

# UNOFFICIAL COPY

## WARRANTY DEED IN TRUST

THIS INSTRUMENT WAS PREPARED BY

Charles C. Snyder, PC.  
2803 Butterfield Rd #380  
Oak Brook, IL 60523



Doc#: 0501445134  
Eugene "Gene" Moore Fee: \$32.50  
Cook County Recorder of Deeds  
Date: 01/14/2005 01:01 PM Pg: 1 of 5

THIS INDENTURE WITNESSETH, That the Grantor,

ROBERT E. RUSSELL AND  
ROSEMARIE RUSSELL, HUSBAND  
AND WIFE

The above space for recorders use only

of the County of DUPAGE and State of ILLINOIS for and in consideration of Ten Dollars and No/100, and other good and valuable considerations in hand paid, Conveys and Warrants unto the NATIONAL BANK OF COMMERCE, a corporation of Illinois, as Trustee under the provisions of a trust agreement dated the 27th day of DECEMBER, 2004, and known as Trust Number 5244, the following described real estate in the County of COOK and State of Illinois, to-wit:

SEE EXHIBIT A                      LEGAL DESCRIPTION

PIN: 25-21-228-023, 25-21-228-046 & 25-21-228-047

Grantee's Address: 5500 ST. CHARLES ROAD, BERKELEY, IL 60153-1282

TO HAVE AND TO HOLD the said premises 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 to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide said property 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 premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or futuro, 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 and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, 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 premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it 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.

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In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the 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 trustee in relation to said real estate 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 this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustee 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.

This conveyance is made upon the express understanding and conditions that neither NATIONAL BANK OF COMMERCE, individually or as trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgement 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 provision of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, 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 this Deed.

The interest of each and every beneficiary hereunder 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 other disposition of said real estate, 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 real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

If the title to any of the above lands 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 right or benefit 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 \_\_\_\_\_ aforesaid has \_\_\_\_\_ hereunto set their hand \_\_\_\_\_ and seal \_\_\_\_\_ this 27<sup>th</sup> day of December 2004.

Robert E Russell  
\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

Rosemarie Russell  
\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

Transfer exempt under Paragraph (c) of Illinois Real Estate Transfer Tax Act

Signed [Signature]  
Date 12/27/04

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STATE OF Illinois }

SS. I, Sharon M. Vahlin

COUNTY OF Cook

a Notary Public in and for said County, in the state aforesaid, do hereby certify that Robert E. Russell

and Rosemarie Russell

personally known to me to be the same person S whose name and subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that ~~they~~ signed, sealed and delivered the said instrument as theirs 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 27<sup>th</sup> day of December, 2004



Sharon M. Vahlin

Notary Public

NATIONAL BANK OF COMMERCE

For information only insert street address of above described property.

Mail subsequent Real Estate Tax Bills to:

CHARLES C. SNYDER, P.C.

Name

2803 BUTTERFIELD RD. #380

Address

OAK BROOK, IL 60523

City/State/Zip

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## EXHIBIT A LEGAL DESCRIPTION

A TRACT OF LAND COMPRISING PART OF LOT 21 IN BLOCK 7 IN VANDERSYDE AND BARTLETT'S ADDITION TO PULLMAN, BEING A SUBDIVISION OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 775.5 FEET THEREOF AND EXCEPT THAT PART OCCUPIED BY THE CHICAGO AND WESTERN INDIANA RAILROAD COMPANY) SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 21; THENCE SOUTHEASTERLY ON THE SOUTH LINE OF SAID LOT 21, A DISTANCE OF 128.86 FEET; THENCE 16 DEGREES 15 MINUTES TO THE LEFT FROM PROLONGATION OF LAST DESCRIBED COURSE, A DISTANCE OF 93.95 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF SAID LOT 21, SAID POINT BEING 202.20 FEET WEST OF THE WEST LINE OF SOUTH PERSY AVENUE; THENCE WEST ON THE NORTH LINE OF SAID LOT 21 TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINS: 25-21-228-023, 25-21-228-046 & 25-21-228-047

Property of Cook County Clerk's Office

**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 12-27-04 Signature Robert E Russell  
Grantor

Subscribed and sworn to before me  
by the said Grantor  
this 27<sup>th</sup> day of December, 2004.  
Notary Public Sharon M. Vahlen

OFFICIAL SEAL  
SHARON M. VAHLIN  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 12-04-06

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

Dated 12-27-04 Signature Maureen Russell  
Grantee

Subscribed and sworn to before me  
by the said Grantee  
this 27<sup>th</sup> day of December, 2004.  
Notary Public Sharon M. Vahlen

OFFICIAL SEAL  
SHARON M. VAHLIN  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 12-04-06

NOTE: Any person who knowingly submits a false statement concerning the identify 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.)