028170089 37 001 Page 1 of 10 2000-09-26 11:57:51

Cook County Recorder

39.50

#### AFFIDAVIT RE DECEASED JOINT TENANT

STATE OF ILLINOIS ) SS

COUNTY OF COOK

00751499

FRANCES DUDEK, wing duly sworn, states:

- 1. That she rescues at 17 W 309 Birnam Trail, Hinsdale, Illinois 60521;
- 2. That she is the surviving spouse of WILLIAM DUDEK, who died February 27, 2000, as evidenced by the attached certified copy of death certificate;
  - 3. That said decedent was one of the owners of land described in the following legal description:

#### SEE LEGAL DESCIPTION ATTACHED

- 4. That said decedent died leaving a last will and testarient, a copy of which is attached;
- 5. That the total value of the estate of said decedent for State or Illinois death tax and Federal estate tax purposes has not yet been determined.

amus Sudek (Affiant's signature)

Subscribed and sworn to before me by the said affiant this 12th day of June, 2000.

Notary Public

"OFFICIAL SEAL"
KIMBERLY S. COOGAN
Notary Public, State of Illinois
My Commission Expires Mar. 10, 2002

Mail to: Manetti & Griffith, Ltd. 2311 W. 22<sup>nd</sup> Street, Suite 217, Oak Brook, Illinois 60523

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9-10 NN M-7

10751499

#### LEGAL DESCRIPTIONS

#### Parcel No. 7

A STRIP OF LAND, 30 FEET WIDE, EXTENDING OVER AND ACROSS A PART OF THE SOUTH ½ OF THE SOUTH WEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 13 EAST O THE THIRD PRINCIPAL MERIDIAN, SAID STRIP OF LAND BEING 8 FEET IN WIDTH ON THE NORTH EAST SIDE, AND 22 FEET IN WIDTH ON THE SOUTH WEST SIDE, OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT IN THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTH WEST 1/4 CF THE SOUTH WEST 1/4, 124 FEET EAST OF THE WEST LINE OF SAID SECTION 27: THENCE SOUTHEASTERLY, ALONG A 13 DEGREE CURVE TO THE LEFT, 230 FELT (THE TANGENT OF SAID CURVE AT THE INTERSECTION WITH THE NORTH LINE OF 54:D STRIP OF LAND MAKING AN ANGLE OF 58 DEGREES AND 23 MINUTES WITH SAID NORTH LINE); THENCE SOUTHEASTERLY ALONG A TANGENT TO SAID CURVE, 908 FEET (SAID TANGENT, IF EXTENDED, WOULD INTERSECT THE WEST LINE OF THE RIGHT OF WAY OF THE CHICAGO AND ILLINOIS WESTERN RAILROAD AT A POINT 30 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 27); THENCE SOUTHEASTERLY, ALONG A 16 DEGREE CURVE TO THE RIGHT, 118 FEET TO A POINT IN THE WEST LINE OF THE RIGHT OF WAY OF SAID CHICAGO AND ILLINOIS WESTAKN RAILROAD, 6 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 27)

(EXCEPT THEREFROM THAT PART THEREOF LYING NORTH OF A LINE 100 FEET SOUTH OF, MEASURED PERPENDICULARLY, AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ½ OF THE SOUTH WEST 1/4 OF THE SOUTH WEST 1/4 OF SAID SECTION 27; AND ALSO EXCEPT THEREFROM THAT PART FALLING IN A TRACT DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID SECTION 27 AN THE WESTERLY RIGHT OF WAY LINE OF THE 26TH STREET BRANCH OF THE CHICAGO AND ILLINOIS WESTERN RAILKCAD, SAID POINT BEING 142 FEET WEST OF THE EAST LINE OF SAID SOUTH WEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 27, AS MEASURED ALONG THE SOUTH LINE THEREOF; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, AT AN ANGLE TO THE LEFT OF 93 DEGREES, 52 MINUTES, AS MEASURED FROM EAST TO NORTH, FROM SAID SOUTH LINE OF SECTION 27, A DISTANCE OF 12 FEET; THENCE NORTHWESTERLY ON A CURVE, CONVEX NORTHEASTERLY, HAVING A RADIUS OF 367.26 FEET, A DISTANCE OF 130 FEET, MORE OR LESS, TO END OF CURVE; THENCE CONTINUING NORTHWESTERLY, TANGENT TO THE LAST DESCRIBED COURSE, A DISTANCE OF 80.4 FEET TO A POINT, SAID POINT BEING 131.3 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27; THENCE NORTHWESTERLY A DISTANCE OF 31.7 FEET TO THE POINT OF CURVE, SAID POINT BEING 134.9 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27; THENCE NORTHWESTERLY ON A CURVED LINE, CONVEX SOUTHWESTERLY, HAVING A RADIUS OF 256.29 FEET, A DISTANCE OF 63.8 FEET TO A POINT IN A LINE WHICH IS 150 FEET NORTHERLY OF AND

