

DEED IN TRUST



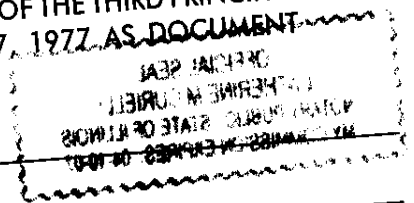
Doc#: 0407201012
Eugene "Gene" Moore Fee: \$28.50
Cook County Recorder of Deeds
Date: 03/12/2004 09:07 AM Pg: 1 of 3

THE GRANTORS, **MICHAEL A. WALLER** and **KATHLEEN M. WALLER, HIS WIFE**, of: 25 Lexington Road, of the Village of South Barrington, County of Cook, and State of Illinois, in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby convey and warrant to: **KATHLEEN M. WALLER** and **MICHAEL A. WALLER**, of: 25 Lexington Road South Barrington, IL 60010

as Co-Trustees, under the terms and provisions of a certain Trust Agreement dated the 14th day of November, 1995, and designated as Trust No. 95FV32, and to any and all successors as the Trustee appointed under said Trust Agreement, or who may be legally appointed, the following described real estate:

LOT 17 IN SOUTH BARRINGTON LAKES UNIT 1, A SUBDIVISION OF PARTS OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1977 AS DOCUMENT 24151128, IN COOK COUNTY, ILLINOIS.

Permanent Index Tax Number (PIN): 01-27-256-002
Address of Real Estate: 25 Lexington Road, South Barrington, IL 60010



TO HAVE AND TO HOLD said real estate and appurtenances thereto upon the trusts set forth in said Trust Agreement and for the following uses:

1. The Trustee (or Trustees, as the case may be), is invested with the following powers: (a) to manage, improve, divide or subdivide the trust property, or any part thereof, (b) To sell on any terms, grant options to purchase, contract to sell, to convey with or without consideration, to convey to a successor or successors in trust, any or all of the title and estate of the trust, and to grant to such successor or successors in trust all the powers vested in the Trustee. (c) To mortgage, encumber or otherwise transfer the trust property, or any interest therein, as security for advances or loans. (d) To dedicate parks, street, highways or alleys, and to vacate any portion of the premises. (e) To lease and enter into leases for the whole or part of the premises, from time to time, but any such leasehold or renewal shall not exceed a single term of 199 years, and to renew, extend or modify any existing lease.

2. Any party dealing with the Trustee with regard to the trust property, whether by contract, sale, mortgage, lease or otherwise, shall not be required to see to the application of the purchase money, loan proceeds, rental or other consideration given, nor shall be required to see to the application of the purchase money, loan proceeds, rental or other powers and authority of the Trustee, and the execution of every contract, option, deal, mortgage or other instrument dealing with the trust property, shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance or other instrument; that at the time of the execution and delivery of any of the aforesaid instruments, the Trust Agreement above described was in full force and effect; that said instrument so executed was pursuant to and in accordance with the authority granted the Trustee, and is binding upon the beneficiary or beneficiaries under the said Trust Agreement; and if said instrument is executed by a successor or successors in trust, that he or they were duly appointed and are fully invested with the title, estate, rights, powers and duties of the preceding Trustee.

3. The interest of each and every beneficiary under said Trust Agreement and hereunder, and of all persons claiming under any of the beneficiaries, shall be only in the earnings, avails and proceeds arising from the sale or other disposition of the trust property, and such interest is hereby declared to be personal property only, and the beneficiary or beneficiaries of the trust shall not have any title or interest therein, legal or equitable, except as stated.

4. In the event of the inability, refusal of one of the Trustees herein named, to act, or upon his/her removal from the County the remaining Co-Trustee of MICHAEL A. WALLER and KATHLEEN M. WALLER is appointed as Successor Trustee herein with like powers and authority as vest in the Trustee named herein.

UNOFFICIAL COPY

All of the covenants, conditions, powers, rights and duties vested hereby, in the respective parties, shall inure to and be binding upon their heirs, legal representatives and assigns.

If the title to any of the above real estate now is or hereafter shall be registered, the Registrar of Titles is directed not to register or note in the Certificate of Title, duplicate thereof, or memorial, the words "in trust" or "upon condition", or "with limitation", or words of similar import, in compliance with the statute of the State of Illinois in such case made and provided.

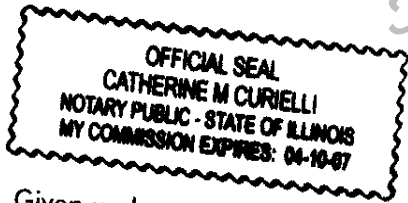
The Grantors hereby waive and release any and all right and benefit under and by virtue of the Statutes of the State of Illinois providing for the exemption of homestead from sale or execution or otherwise.

Dated this 3rd day of March, 2004.

Michael A. Waller (SEAL)
MICHAEL A. WALLER

Kathleen M. Waller (SEAL)
KATHLEEN M. WALLER

State of Illinois, County of Cook Jss.



I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that MICHAEL A. WALLER and KATHLEEN M. WALLER, HIS WIFE, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this 3rd day of March, 2004.

Commission expires 4-10-07

Catherine M. Curielli
NOTARY PUBLIC

Exempt under provisions of Paragraph E, Section 31-45, Property Tax Code.

Dated: March 3, 2004.

Michael A. Waller Kathleen M. Waller
MICHAEL A. WALLER & KATHLEEN M. WALLER, Owners

THIS DOCUMENT PREPARED BY AND MAIL TO:

John Peter Curielli, Attorney at Law
LAW OFFICES OF JOHN PETER CURIELLI, P.C.
126 South Northwest Highway
Barrington, IL 60010-4608

SEND SUBSEQUENT TAX BILLS TO:

Mr. & Mrs. Michael A. Waller
25 Lexington Road
South Barrington, IL 60010

UNOFFICIAL COPY

STATEMENT BY GRANTOR AND GRANTEE

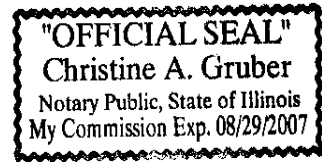
The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated March 3, 2004.

Signature: Kathleen M. Waller
Kathleen M. Waller, Grantor

Subscribed and sworn to before me by the said Grantor this 3rd day of March, 2003.

Notary Public Christine A. Gruber



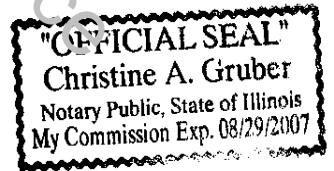
The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated March 3, 2004.

Signature: Michael A. Waller
Michael A. Waller, Grantee

Subscribed and sworn to before me by the said Grantee this 3rd day of March, 2004.

Notary Public Christine A. Gruber



Note: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)