  
Cook County  
REAL ESTATE TRANSACTION TAX  
999.00

141631

REVENUE  
STAMP AUG23'99  
PA. 11424  
Cook County  
REAL ESTATE TRANSACTION TAX  
999.00

115115

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115114

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115123

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

115112

COOK CO. NO. 016  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
AUG23'99  
PB. 10776  
999.00

141634  
141633  
141632  
141631  
141630  
Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE  
STAMP AUG23'99  
PA. 11424  
999.00

IN WITNESS WHEREOF, said Grantor has executed the foregoing instrument the 19th day of August, 1999.

FIRST INDUSTRIAL SECURITIES, L.P., a Delaware limited partnership

By: First Industrial Securities Corporation, a Maryland corporation, its sole general partner

By: [Signature]
Name:
Title:

State of Illinois, County of Cook ss. I, the undersigned, a Notary Public for and for in said County, in the State aforesaid, DO HEREBY CERTIFY that Johanson Yap, personally known to me to be the CFO of First Industrial, a Maryland corp, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act and as the free and voluntary act of said entity, for the uses and purposes therein set forth.

Given under my hand and official seal, this 19 day of August, 1999.

My Commission expires: 6-15-01 [Signature] Notary Public



EXHIBIT A

THAT PART OF LOT 16 LYING WEST OF THE WEST RIGHT OF WAY LINE OF INDIANA HARBOR BELT RAILROAD COMPANY (EXCEPT THAT PART TAKEN FOR ROOSEVELT ROAD) IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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## EXHIBIT B

### Permitted Exceptions

1. TAXES FOR THE 2<sup>ND</sup> INSTALLMENT OF 1998 AND YEAR 1999 AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE.
2. UNRECORDED LEASE MADE BY BLAW KNOX CORPORATION TO ALABAMA METAL INDUSTRIES, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING DECEMBER 16, 1988 AND ENDING APRIL 30, 1998, 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.

AMENDED BY FIRST AMENDMENT DATED MAY 24, 1991.

MEMORANDUM AND RATIFICATION OF LEASE MADE BY AND BETWEEN FIRST INDUSTRIAL SECURITIES, L.P., A DELAWARE LIMITED PARTNERSHIP AND ALABAMA METAL INDUSTRIES CORPORATION, RECORDED AUGUST 30, 1996 AS DOCUMENT 96666724.

3. UNRECORDED LEASE TO B. L. DOWNEY COMPANY, INC., DEMISING THE LAND FOR A TERM OF YEARS BEGINNING APRIL 1, 1987 AND ENDING MARCH 31, 1997, 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, AS DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT RECORDED JANUARY 11, 1988 AS DOCUMENT 88013030.
4. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS, THE COUNT OF COOK AND THE MUNICIPALITY, IN AND TO THE WEST 33 FEET OF LAND TAKEN AND USED FOR PUSCHEK ROAD, NOW KNOWN AS GARDNER ROAD, ~~AND THAT PART FALLING WITHIN ROOSEVELT ROAD.~~
5. GRANT OF EASEMENT DATED NOVEMBER 21, 1967 AND RECORDED NOVEMBER 27, 1967 AS DOCUMENT 20332786, MADE BY PRODUCTION STEEL COMPANY OF ILLINOIS, A CORPORATION OF ILLINOIS, TO THE COMMONWEALTH EDISON COMPANY, A CORPORATION OF ILLINOIS, ITS SUCCESSORS AND ASSIGNS, GRANTING, A PERPETUAL RIGHT AND EASEMENT, AND PERMISSION AND AUTHORITY TO CONSTRUCT, ERECT, OPERATE, USE, MAINTAIN, RELOCATE, RENEW AND REMOVE ELECTRICAL TRANSMISSION LINES, INCLUDING WIRES, CABLES AND NECESSARY FIXTURES AND APPURTENANCES ATTACHED THERETO OVER, THROUGH, ALONG AND ACROSS:

THAT PART OF LOT 16 LYING WEST OF THE WESTERLY RIGHT OF WAY LINE OF THE INDIANA HARBOR BELT RAILROAD COMPANY, EXCEPT THAT PART TAKEN FOR ROOSEVELT ROAD, IN SCHOOL TRUSTEE'S SUBDIVISION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTH LINE OF THE ABOVE DESCRIBED PROPERTY WHICH IS 9.59 FEET WEST OF THE SAID WESTERLY LINE OF THE RAILROAD RIGHT OF WAY; THENCE RUNNING SOUTHERLY 1265.78 FEET TO A POINT ON THE SOUTH LINE OF SAID PROPERTY WHICH IS 2.49 FEET WEST OF THE SAID WESTERLY LINE OF THE RAILROAD RIGHT OF WAY, ALL IN COOK COUNTY, ILLINOIS.