PARALLEL WITH SAID SOUTH LINE OF SECTION 27; THENCE WEST ALONG SAID LINE, 4.5 FEET TO A POINT IN A LINE, BEING THE SOUTHWESTERLY LINE OF SAID RAILROADS' 30 FOOT WIDE RIGHT OF WAY OF SPUR TRACK; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, AT AN ANGLE OF 28 DEGREES, 27 MINUTES, AS MEASURED FROM EAST TO SOUTH, FROM SAID LINE WHICH IS 150 FEET TO THE POINT OF CURVE; THENCE CONTINUING SOUTHEASTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, ON A CURVED LINE, CONVEX NORTHEASTERLY, HAVING A RADIUS OF 337.26 FEET, TO POINT IN SAID RAILROADS WESTERLY RIGHT OF WAY LINE OF SAID 26<sup>TH</sup> STREET BRANCH IN THE NORTH WEST 1/4 OF THE NORTH WEST 1/4 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID POINT BEING 37.5 FEET SOUTH OF THE POINT OF BEGINNING, AS MEASURED ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING); IN COOK COUNTY, ILI INOIS.

#### Parcel No. 8

A PARCEL OR TRACT OF LAND EXTENDING OVER AND ACROSS A PART OF THE SOUTH ½ OF THE SOUTH WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT INTERSECTION OF THE SOUTH LINE OF SAID SECTION 27 AND THE WESTERLY RIGHT OF WAY LINE OF THE 26TH STREET BRANCH OF THE CHICAGO AND ILLINOIS WESTERN RAILROAD, SAID POINT BEING 142 FEET WEST FROM THE EAST LINE OF SAID SOUTH WEST 1/4 OF THE SOUTH WEST 1/4 OF SAID SECTION, AS MEASURED ALONG SAID SOUTH LINE OF SECTION 27; THENCE NORTHERLY ALONG SAID WESTEPLY RIGHT OF WAY LINE, AT AN ANGLE TO THE LEFT OF 93 DEGREES, 52 MINUTES, AS MEASURED FROM EAST TO NORTH, FROM SAID SOUTH NORTHWESTERLY ON A CURVE, CONVEX NORTHEASTERLY, HAVING A RADIUS OF 244.29 FEET, A DISTANCE OF 36 FEET, MORE OR LESS, TO A POINT, SAID POINT BEING 73.8 FEET NOR I FERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27; THENCE CONTINUING NORTHWESTERLY ON A CURVE, CONVEX NORTHEASTERLY, HAVING A RADIUS OF 256.29 FEET, A DISTANCE OF 144.3 FEET TO THE END OF CURVE AT A POINT WHICH IS 129.6 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27; THENCE WESTERLY ON A STRAIGHT LINE 15.3 FEET TO A POINT IN NORTHEASTERLY LINE SAID RAILROAD'S RIGHT OF WAY, SAID POINT BEING 131.3 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 39.2 FEET TO A POINT IN A LINE WHICH IS 150 FEET NORTHERLY OF AND PARALLEL TO SAID SOUTH LINE OF SECTION 27; THENCE EAST ALONG SAID LINE PARALLEL WITH SAID SOUTH LINE SECTION, A DISTANCE OF 103.5 FEET; THENCE SOUTHEASTERLY ON A CURVE, CONVEX NORTHWESTERLY, HAVING A RADIUS OF 256.29 FEET, A DISTANCE OF 113 FEET,

