

# UNOFFICIAL COPY

0345942

AFFIDAVIT

*[Handwritten Signature]*

STATE OF ILLINOIS )

COUNTY OF Cook } S S

I, the undersigned, being first duly sworn on my oath, state the following:

That on 6/25/83, there was executed a certain

DEED from CITIES SERVICE

COMPANY to CITGO PETROLEUM CORPORATION

which was dated 6/25/83. Said document

affected the property noted on Certificate number 1084538,

more particularly described on the attached exhibit.

Further, the document referred to above was not registered in a timely manner and has been in our possession due to A LACK

OF DOCUMENTATION NECESSARY TO FILE DOCUMENT WITH REGISTRAR.

Further, that said document is still in effect.

Further, that this affidavit is made to induce the Registrar of Titles, and to hold him harmless, to accept said document for filing, withiving objection to the State Date of said document

LAWYERS TITLE INSURANCE CORPORATION

BY: *[Handwritten Signature]*

ITS: BR. MGR

SUBSCRIBED and SWORN to before me

This 15<sup>TH</sup> day of OCTOBER 1985

*[Handwritten Signature]*  
Notary Public

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Property of Cook County Clerk's Office

NOTE REGARDING TRANSFER  
DECLARATIONS: Actual  
consideration for property  
is less than \$100.

12 - Illinois-SWD-RET  
County Cook  
Cities No. 12-031-360

*Earl*

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Cities Service Company, a Delaware corporation (successor to Cities Service Oil Company, a Delaware corporation, by virtue of a Certificate of Ownership and Merger filed in the office of the Secretary of State of the State of Delaware on December 20, 1978, effective December 29, 1978), P. O. Box 300, Tulsa, Oklahoma 74102 (herein called "Grantor"), for and in consideration of the sum of One Dollar to Grantor in hand paid by CITGO Petroleum Corporation, a Delaware corporation (formerly Cities Service RMT Corporation), P. O. Box 3748, Tulsa, Oklahoma 74102 (herein called "Grantee"), the receipt whereof Grantor does hereby acknowledge, and as a contribution to the capital of Grantee, a wholly-owned subsidiary of Grantor, has granted, bargained, sold, assigned and conveyed, and by these presents does hereby grant, bargain, sell, assign and convey unto the said Grantee, its successors and assigns, the following:

- (1) That certain tract or parcel of land located in the county of Cook and state of Illinois, described in Exhibit A hereto, and the address of which is 2572 Ballard, Des Plaines,
- (2) All buildings, structures, fixtures and improvements attached thereto,  
  
(numbered items (1) and (2) are herein called the "Property")
- (3) To the extent assignable, all right, title and interest, if any, of Grantor in and to  
(a) all easements, rights-of-way, rights and benefits appurtenant to the Property and, if an Exhibit B is attached to this Deed, including (without limitation) the interests described in such Exhibit (such interests described in such Exhibit being herein called the "Appurtenant Interests"), (b) all permits, licenses, contracts, agreements, leases, authorizations, servitudes and other arrangements and interests therein relating to the Property, (c) all streets, easements, rights-of-way, strips, gores and land adjacent or contiguous to the Property and

Return recorded original to:  
CITGO Petroleum Corporation  
P. O. Box 3758  
Tulsa, Oklahoma 74102  
Attn: Marcus E. Smith, Jr.

59840

10-16-83 description affects title created by Doc. 3089213 from CTF # 1084338 *renoff*

*Property*  
Date 4/18/81  
3469452

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IN DUPLICATE

8554801

3469452

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Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 Husband \_\_\_\_\_  
 Wife \_\_\_\_\_  
 Submitted by Lois  
 Address NE \_\_\_\_\_  
 Deliver New Certificate \_\_\_\_\_  
 Remains to \_\_\_\_\_  
 Sig. Card \_\_\_\_\_

Address

**LAWYERS TITLE  
 INSURANCE CORPORATION**  
 29 SOUTH LA SALLE STREET  
 CHICAGO, ILLINOIS 60602  
**BOX 334**

(d) all tangible personal property, including (without limitation) trade fixtures, signs, and all equipment, machinery and appurtenances attached to or located on the Property at the Effective Time.

(numbered item (3) is herein called the "Additional Interests")

The Property and the Additional Interests, if any, are conveyed subject to (a) current taxes and assessments not yet delinquent and taxes and assessments for subsequent years, (b) all ordinances or statutes relating to the Property or the Additional Interests (if any), (c) any condition that an accurate survey or an inspection of the premises might show, (d) any easements, rights-of-way, covenants, restrictions, conditions, mineral interests, reservations and encumbrances, if any, of record in the above county and state or, in the case of security interests to be perfected by filing in the Uniform Commercial Code records of the above state, in the place of filing mandated by the Uniform Commercial Code of such state, and (e) rights of parties in possession, all to the extent the same are valid, enforceable and affect the Property or the Additional Interests (if any).

Grantee, for itself, its successors and assigns, accepts and assumes all terms, conditions, liabilities, obligations and duties of Grantor relating to the Additional Interests, if any, to the extent the same are assignable to the extent such liabilities, obligations and duties of Grantor relate to or arise out of events occurring or actions taken or not taken after the Effective Time.

With respect to any personal property or interests in personal property conveyed hereby, Grantor EXPRESSLY DISCLAIMS AND NEGATES (a) ANY IMPLIED OR EXPRESS WARRANTY OF MERCHANTABILITY, (b) ANY IMPLIED OR EXPRESS WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, AND (c) ANY IMPLIED OR EXPRESS WARRANTY OF CONFORMITY TO MODELS OR SAMPLES OF MATERIALS.