SAID GRANT ALSO PROVIDES THAT THE GRANTOR MAY EXTEND OR ENLARGE THE EXISTING BUILDINGS OR STRUCTURES OR ERECT NEW BUILDINGS OR STRUCTURES UPON THE EASEMENT PREMISES, IT IS UNDERSTOOD AND AGREED THAT ANY SUCH BUILDING OR STRUCTURE ON THE EASEMENT PREMISES SHALL NOT EXCEED THE HEIGHT OF THE HIGHEST BUILDING OR STRUCTURE SAID HEIGHT BEING FORTY EIGHT (48) FEET PRESENTLY LOCATED ON SAID EASEMENT PREMISES, AND SAME SHALL NOT CONSTITUTE A VIOLATION OF THE EASEMENT HEREBY GRANTED TO GRANTEE.

6. RAILROAD TRACK LOCATED ON THE SOUTHEASTERLY PORTION OF THE LAND, AS DISCLOSED BY PLAT OF SURVEY BY COMPASS LAND SURVEYING AND MAPPING, ORDER NUMBER 7499.1 DATED AUGUST 3, 1999.
7. UTILITY EASEMENT OVER THE WEST 33 FEET OF THE LAND GRANTED TO PUBLIC SERVICE COMPANY OF NORTHERN ILLINOIS BY DOCUMENT RECORDED AUGUST 1, 1950 AS DOCUMENT 14866163, AS DISCLOSED BY PLAT OF SURVEY BY COMPASS LAND SURVEYING AND MAPPING, ORDER NUMBER 7499.1 DATED AUGUST 3, 1999.
8. ELECTRIC UTILITY EASEMENT AS DISCLOSED BY OVERHEAD ELECTRIC WIRES AS DEPICTED ON PLAT OF SURVEY BY COMPASS LAND SURVEYING AND MAPPING, ORDER NUMBER 7499.1 DATED AUGUST 3, 1999.
9. GRANT OF EASEMENT IN FAVOR OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO RECORDED AS DOCUMENT 93644644 GRANTING A PERMANENT SUBTERRANEAN EASEMENT, RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, MAINTAIN AND OPERATE A CERTAIN PART OF "THE SYSTEM" THROUGH THE FOLLOWING DESCRIBED LAND:

THE PROPERTY AND SPACE LYING BETWEEN ELEVATION -75 AND -95 (CHICAGO CITY DATUM) AND ALSO LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY DOWNWARD FROM THE SURFACE OF THE EARTH, OF THAT PART OF THE SOUTH 646.07 FEET OF THAT PART OF LOT 16 (LYING WEST OF THE WEST RIGHT OF WAY LINE OF INDIANA HARBOR BELT RAILROAD COMPANY (EXCEPT THAT PART TAKEN FOR ROOSEVELT ROAD) IN THE SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 39, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN BEING A 20.00 FOOT STRIP OF LAND LYING 10 FEET ON EACH SIDE OF A CENTERLINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY MOST SOUTHWEST CORNER OF THE SAID SOUTH 646.07 FEET OF LOT 16; THENCE NORTHERLY ALONG THE EASTERLY MOST WESTERLY PROPERTY LINE, 37 FEET (SAID EASTERLY MOST LINE ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF GARDNER ROAD; THENCE WESTERLY ALONG A LINE PARALLEL TO THE SOUTHERLY MOST PROPERTY LINE OF THE AFORESAID SOUTH 646.07 FEET, 7.00 FEET TO THE WESTERLY MOST PROPERTY LINE OF SAID SOUTH 646.07 FEET (SAID WESTERLY MOST LINE ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF GARDNER ROAD); THENCE NORTHERLY ALONG THE AFORESAID WESTERLY MOST LINE, 143 FEET TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG A LINE TO A POINT OF TERMINATION ON THE SAID SOUTH PROPERTY LINE, SAID POINT LYING 80 FEET EASTERLY FROM THE SAID SOUTHERLY MOST SOUTHWEST CORNER AS MEASURED ALONG THE AFORESAID SOUTHERLY MOST LINE.

THE SIDE LINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO BEGIN ON THE SAID MOST WESTERLY PROPERTY LINE AND TERMINATE ON THE SAID SOUTHERLY LINE.

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10. ENCROACHMENT OF THE 1 STORY BRICK AND CONCRETE BUILDING LOCATED MAINLY ON THE LAND ONTO THE PROPERTY EAST AND ADJOINING BY APPROXIMATELY 0.35 FEET, AS SHOWN ON PLAT OF SURVEY NUMBER 7499.1 PREPARED BY COMPASS LAND SURVEYING AND MAPPING DATED AUGUST 3, 1999.
11. ENCROACHMENT OF THE BUILDING LOCATED ON THE LAND ONTO THE EASEMENT RECORDED AS DOCUMENT 93644644.
12. ENCROACHMENT OF THE BUILDING LOCATED ON THE LAND ONTO THE EASEMENT RECORDED AS DOCUMENT 20332786.
13. RIGHTS OR CLAIMS OR PARTIES IN POSSESSION, AS TENANTS ONLY.

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