

Doc#: 0420935078 Eugene "Gene" Moore Fee: \$46.00 Cook County Recorder of Deeds Date: 07/27/2004 08:23 AM Pg: 1 of 12

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ATTACHED PLEASE FIND POWER OF ATTORNEY BE RECORDED

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BOX 333-CP

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DURABLE POWER OF ATTORNEY

- I, EVELYN D. GARRITY BISHOP, of Palos Heights, Illinois, appoint KATHLEEN ANNE TILLERY, my daughter, (referred to as "my attorney"), a sample of whose signature appears below, my true and lawful agent and attorney, for me and in my name with reference to any interest from time to time owned by me in property, real or personal, wherever located ("property"), or other matters in which I from time to time may have a personal or financial interest:
- 1. To deposit in or withdraw from any bank, trust company, savings association, safe deposit company, broker or other depositary or agent, any moneys or other property and to examine or receive related records, including cancelled checks.
- 2. To open and enter on my nehalf any safe deposit box rented or held by me alone or jointly with others, at any time to deposit in such box and to remove from such box any part or all of the contents thereof, including any security or tangible personal property, as often and as freely as I could do if personally present, and to cancel or modify the lease under which such box is rented and to surrender or exchange the same.
- 3. To pay my ordinary household expenses, to arrange for and pay the cost of the services of a companion for me, medical nursing, hospital, convalescent and other health care and treatment, including admission to hospitals and consent to treatment, and to make application for insurance, pension or employee benefits related to such health care and treatment.

- 4. To retain, invest in, acquire by purchase, subscription, lease or otherwise, manage, sell, contract to purchase or sell, grant, obtain or exercise options to sell or conversion rights, assign, transfer, convey, deliver, endorse, exchange, pledge, mortgage, abandon, improve, repair, maintain, insure, lease for any term and otherwise deal with all property, and to release and waive any right of homestead therein, if any.
- improve, subdivide, re-subdivide, raze, alter, dedicate, vacate, partition, release, lease or renew, amend or extend leases for any term, contract to make leases, grant options to lease or to purchase the whole or any part of the reversion, contract regarding the manner of fixing present or future entals, grant easements or charges of any kind on or with respect to, and cultivate, irrigate and operate all interests in real estate now or hereafter owned by me, including beneficial interests in any trust and leasehold interests, and related improvements, equipment and supplies, alone or with others, by general or limited partnership, trust agreements, joint ventures, corporations, associations, sharecrop agreements, leases, management or agency agreements, participation in government programs or otherwise.
- 6. To borrow from any source for any purpose and mortgage or pledge any property to any lender, including my attorney individually.
- 7. To demand, sue for, receive and otherwise take steps to collect or recover all debts, rents proceeds, interest, dividends, annuities, securities for money, goods, chattels, bequests, income from property, damages and all other property to which I may be entitled or which are or may become due me from any person or organization; to commence, prosecute or enforce, or to defend, answer or

oppose, contest and abandon all legal proceedings in which I am or may hereafter be interested; and to settle, compromise or submit to arbitration any accounts, debts, claims, disputes and matters now existing or which may hereafter arise between me and any other person or organization and to grant an extension of time for the payment or satisfaction thereof on any terms, with or without security.

- To continue to carry, purchase, cancel or dispose of fire, casualty, property or income protection, medical, hospital, life, liability or other insurance and to pay any premiums thereon.
- 9. To vote and give proxies to vote securities and approve or oppose mergers, consolidations, foreclosures, liquidations, reorganizations or changes in the financial structure of any organization, and all other matters which may come before the shareholders; and to enter into voting trust and other agreements restricting the voting, transfer or other use or disposition of interests in any organization.
- 10. To retain, continue, operate, manage, organize, acquire, invest in, terminate and dispose of, alone or with others, proprietorships, corporations, limited or general partnerships, joint ventures, land trusts or other business or property-holding organizations under the laws of any jurisdiction; to lease, sell, purchase or otherwise transfer any property to or from, make further investments in or advance of loan funds to, with or without security, and incur obligations on account of or for the benefit of, any such organization; and to employ any persons for such purposes and delegate to them such powers and discretions as my attorney considers advisable.
- 11. To undertake performance of any and all acts, whether or not otherwise specifically enumerated herein, including the sale of any property or the borrowing of any funds, which my attorney considers necessary or appropriate in

order to purchase United States treasury bonds redeemable at par in payment of federal estate taxes; provided, however, that nothing herein shall be construed as requiring my attorney to acquire any such bonds.