MORE OR LESS, TO A POINT IN THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD'S 26<sup>TH</sup> STREET BRANCH, SAID POINT BEING 49 FEET NORTH OF POINT OF BEGINNING, AS MEASURED LONG SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, 49 FEET, MORE OR LESS, TO POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

PIN: 16-27-501-003

#### Parcel No. 9

A PARCEL OF LAND LOCATED IN THE SOUTH 1/4 OF THE SOUTH WEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE SAID SECTION 27, AND THE WESTERLY RIGHT OF WAY LINE OF THE 26<sup>TH</sup> STREET BRANCH OF CHICAGO AND ILLINOIS WESTERN RAIL ROAD, SAID POINT BEING 142 FEET WEST OF THE EAST LINE OF SAID SOUTH WEST 1/4 OF THE SOUTH WEST 1/4 OF SAID SECTION, AS MEASURED ALONG SAID SOUTH LINE OF SECTION 27, A DISTANCE OF 150.3 FEET TO A POINT IN A LINE WHICH IS 150 FEET NORTHERLY OF AND PARALLEL WITH SAID SOUTH LINE OF SECTION 27, A DISTANCE OF 93.6 FEET TO THE POINT OF BEGINNING; THENCE WEST ALONG SAID LINE PARALLEL WITH SAID SOUTH LINE OF SECTION 27, A DISTANCE OF 103.5 FEET TO A POINT IN THE NORTHEASTERLY LINE SAID RAILROAD'S RIGHT OF WAY OF SPUR TRACK, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY OF SPUR TRACK, A DISTANCE OF 89.3 FEET TO A POINT, SAID POINT BEING 192.5 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27, THENCE SOUTHEASTERLY ON A CURVE, CONVEX SOUTHWESTERLY, HAVING A RADIUS OF 256.29 FEET, A DISTANCE OF 94 FEET, MORE OR LESS, TO END OF A CURVE WHICH IS 164.6 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27, THENCE CONTINUING SOUTHEASTERLY ON A STRAIGHT LINE, A DISTANCE OF 53 FEET TO A POINT OF CURVE, SAID POINT BEING 158.3 FEET NORTHERLY OF AND PERPENDICULAR TO SAID SOUTH LINE OF SECTION 27; THENCE SOUTHEASTERLY ON A CURVE, CONVEX NORTHEASTERLY, HAVING A RADIUS OF 256.29 FEET A DISTANCE OF 41 FEET, MORE OR LESS, TO POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

