

2007 100656

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2007 DEC 27 AM 9:20

MICHAEL A. BROWN
RECORDER

Township No. 007
Taxing Unit No. 26
Tax Key No. 37-152-4

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that McCLOY ENTERPRISES, INC., an Illinois corporation ("Grantor") of DuPage County, Illinois, CONVEYS AND SPECIFICALLY WARRANTS to KB REALTY LLC, an Illinois limited liability company ("Grantee") of DuPage County, Illinois, for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Lake County, in the State of Indiana:

(See Attached Exhibit A)

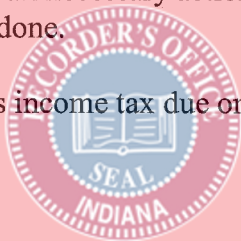
SUBJECT TO: The Permitted Exceptions described on Attached Exhibit B.

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the Lake County Recorder!**

The warranties of Grantor hereunder are limited to its own acts and deeds and those of persons claiming by, through and under Grantor and not otherwise.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is the duly appointed President of Grantor and has been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

There is no Indiana gross income tax due on the transfer made by this conveyance.



CHIGAGO TITLE INSURANCE COMPANY

CHI 4051389v.1

DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

DEC 26 2007

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

265-
ATC

CM 620075073

025512

Send tax statements to and
Grantee's mailing address is:

KB Realty LLC
5112 Woodland Avenue
Western Springs, IL 60558

Return recorded deed to:

David H. Sachs
Aronberg Goldgen Davis & Garmisa
330 North Wabash Avenue, Suite 3000
Chicago, IL 60611-3699

This instrument was prepared by Elizabeth McCloy, Sidley Austin LLP, One
South Dearborn, Chicago, Illinois 60601

**Document is
NOT OFFICIAL!**

**This Document is the property of
the Lake County Recorder!**

**I affirm, under the penalties for perjury, that I have taken reasonable care
to redact each Social Security Number in this document, unless required by
law.**

Elizabeth K. McCloy



EXHIBIT A
LEGAL DESCRIPTION

Parcel 1: A parcel of land in the Southwest Quarter of the Northeast Quarter of Section 9, Township 36 North, Range 9 West of the 2nd Principal Meridian, in the City of Hammond, Lake County, Indiana, bounded and described as follows: Commencing at a point where the East line of Kennedy Avenue intersects with the North line of 169th Street (15th Avenue); thence Easterly 130 feet on the North line of said 169th Street; thence North parallel with the East line of Kennedy Avenue 97.54 feet; thence West parallel with the North line of 169th Street 130 feet to the East line of Kennedy Avenue; thence South on the East line of Kennedy Avenue a distance of 97.54 feet to the place of beginning.

Parcel 2: A parcel of land in the Southwest Quarter of the Northeast Quarter of Section 9, Township 36 North, Range 9 West of the 2nd Principal Meridian, in the City of Hammond, Lake County, Indiana, bounded and described as follows: Commencing at a point on the East line of Kennedy Avenue 97.54 feet North of the North line of 169th Street (15th Avenue); thence East parallel to the North line of said 169th Street, a distance of 130 feet; thence North 11.01 feet more or less to the South right of way line of the New York, Chicago and St. Louis Railway; thence Northwesterly along the Southerly right of way line of said New York, Chicago and St. Louis Railway, a distance of 156.60 feet more or less to the East line of Kennedy Avenue; thence South along the East line of Kennedy Avenue, a distance of 98.19 feet more or less to the place of beginning.

Parcel 3: Part of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 9, Township 36 North, Range 9 West of the 2nd Principal Meridian, in the City of Hammond, Lake County, Indiana, described as follows: Commencing at a point on the South line of said Northeast Quarter 170 feet East of the center of said Section 9 and running thence East 206.58 feet to the right of way of the New York, Chicago and St. Louis Railway; thence Northwesterly along the Southerly line of said right of way 248.46 feet; thence South 138.5 feet to the place of beginning.

EXCEPTING FROM PARCELS 1 AND 3 THE FOLLOWING DESCRIBED TRACT:

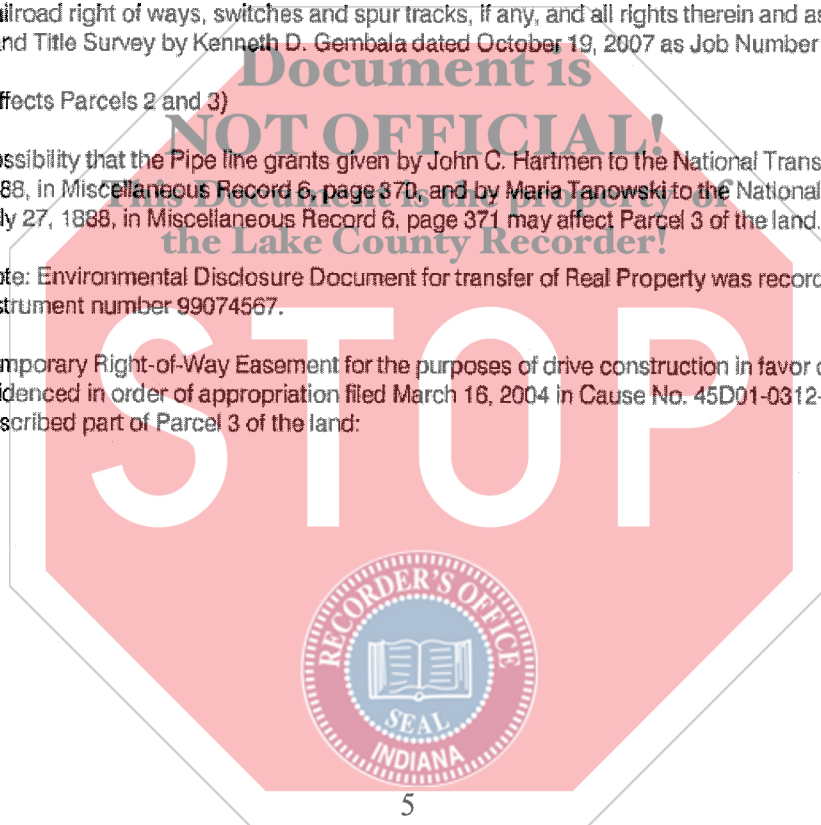
A part of the Southwest Quarter of the Northeast Quarter of Section 9, Township 36 North, Range 9 West, Lake County, Indiana, described as follows: Beginning on the South line of said quarter-quarter section South 89 degrees 36 minutes 33 seconds East (assumed bearing) 51.816 meters (170.0 feet) from the Southwest corner of said quarter-quarter section; thence North 0 degrees 14 minutes 59 seconds East 9.144 meters (30.00 feet) to the North boundary of 169th Street; thence North 89 degrees 36 minutes 33 seconds West 39.622 meters (130.00 feet) along the North boundary of said 169th Street to the East boundary of Kennedy Avenue; thence North 0 degrees 15 minutes 35 seconds East 10.834 meters (35.54 feet) along the East boundary of said Kennedy Avenue; thence South 44 degrees 14 minutes 02 seconds East 9.835 meters (32.27 feet); thence South 89 degrees 36 minutes 38 seconds East 55.209 meters (181.13 feet); thence Easterly 20.496 meters (67.24 feet) along an arc to the left and having a radius of 487.000 meters (1,597.77 feet) and subtended by a long chord having a bearing of North 89 degrees 11 minutes 01 seconds East and a length of 20.495 meters (67.24 feet) to the Southwestern boundary of Norfolk and Southern Railroad; thence South 55 degrees 48 minutes 05 seconds East 24.103 meters (79.08 feet) along the Southwestern boundary of said Norfolk and Southern Railroad to said South line; thence North 89 degrees 36 minutes 33 seconds West 62.966 meters (206.58 feet) along said South line to the point of beginning.

Commonly known as 6857 Kennedy Avenue, Hammond, Indiana



EXHIBIT B
PERMITTED EXCEPTIONS

1. Taxes for the year 2006 due and payable in 2007 are not yet billed.
2. Taxes for the year 2007 due and payable in 2008 are a lien not yet due and payable.
3. Unrecorded Lease Agreement (#958D) by and between McCloy Enterprises, Inc., Lessor and The Lamar Companies, Lessee, dated March 23, 2007.
4. Railroad right of ways, switches and spur tracks, if any, and all rights therein and as shown on an ALTA/ACSM Land Title Survey by Kenneth D. Gembala dated October 19, 2007 as Job Number S07220.
(Affects Parcels 2 and 3)
5. Possibility that the Pipe line grants given by John C. Hartmen to the National Transit Company, recorded July 17 1888, in Miscellaneous Record 6, page 370, and by Maria Tanowski to the National Transit Company, recorded July 27, 1888, in Miscellaneous Record 6, page 371 may affect Parcel 3 of the land.
6. Note: Environmental Disclosure Document for transfer of Real Property was recorded September 9, 1999 as instrument number 99074567.
7. Temporary Right-of-Way Easement for the purposes of drive construction in favor of City of Hammond, as evidenced in order of appropriation filed March 16, 2004 in Cause No. 45D01-0312-PL-00177 over the following described part of Parcel 3 of the land:



A part of the Southwest Quarter of the Northeast Quarter of Section 9, Township 36 North, Range 9 West, Lake County, Indiana, described as follows: Commencing at the Southwest corner of said quarter-quarter section; thence South 89 degrees 36 minutes 33 seconds East (assumed bearing) 51.816 meters (170.00 feet) along the South line of said quarter-quarter section; thence North 0 degrees 14 minutes 59 seconds East 9.144 meters (30.00 feet) to the North boundary of 169th Street as now located; thence North 89 degrees 36 minutes 33 seconds West 39.622 meters (130.00 feet) along the North boundary of said 169th Street to the East boundary of Kennedy Avenue as now located; thence North 0 degrees 15 minutes 35 seconds East 10.834 meters (35.54 feet) along the East boundary of said Kennedy Avenue; thence South 44 degrees 14 minutes 02 seconds East 9.835 meters (32.27 feet); thence South 89 degrees 36 minutes 38 seconds East 55.209 meters (181.13 feet) to the point of beginning of this description; thence North 0 degrees 23 minutes 22 seconds East 2.000 meters (6.56 feet); thence North 89 degrees 20 minutes 44 seconds East 17.670 meters (57.97 feet) to the Southwestern boundary of Norfolk and Southern Railroad; thence South 55 degrees 48 minutes 05 seconds East 3.398 meters (11.15 feet) along the Southwestern boundary of said Norfolk and Southern Railroad; thence Westerly 20.496 meters (67.24 feet) along an arc to the right and having a radius of 487.000 meters (1,597.77 feet) and subtended by a long chord having a bearing of South 89 degrees 11 minutes 01 seconds West and a length of 20.495 meters (67.24 feet) to the point of beginning.

Said easement will revert to the grantor upon completion of the above-designated project.

8. Encroachment of gate and 6' high wood fence over the north property line, as shown on an ALTA/ACSM Land Title Survey by Kenneth D. Gembala, certified October 19, 2007 as Job No. S07220. (Affects Parcels 2 and 3)
9. Rights of public and quasi-public utilities in and to the land, evidenced by the various utility improvements shown on the ALTA/ACSM Land Title Survey dated October 19, 2007 by Kenneth D. Gembala as Job Number S07220.