- convenient or appropriate in connection with taxes imposed by any municipal, state, United States or foreign authority or government relating to any tax liability or refund, abatement or credit (including interest or penalties) due or alleged to be due from or to me or any other person or organization, association or trust for which I am responsible for the preparation, signing, executing, verifying, acknowledging or paying of any tax due or filing of a return or report, including without limitation federal or state income or gift tax, for any and all taxable years or periods; and for such purposes to inspect or receive copies of any tax returns filed by or for me, reports or other papers or documents, compromises or adjustments of any and all claims.
 - discount, accept, endorse, with or without recourse on me, waive demand, notice and notice of protest, file and deliver on my behalf any and all checks, options, orders, notes, drafts, overdrafts, certificates of deposit, bills of exchange, deeds, directions to land trustees, mortgages, leases, powers of sale, drafts, bonds (or indemnity or otherwise) and contracts, transfers, assignments, proxies, agreements, receipts, releases, release deeds, composition agreements, discharges, income or personal or intangible property or gift or other tax returns, estimates, declarations, certificates, schedules, statements, claims of abatement, refund or credit, protests, requests (including requests for rulings from proper authorities), applications, waivers (including waiver of restrictions on the assessment or collection of any deficiency or additional

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tax), acceptances (including acceptance of any determination or proposed determination of additional tax or overassessment or overpayment of tax, including interest and penalties), consents or waivers or agreements for a later determination and assessment and collection of taxes than is provided by applicable statutes of limitations, closing agreements (whether in respect of a tax liability or a specific matter or otherwise), petitions, pleadings, motions, stipulations, consents and any other papers, documents or writings or things, with or without guarantees, surety obligations, covenants, warranties, indemnifications, representations, powers of substitution, affirmations or otherwise.

accountants, attorneys at law, investment counsel, agents, servants or other persons, including their agents and associates, and to dismiss or discharge the same and to appoint or employ any others in their stead as my true and lawful attorneys to appear and represent me as to all matters covered by this power of attorney, or for any other purpose, including, but not limited to, appearances before the Treasury Department of the United States, the Tax Court of the United States or the District of Columbia, or any state, municipal or foreign court, and any department or official of the United States Government or any state, municipal or foreign government, with full power and authority to such agents and attorneys to do any and all acts convenient or appropriate in connection with such matters, including the specific acts described above, and to substitute attorneys and agents subsequent to the date of such appointment and prior to any revocation thereof, and to delegate or revoke the authority so granted to them.

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- 15. To pay, as my attorney shall think fit, any debts, or interest, payable by me, or taxes, assessments, and expenses due and payable or to become due and payable for my use and benefit, or for the use and benefit of any person to whom I have a legal obligation of support.
- 16. To the extent my attorney thinks I might have done, to make, unconditionally or upon such terms and conditions as my attorney shall think fit, such donations or contributions to publicly supported charities, private operating foundations and private foundations, all as defined in present Internal Revenue Code S 170 or any equivalent statute. My attorney shall have sole discretion in making such donations or contributions, or my attorney may also make subscriptions, for any reason that my attorney determines such donations, contributions or subscriptions shall be made.
- 17. To the extent my attorney thinks I might have done, to make, unconditionally or upon such terms and conditions as my attorney shall think fit, such gifts to my daughter, KATHLEEN ANNE TILLERY, in my attorney's sole discretion and for any reason my attorney determines. To the extent that my attorney deems necessary for estate planning purposes, my attorney may make annual gifts in such amounts that the Internal Revenue Service, from time to time, may allow to be made to various donees that qualify for the annual gift tax exclusion.
- 18. To substitute and appoint in my attorney's place and stead (on such terms and at such salary or compensation as my attorney shall think fit) one or more attorney or attorneys to exercise for me as my attorney or attorneys any or all of the powers and authorities hereby conferred, and to revoke any such appointment

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from time to time, and to substitute or appoint any other or others in the place of such attorney or attorneys, as my attorney shall, from time to time, think fit.

above conferred), to execute each and every instrument, to undertake each and every obligation, and to take from time to time any and all action of whatsoever nature and with relation to any matters whatsoever, whether or not specifically mentioned herein, and to exercise in respect thereto as full and complete power and discretion as I myself might or could do.

My attorney shall exercise or omit to exercise the power and authorities granted herein in each case as my attorney in my attorney's own absolute discretion deems desirable or appropriate under existing circumstances. I hereby ratify and confirm as good and effectual, at law or in equity, all that my attorney, and my agents and attorneys appointed by my attorney, and their agents, associates and substitutes, may do by virtue hereof. However, despite the above provisions, nothing herein shall be construed as imposing a duty on my attorney to act or assume responsibility for any matters referred to above or other matters even though my attorney may have power or authority hereunder to do so.

If any power or authority hereby sought to be conferred upon my attorney should be invalid or un-exercisable for any cause or not recognized by any person or organization dealing with my attorney, the remaining powers and authorities given to my attorney hereunder shall nevertheless continue in full force and effect.

