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2020-34765

RECORDED AS PRESENTED ON

11/06/2020 02:57 PM

MARY BETH WISNIEWSKI

ST. JOSEPH COUNTY

RECORDER

PGS: 7 FEES: 25.00

COPY

WHEN RECORDED MAIL TO:

**FIDELITY NATIONAL TITLE CO - NCS DIV
ONE EAST WASHINGTON STREET, SUITE 450
PHOENIX, AZ 85004
ATTN: KELLI VOS
(602)343-7572**

TITLE NO.: CTIN2004945

ESCROW NO.: Z2032872-KJV

DO NOT REMOVE THIS COVER SHEET. IT IS NOW PART OF THE RECORDED DOCUMENT.

DOCUMENT TO BE RECORDED:

SPECIAL WARRANTY DEED

RETURN TO
Chicago Title
Closer: AJ
File No. 20204945

SDPW
SD/AX

Transfer 2178
Taxing Unit Warren
Date 11-6-2020

Recording requested by, and
After recording return to:

STATE OF INDIANA §
§
§
COUNTY OF ST. JOSEPH §

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, RI CS3, LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10) and other good and valuable consideration in hand paid to the undersigned by SM GAS INC., an Indiana corporation ("Grantee"), whose mailing address is 15482 Bryanton Court, Granger, IN 46530 the receipt and sufficiency of such consideration being hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL, CONVEY and CONFIRM unto Grantee that certain real property being more particularly described on Exhibit "A," attached hereto and made a part hereof for all purposes, together with all improvements and fixtures situated thereon (collectively, the "Property"); SUBJECT TO all real estate taxes not yet delinquent; covenants, conditions, restrictions, easements, rights of way and other matters of record; applicable laws, ordinances, statutes, orders, requirements and regulations to which the Property is subject, including, without limitation, all building, zoning and environmental laws and requirements; and any state of facts which a new or updated survey or physical inspection of the Property might disclose.

TO HAVE AND TO HOLD the Property, together with all and singular the rights, hereditaments, and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, and Grantor hereby agrees to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or claim the same, or any part thereof, by, through, or under Grantor but not otherwise.

BY ACCEPTANCE OF THIS SPECIAL WARRANTY DEED, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES AS TO THE PHYSICAL CONDITION, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). BY ACCEPTANCE

DULY ENTERED FOR TAXATION
ST. JOSEPH CO. INDIANA
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

RETURN TO
Chicago Title
Closer: AJ
File No. CPA 204945

OF THIS SPECIAL WARRANTY DEED, GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS, WHERE IS, WITH ALL FAULTS," AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE, BY ACCEPTANCE OF THIS SPECIAL WARRANTY DEED, ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED), CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (ii) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE OR ANYONE ELSE MAY CONDUCT THEREON, (iii) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND (iv) THE COMPLIANCE OF THE PROPERTY WITH APPLICABLE LAWS AND REGULATIONS.

Signature appears on the following page.

EXECUTED this 8th day of October, 2020.

GRANTOR:

RI CS3, LLC,
a Delaware limited liability company

By: Realty Income Corporation,
a Maryland corporation,
its sole and managing member

Approved As To Form
Legal Department

L. Tehrani CK

By: [Signature]

Name:

Title:

Shannon Jensen
Senior Vice President,
Associate General Counsel,
Assistant Secretary

Address: 11995 El Camino Real
San Diego, CA 92130
Attn: Legal Department

This Instrument was prepared by: Laura Tehrani, Esq.

I, Laura Tehrani, 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.