TO HAVE AND TO HOLD the Property and the Additional Interests, if any, to Grantee, its successors and assigns, forever.

Subject only to the matters expressly set forth above, Grantor hereby binds itself and its successors to warrant and defend all and singular the Property to Grantee, its successors and assigns forever, from and against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through and under Grantor, but not otherwise, but with full subrogation and substitution in and to all the rights and actions of warranty which Grantor has or may have against all preceding owners and vendors.

Reference is made to the exhibit(s) which is (are) attached hereto and made a part hereof for all purposes.

In witness whereof, the duly authorized officers of Grantor and Grantee have executed, sealed and delivered this

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instrument on this 25<sup>th</sup> day of June, 1983, effective as of March 18, 1983 at 7:00 p.m., CST (herein called the Effective Time).

WITNESS:

CITIES SERVICE COMPANY

[Signature]  
Name: JERRY C. [unclear]

[Signature]  
Name: Robert D. Dillsaver  
Senior Vice President

[Signature]  
Name: [unclear]

GRANTOR

ATTEST:

[Signature]  
Name: Lewis J. Hines  
Assistant Secretary

WITNESS:

CITGO PETROLEUM CORPORATION

[Signature]  
Name: BEN H. HOWE III

By [Signature]  
Name: John H. Dewell  
Vice President

[Signature]  
Name: Albert R. [unclear]

GRANTEE

ATTEST:

[Signature]  
Name: Linda Frick  
Secretary

Prepared By:  
Marcus E. Smith, Jr.  
P. O. Box 3758  
Tulsa, Oklahoma 74102

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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(Illinois)

STATE OF OKLAHOMA §  
§  
COUNTY OF TULSA §

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of June, 1983 by ROBERT D. DILLSAVER and LEWIS J. HAINES, who, being by me duly sworn, say that they are the Senior Vice President and Assistant Secretary, respectively, of CITIES SERVICE COMPANY, a Delaware corporation, on behalf of said corporation.

J. Carroll Cherry  
Notary Public in and for  
Tulsa County, Oklahoma

J. Carroll Cherry  
Typed or Printed Name

My Term of office expires on:

October 29, 1984

Title or Serial # \_\_\_\_\_

(Illinois)

STATE OF OKLAHOMA §  
§  
COUNTY OF TULSA §

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of June, 1983 by JOHN H. DEWELL and Linda Frick, who, being by me duly sworn, say that they are the Vice President and Assistant Secretary, respectively, of CITGO PETROLEUM CORPORATION, a Delaware corporation, on behalf of said corporation.

Sandra Hunt  
Notary Public in and for  
Tulsa County, Oklahoma

Sandra Hunt  
Typed or Printed Name

My Term of office expires on:

March 10 1984

Title or Serial # \_\_\_\_\_

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12-031-360  
30128  
03171152  
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**EXHIBIT "A"**

Lot One (1) in Citgo Potter Ballard Addition to Des Plaines, being a Resubdivision of Lots 1, 2 and 3 in Central High School addition to Des Plaines, in the West Half of the Southwest Quarter of Section 15, Township 41 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded April 24, 1928 as Document Number 9998960, in Book 258 of Plats, on Page 38, in Cook County, Illinois, according to the plat of said Citgo Potter Ballard Addition to Des Plaines registered May 2, 1979 as Document Number LR 3089215, all in Cook County, Illinois.

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## CITIES SERVICE COMPANY

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### ARTICLE IV

#### Corporate Officers

5. GENERAL POWERS. Except as otherwise provided by law, the Chairman of the Board, the President, each Executive Vice President, Senior Vice President, corporate Vice President, the Secretary and the Treasurer shall have power to sign contracts, instruments of conveyance, authorized bonds and debentures, checks, drafts, notes, orders for the payment of money and similar obligations and other instruments for and on behalf of the Corporation.

#### CERTIFICATION

I, LEWIS J. HAINES, Assistant Secretary of CITIES SERVICE COMPANY, a Delaware corporation, do hereby certify that the above and foregoing is a true and correct copy of Paragraph 5 of Article IV of the By-Laws of said corporation. I further certify that Robert D. Dillsaver was on the 25<sup>th</sup> day of June, 1953 and is now and has been continuously since such date, a duly elected and acting Senior Vice President of said corporation.

Dated this 25<sup>th</sup> day of June, 1953.

  
\_\_\_\_\_  
LEWIS J. HAINES  
Assistant Secretary

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CITGO Petroleum Corporation

## CERTIFICATE


I, LINDA FRICK, Secretary of CITGO Petroleum Corporation, a Delaware corporation, do hereby certify that the following is a true and correct copy of SECTION 5 of ARTICLE V, of the By-Laws of said Corporation as it exists and is in full force and effect on the date hereof.

### ARTICLE V

#### CORPORATE OFFICERS

SECTION 5. GENERAL POWERS.--Except as otherwise provided by law, the Chairman of the Board, the President, each Executive Vice President, Senior Vice President, corporate Vice President, the Secretary and the Treasurer shall have power to sign contracts, instruments of conveyance, authorized bonds and debentures, checks, drafts, notes, orders for the payment of money and similar obligations, and other instruments for and on behalf of the Corporation.

I further certify, that on March 18, 1983 J. H. DEWELL was duly elected by the Board of Directors of CITGO Petroleum Corporation, to serve as a corporate Vice President and that he presently holds the office of Vice President.

  
Secretary

DATED: June 25, 1983

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