Each person, partnership, corporation or other legal entity relying or acting upon this power of attorney shall be entitled to presume conclusively that this power of attorney is in full force and effect unless written notice shall have been

given by me to such person, partnership, corporation or other legal entity that this power has been revoked. In addition, revocation of the appointment of my attorney shall not be effective until my attorney has received actual notice of its revocation in writing from me and delivered to my attorney; until receipt of such actual notice, my attorney shall not be liable to me for any action taken by my attorney.

No person, partnership, corporation or legal entity relying upon this power of attorney shall be required to see to the application and disposition of any moneys, stocks, bonds, securities or other property paid to or delivered to my attorney, or my attorney's substitute, pursuant to the provisions hereof.

It is my intent that this power of attorney shall commence upon my being unable to physically or mentally handle any of my affairs to such a degree that any doctor that I am in the care of shall plovide this verification in writing to my said daughter, KATHLEEN ANNE TILLERY, or to end, successor attorneys named herein, and this power of attorney shall remain in full force and effect and that the power granted herein shall continue without interruption until and death unless previously revoked by me, or in the event that I no longer am physically or mentally incapacitated as certified in writing by a physician or in the event that I become disabled, incapacitated, or incompetent, until such time as I am adjudged incompetent or a disabled person by any court. I have executed an Antenuptial Agreement dated August 14, 1989 with FRANCIS BISHOP, and an Amendment to said Agreement. Any inconsistencies or conflicts that may be in this DURABLE POWER OF ATTORNEY and that may be in conflict with Paragraph 15 of the said Antenuptial Agreement or Amendment thereto, shall be controlled by this DURABLE POWER OF ATTORNEY.

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If I am adjudged to be a disabled person, I name my daughter, KATHLEEN ANNE TILLERY, as guardian of my person and estate.

Reproductions of this executed original (with reproduced signatures and the certificate of acknowledgment) shall be deemed to be original counterparts of this POWER OF ATTORNEY.

Specimen signature of my attorney:

I certify to the co rectness of the signature of my attorney and I execute

this Power of Attorney on

STATE OF ILLINOIS

SS.

COUNTY OF COOK

Clort's Office The undersigned, a notary public in and for the above county and state, certifies that EVELYN D. GARRITY BISHOP, personally known to me to be the same person whose name is subscribed to the foregoing power of attorney, appeared before me in person, and acknowledged that she signed and delivered the instrument as her

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free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

SUBSCRIBED and SWORN to before me this day of

. 1994.

NACT A DV P(IP) IC

This document was prepared by: Richard L. Treichel Attorney at Law Governors Office Park IV 20000 Governors Dr., Ste. 102 Olympia Fields, IL 60461 (708) 747-9450

PICHARD L. TO SCHEL
Notary Pubso, State of Mr.
My Commission Expires 10-7-9

MAIL TO: KATHLEEN ANNE HOLTON 17628 NATHANS DR., TAMPA, FL 33647

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PARCEL 1: UNIT NUMBER 13242-1-'B' IN OAK HILLS CONDOMINIUM IN AS DELINEATED ON SURVEY OF CERTAIN LOTS OR PARTS THEREOF IN BURNSIDE'S OAK HILLS COUNTRY CLUB VILLAGE SUBDIVISIONS IN THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT 'A' TO DECLARATION OF CONDOMINIUM OWNERSHIP MADE BY BURNSIDE CONSTRUCTION COMPANY. AN ILLINOIS CORPORATION, RECORDED IN THE OFFICE OF THE RECORDER OF COOK COUNTY, ILLINOIS AS DOCUMENT NUMBER 23684699; TOGETHER WITH A PERCENTAGE OF THE COMMON ELEMENTS TO SAID UNIT AS SET FORTH IN SAID DECLARATION AS AMENDED FROM TIME TO TIME, WHICH PERCENTAGE SHALL AUTOMATICALLY CHANGE IN ACCORDANCE WITH AMENDED DECLARATIONS AS SAME ARE FILED OF RECORD PURSUANT TO SAID DECLARATION, AND TOGETHER WITH ADDITIONAL COMMON ELEMENTS AS SUCH AMENDED DECLARATIONS, WHICH PERCENTAGES SHALL AUTOMATICALLY BLOCK DEEMED TO BE CONVEYED EFFECTIVE ON THE RECORDING OF EACH SUCH AMENDED DECLARATION A THOGH CONVEYED HEREBY.

PARCEL 2: EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN THE DECLARATION OF EASMENTS RECORDED AS DOCUMENT NUMBER 23684698, IN COOK COUNTY, ILLINOIS

13242 OAK RIDGE TRAIL, 1B, PALOS HE GHTS, Phy Clork's Office

PIN: 23 36 303 143 1202.