

DEED IN TRUST

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RECORDED FOR USE ONLY



04253482120

Doc#: 0425348212

Eugene "Gene" Moore Fee: \$28.00

Cook County Recorder of Deeds

Date: 09/09/2004 01:29 PM Pg: 1 of 3

THIS INDENTURE WITNESSETH, that the Grantor(s), EILEEN E. FORMELLER, of the Village of Spring Grove, and State of Illinois, for and in consideration of the sum of TEN Dollars, (\$10.00) in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey(s) and Warrant(s) unto Grantee(s), EILEEN E. FORMELLER, as trustee(s), under the provisions of a Declaration Trust dated this 14th day of July, 2004, and known as the "EDWARD KAWA and MARY ANN KAWA SPECIAL NEEDS TRUST," 3052 Ernst, Franklin Park, Park, Illinois 60131, and to all and every successor or successors in trust under the declaration of trust, the following described real estate in Cook County, Illinois:

LEGAL DESCRIPTION: LOT ONE (1) AND NORTH THREE (3) FEET OF LOT TWO (2) IN THE RESUBDIVISION OF LOTS ONE (1), TWO (2), THREE (3) AND FOUR (4), IN BLOCK SIX (6) IN TURNER PARK LAND ASSOCIATION SUBDIVISION OF THAT PART OF THE WEST HALF OF THE NORTH WEST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTH OF GRAND AVENUE, IN COOK COUNTY, ILLINOIS.

P.I.N.: 12-28-109-035-0000

Exempt from review as per Franklin Park document requirements pursuant to Paragraph A (1) of Section 7-106 of the Franklin Park Village Code.



Commonly known as: 3052 Ernst, Franklin Park, IL 60131

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trusts, and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority is hereby granted to said Trustee with respect to the real estate or any part or parts of it, and at any time or times to improve, manage, protect and subdivide said real estate or any part hereof to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to re-subdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in the present or in the future and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change, or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said real estate or any part thereof, and to deal with said real estate and every or part thereof in all other ways and for such other considerations as would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the trust property, or be obliged to see that the terms of the trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trust, or any successor in trust, in relating to said trust property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by the Deed and by said Trust Agreement was in full force and effect, (b) that such conveyance or other instruments was executed in accordance with the trusts, conditions, and limitations contained herein and in said Trust Agreement or in all amendments thereof, if any, and is binding upon all beneficiaries thereunder, (c) that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

3

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This conveyance is made upon the express understanding and condition that the Grantee, neither individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of the Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings avails and proceeds arising from the sale or any other disposition of the trust property, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said trust property as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in the Trustee the entire legal and equitable title in fee simple, in and to all of the trust property above described.

If the title to any of the trust property is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words, "in trust", or "upon condition", or "with limitations", or words of similar import, in accordance with the statute in such case made and provided.

And the said Grantor hereby expressly waives and releases any and all rights or benefits under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

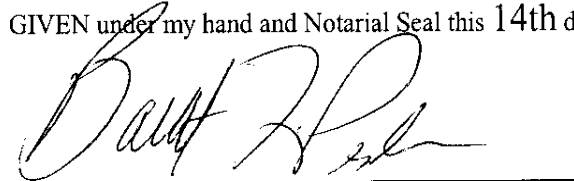
**IN WITNESS WHEREOF**, the Grantor(s) aforesaid have hereunto set their hands and sealed this 14th day of July, 2004.

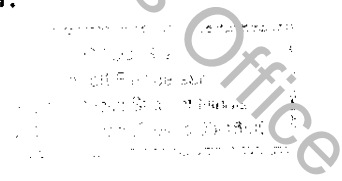
  
\_\_\_\_\_  
**EILEEN E. FORMELLER**

STATE OF ILLINOIS  
COUNTY OF COOK } ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that, **EILEEN E. FORMELLER**, personally known to me to be the same person(s) whose name(s) is are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered the said instrument as his/her/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 Notarial Seal this 14th day of July, 2004.

  
\_\_\_\_\_  
Notary Public

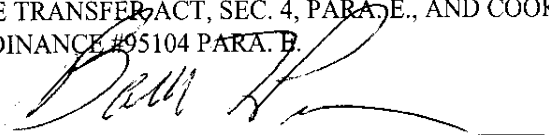


**PREPARED BY AND RETURN TO:**  
Barrett F. Pedersen  
9701 W. Grand Avenue  
Franklin Park, IL 60131

**ADDRESS OF PROPERTY:**  
3052 Ernst  
Franklin Park, IL. 60131

**REAL ESTATE TRANSFER EXEMPTION**  
THE TRANSFER OF THIS PROPERTY IS EXEMPT UNDER THE REAL ESTATE TRANSFER ACT, SEC. 4, PAR. E., AND COOK COUNTY ORDINANCE #95104 PAR. B.

DATED: This 14th day of July, 2004.

SIGNATURE: 

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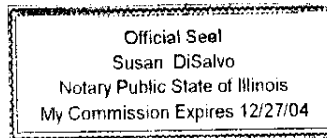
## STATEMENT BY GRANTOR AND GRANTEE

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 title to real estate under the laws of the State of Illinois.

Dated: July 14 2004

Signature: Bonnie Godlewski  
Grantor or Agent

Subscribed and sworn to before me by the said Bonnie Godlewski, this 14<sup>th</sup> day of July, 2004.



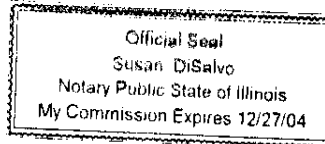
Susan Di Salvo  
Notary Public

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: July 14 2004

Signature: Bonnie Godlewski  
Grantor or Agent

Subscribed and sworn to before me by the said Bonnie Godlewski, this 14<sup>th</sup> day of July, 2004.



Susan Di Salvo  
Notary Public

**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 Act.)