Send tax statements to:
SM GAS INC.
Attn: Sarwan Singh
15482 Bryanton Court
Granger, IN 46530

ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

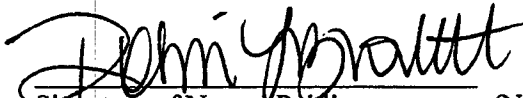
STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On October 8, 2020 before me, Robin L. Brockett, Notary Public, personally appeared Shannon Jensen, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature of Notary Public

(Notary Seal)



CERTIFICATE OF PROOF

WITNESS to the signature(s) on the foregoing instrument to which this Proof is attached:

Witness Signature

NOCCA ANDERSON

(name printed by witness)

Witness Name: _____

PROOF:

JURAT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

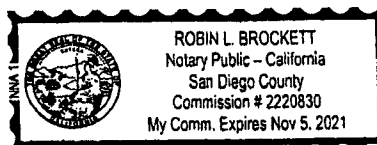
STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

Subscribed and sworn to (or affirmed) before me on this 8th day of October, 2020, by NoCCA Anderson, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature of Notary Public

(Notary seal)



Property Address: 26499 US Highway 20, South Bend, IN 46628

Grantees Address and Tax Mailing Address: 15482 Bryanton Court, Granger, IN 46530

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. Laura Tehrani, Esq.

Instrument prepared by: Laura Tehrani, Esq.
Realty Income Corporation
11995 El Camino Real
San Diego, CA 92130
(858) 284-5000

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

LOCATION: 26499 US Highway 20
South Bend, IN 46628

Parcel I:

Lot Numbered One (1) as shown on the recorded Plat of McDonald's Villa, a Subdivision, in Warren Township, recorded August 27, 1947 in the Office of the Recorder of St. Joseph County, Indiana, in Plat Book 16, Page Mc.

Parcel II:

A part of the Northwest Quarter of the Southeast Quarter of Section Twenty-six (26), Township Thirty-eight (38) North, Range One (1) East, Warren Township, St. Joseph County, Indiana, more particularly described as follows: Beginning at a point where the North and South centerline of Section 26, Township 38 North, Range 1 East, intersects the centerline of U. S. Highway Number 20 (Lincoln Way West); thence North 73 Degrees 16 Minutes 20 Seconds East along the centerline of said U.S. Highway Numbered 20 (Lincoln Way West) a distance of 271.10 feet; thence North 00 Degrees 09 Minutes 20 Seconds East along the Westerly line of Lot Numbered One (1) as shown on the Plat of McDonald's Villa, said Plat being recorded August 27, 1947 in the Office of the Recorder of St. Joseph County, Indiana, in Plat Book 16, Page Mc and the extension thereof a distance of 169.10 feet to a 3/4 inch rebar; thence South 78 Degrees 08 Minutes 20 Seconds West a distance of 265.76 feet to a PK Nail on the West Line of aforesaid North and South centerline of Section 26; thence on a bearing of due South along said North and South centerline a distance of 192.50 feet to the point of beginning.
Except

A part of the parcel described in Document #91-11457 in the St. Joseph County Recorder's Office, being a part of the Northwest Quarter of the Southeast Quarter of Section Twenty-six, Township 38 North, Range 1 East, more particularly described as follows: Commencing at the point where the North and South centerline of Section 26, Township 38 North, Range 1 East intersects the centerline of U.S. Highway Number 20 (Lincoln Way West); thence North 00 degrees 08 minutes 15 seconds East (basis of bearing is the State Plan coordinate system per Location Control Route Survey Plat as recorded in Document #95-24596 in the Saint Joe County Recorder's Office) a distance of 52.21 feet on the said centerline of Section 26; thence North 73 degrees 24 minutes 35 seconds East a distance of 20.89 feet on a line parallel with and 50 feet North of the centerline of U.S. Highway Number 20, being the Point of Beginning; thence North 00 degrees 09 minutes 55 seconds East, a distance of 139.57 feet on a line parallel with and 20.44 feet East of the said North and South centerline to the North line of said parcel described in Document Number 91-11457; thence North 78 degrees 15 minutes 35 seconds East, a distance of 20.00 feet on said North line; thence South 00 degrees 09 minutes 55 seconds West, a distance of 127.32 feet on a line parallel with and 40.00 feet East of said North and South centerline; thence South 39 degrees 26 minutes 09 seconds East, a distance of 10.85 feet to the Northerly right-of-way line of said U.S. Highway Number 20 (Lincoln Way West); thence South 73 degrees 24 minutes 35 seconds West, a distance of 28.11 feet on said Northerly right-of-way line to the point of beginning.