PIN: 16-27-501-004

DECEDENT'S BIRTH NO. REGISTRATION STATE OF ILLINOIS 22.0 DISTRICT NO MEDICAL CERTIFICATE OF DEATH REGISTERED NUMBER Type or Print in PERMANENT INK DECEASED-NAME MIDDLE LAST SEX DATE OF DEATH (MONTH, DAY, YEAR) ee Funeral Directo papital, or Physicia WILLIAM DUDER 2 MALE 3 FEBRUARY 27, COUNTY OF DEATH DATE OF BIRTH UNDERLIDAY Handbook to INSTRUCTIONS 4. DITPACE
CITY, TOWN, TWP, OR ROAD DISTRICT NUMBER 58. 80 Sb. | Sc. | Sd. JANIJARY
HOSPITAL OR OTHER INSTITUTION NAME (IF NOT IN EITHER, GIVE STREET AND NUMBER) IF HOSP, OR INST, INDICATE D.O.A. OP/EMER. RM, INPATIENT (SPECIFY) DOWNERS GROVE TWP. 6b. <u>17W309 BIRNAM TRAIL</u> BIRTHPLACE (CITYAND STATE OR FOREIGN COUNTRY) MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) NAME OF SURVIVING SPOUSE (MAIDEN NAME; IF WIFE) DECEASED WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 7.CHICAGO ILLINOIS MARRIED FRANCES MACHOWSKI 9. NO USUAL OCCUPATION SCRAP IRON SOCIAL SECURITY NUMBER KIND OF BUSINESS OR INDUSTRY EDUCATION (SPECIFY ONLY HIGHEST GRADE COMPLETED)
Elementary/Secondary (0-12) College (1-4 or 5+) <u> 10. 347-12-6596</u> 11a RECYCLER INSIDE CITY 3a 1/W309 BIRNAM TRAIL 13b DOWNERS GROVE TWP 13c. - NO 13d. DUPAGE RACE (WHITE BLACK, AMERICAN INDIAN, etc.) (SPECIFY) ZIP CODE OF HISPANIC ORIGIN? (SPECIFY NOOR YES-IF YES, SPECIFY CUBAN, MEXICAN, PUERTO RICAN, etc.) 131. 60521 WHITE ☐ YES SPECIFY MOTHER-NAME FIRST (MIERZWA) STANTEY DUDEK VICTORIA INFORMANT'S NAME (T' PEOF ARNT) MAILING ADDRESS (STREET AND NO. OR R.F.D., CITY OR TOWN, STATE, ZIP) 17a FRANCYS DUDEK 17c.17W309 BIRNAM TRAII <u>60521</u> 18. PARTI. cations that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH resulting in death) DUE TO, OR A S A CONSEQUENCE OF CONDITIONS, IF ANY WHICH GIVE RISE TO IMMEDIATE CAUSE (a) STATING THE UNDERLYING CAUSE LAST. DUE TO, OR AS A CONST QUE VCF OF PART II. Other significant condi AUTOPSY 19a 19b. DATE OF OPERATION, IF ANY MAJOR FINDINGS OF OPERATION IF FEMALE, WAS THERE A PREGNANCY IN PAST THREE MONTHS? (IDID) DID NOT) ATTEND THE DECEASED AND LAST SAW HIMHER ALIVE ON HOUR OF DEATH EXAMINER NOTIFIED? N YES 9:26 A. M (MONTH, DAY, YEAR) 21b. TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT AND PLACEANOCUE TO THE CAUSE(S) STATED DATE SIGNED 2-29-00 22a. SIGNATURE NAME AND ADDRESS OF CERTIFIER ILLINOIS LICENSE NUMBER 220 /325 HEHORIAL DE. 20. 36063/6 NOTE: IF AN INJURY WAS INVOLVED IN THE DEATH THE CORONER OR MEDICAL EXAMI BURIAL, CREMATION, REMOVAL (SPECIFY) CEMETERY OR CREMATORY-NAME LOCATION CITY OR TOWN DATE 24a. RIIRTAI 24b RESURRECTION II LIN ) 15 | 24d. 3/1/00 **HISTICE** STREET AND NUMBER OR R.F.D. DISPOSITION 25a. MODELL FUNERAL HOME 7710 S. CASS AVENUE DARIEN 11 LINOIS 60561 FUNERAL DIRECTOR'S SIG FUNERAL DIRECTOR'S ILLIN JISLK ENSE NUMBER 034-010613 DATE FILED BY LOCAL REGISTRAR (MONTH, DAY, YEAR) Illinois Decartment of Public H SOUTH **DuPage County** 111 North County Farm Road Health Wheaton, Illinois 60187

This is to certify that this is a true and correct copy of the official record filed with the Illinois Department of Public Health.

Celand Lewis

Local Registrar

Not valid without the embossed seal of DuPage County Health Department

WILL OF WILLIAM DUDEK

00751499

I, William Dudek, of Hinsdale, Illinois, revoke all wills and codicils which I have made and declare this to be my will.

#### ARTICLE ONE Family

I am marcied to Frances Dudek ("my spouse"). I have four children now living:

ROBERT DUDEK
WILLIAM DUDEK
CAROL A. WALTERS
LESLIE A. DUDEK

### ARTICLE TWO Administration Expenses and Taxes

and funeral, costs of administration including delivery and safeguarding of bequests, and other proper charges against my estate, excluding debts secured by real escate or life insurance. My Executor shall pay all Federal and state dear, taxes, except any generation-skipping tax imposed by Chapter 13 of the Internal Revenue Code or successor provisions, payable by reason of my death (including any interest and penalties). However, notwithstanding the foregoing, my Executor shall request the Trustee under the William Dudek Trust to pay any expenses, debts, and taxes which cannot be paid out of my probate estate without necessitating (1) the abatement of any non-residuary devise or legacy, or (2) the sale of assets which are not readily marketable. In any event, United States Treasury bonds redeemable at par in payment of

# UNOFFICIAL COPY 751 199

Federal estate taxes (whether held by the Trustee or the Executor) shall be used first in payment of such tax. Any such bonds held by my Executor shall be used for the payment of the Federal estate tax before any such bonds held by the Trustee are used for that purpose.

2.02 All payments made under this Article shall be paid from the principal of my residuary estate, without apportionment or reimbursement from any person except as provided in Section 2207 and 2207A of the Internal Revenue Code (or any successor provisions) for any taxes attributable to property over which I have a power of appointment or property in which I have a qualified terminable interest for life.

#### ARTICIE THREE Bequests

3.01 I give my tangible personal property, including jewelry, silver, clothing, automobiles, collections, furniture and furnishings and any insurance policies thereof, to my spouse if she survives me by thirty days, otherwise to my children who survive me by thirty days (to the exclusion of any descendant of a child of mine who does not so survive me in shares of substantially equal value, to be divided as they agree. Any property as to which there is no agreement within six months after my death shall, in my Executor's discretion, be divided among my children in shares of substantially equal value or sold by my Executor and the proceeds added to the residue of my estate.

#### ARTICLE FOUR Residuary Estate

00751499

- 4.01 I give all of my residuary estate, being all property passing under this will reduced by the payments and gifts provided for under the preceding Articles, but not including any property over which I have a power of appointment, to the Trustee acting at the time of my death under the Trust executed on April 1, 1991, prior to the execution of this Will, by me as Grantor and Trustee and known as the William Dudek Trust.
- 4.02 For purposes of this Article, my spouse shall be deemed to have survived me if there is insufficient evidence as to which of us died first.

#### ATTICLE FIVE Executor

- 5.01 I appoint my spouse Elecutor of this will, but if she for any reason fails or ceases to act, my son, Leslie A. Dudek, shall act as Executor, but if he shall die, resign or for any reason be unable to act as such, Robert Dudek is appointed as successor Executor.
- 5.02 My Executor shall appoint an Ancillary Executor to act in any state where ancillary administration is necessary and where my Executor for any reason fails to qualify. Any Ancillary Executor shall, with respect to such property subject to ancillary administration, have all the powers conferred upon my Executor, which, however, shall be exercised only with the approval of my Executor.

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- 5.03 No surety or other security shall be required on any bond furnished by my Executor or Ancillary Executor in any jurisdiction for any purpose.
- 5.04 My Executor shall have, during the period of administration of my estate, the power to disclaim any property or interest in property on my behalf, the same powers granted to the Trustee of the Trust described in Article Four, and any other powers granted by law, to be exercised without order of any court as my Executor determines to be in the best interest of my estate.

5.05 If any property would, upon receipt by the Trustee, be immediately distributable to a beneficiary of a trust hereunder, my Executor may distribute such property directly to such beneficiary.

This will, consisting of five (5) pages, the next page included each of which has been idencified by my name or initials, was signed by me on this // day of September, 1991, at Charago Illinois.

The foregoing instrument was, on the date above written, signed and declared by the testator to be his last will in the presence of us, who at his request and in his presence and in the

presence of each other, have hereunto subscribed our names as witnesses and we hereby certify that we believe the testator to be of sound mind and memory and under no undue influence.

Daticio K Schuelon	residing at 35 E. Washer
the To-	(hicago Dl. 6060) residing at 1336 W Estes #16
Dec Bloom	residing at 35 E. Warden D?-
	chicago of

STATE OF ILLINOIS

COUNTY OF COOK

)

The Undersigned, and being duly sworn, state that on this day of Settlemie, 1991, we saw While Dully, the testator, sign the will hereto attached, in our presence, that we attested the will in the testator's presence and in the presence of each other, and that we believed the testator to be of sound mind and memory at the time of signing of the will.

Sworn to and signed before me this /// day of

NOTARY PUBLIC

OFFICIAL SEAL
DAVID L. GOLDSTEIN
NOTARY PUBLIC STATE OF ILLINOIS
NY COPPRISSION EXIT. SEPT 23,1994