

# UNOFFICIAL COPY

## WARRANTY DEED IN TRUST (ILLINOIS)



Doc#: 0509617006  
Eugene "Gene" Moore Fee: \$28.50  
Cook County Recorder of Deeds  
Date: 04/06/2005 08:27 AM Pg: 1 of 3

THE GRANTOR, ROGER W. SCHONER and JUNE C. SCHONER, husband and wife, of 395 Graceland Avenue, Unit 706, Des Plaines, of the County of Cook and State of Illinois for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration in hand paid, CONVEY and WARRANT unto

ROGER W. SCHONER and JUNE C. SCHONER, of 395 Graceland Avenue, Unit 706, Des Plaines, IL, as Trustees under the provisions of a trust agreement dated the 14th day of March, 2005, and known as TRUST NUMBER 395 (hereinafter referred to as "said trustee," regardless of the number of trustees), and unto all and every successor or successors in trust under said trust agreement, the following described real estate in the County of Cook and State of Illinois, to wit:

PARCEL 1: UNIT 706 IN THE MONTE CLARE CONDOMINIUMS AS DELINEATED ON A SURVEY ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED OCTOBER 7, 2004, AS DOCUMENT NUMBER 0428144000, AND AS AMENDED FROM TIME TO TIME WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2: THE EXCLUSIVE RIGHT OF USE OF LIMITED COMMON ELEMENTS KNOWN AS GARAGE SPACE G-11 AND STORAGE SPACE S-13.

Commonly known as: 395 Graceland Avenue, Unit 706, Des Plaines, IL 60016

PIN: 09-17-402-001-0000, 09-17-402-002-0000, 09-17-402-003-0000,  
09-17-402-004-0000, 09-17-402-005-0000, 09-17-402-006-0000,  
09-17-402-007-0000, 09-17-402-008-0000, 09-17-402-009-0000,  
09-17-402-027-0000

Exempt deed or instrument  
eligible for recordation  
without payment of tax.

In the event of the resignation, demise or inability of either trustee to act, then the survivor shall act as successor trustee. In the event of the resignation, demise or inability of the survivor to act, then JEFFREY B. SCHONER shall act as successor trustee. In the event of the resignation, demise or inability of JEFFREY B. SCHONER to act, then LYNN K. POWER shall act as successor trustee. In the event of the resignation, demise or inability of LYNN K. POWER to act, then DENIS J. OWENS shall act as successor trustee.

The phrase "inability to act" as used herein shall be defined as follows: Any individual acting in a fiduciary capacity or as a beneficiary of the trust shall be considered unable to act if adjudicated incompetent or if a physician familiar with his or her physical and mental condition certifies in writing that such individual is unable to give prompt and intelligent consideration to business matters.

TO HAVE AND TO HOLD 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 are hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof: to dedicate parks, streets, highways or alleys; 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 *in 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.

S. Brown 3/21/05  
City of Des Plaines

S. Myers  
D. Briggs  
S. Myers  
CE

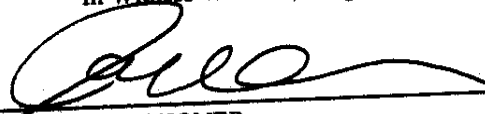
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In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any 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 trust, 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.

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.

And the said grantors hereby expressly waive and release 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 homestead from sale on execution or otherwise.

In Witness Whereof, the grantors aforesaid have hereunto set their hands and seals this 14th day of March, 2005.

  
\_\_\_\_\_  
ROGER W. SCHONER (SEAL)

  
\_\_\_\_\_  
JUNE C. SCHONER (SEAL)

State of Illinois )  
                          ) ss.  
County of Cook    )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ROGER W. SCHONER and JUNE C. SCHONER, 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 14th day of March, 2005.



  
\_\_\_\_\_  
NOTARY PUBLIC

Exempt under provisions of Paragraph E, Section 4 Real Estate Transfer Tax Act.

3/14/05  
Date

  
\_\_\_\_\_  
Representative

This instrument was prepared by: Patrick D. Owens, Esq., 444 North Northwest Highway, P. O. Box 578, Park Ridge, IL 60068-0578.

MAIL TO:

OWENS, OWENS & RINN, LTD.  
P. O. Box 578  
Park Ridge, IL 60068-0578

SEND SUBSEQUENT TAX BILLS TO:

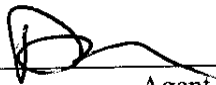
Roger W. Schoner and June C. Schoner, Trustee  
395 Graceland Avenue, Unit 706  
Des Plaines, IL 60016

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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 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.

Date: March 14, 2005

Signature:   
Agent

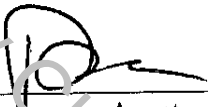
Subscribed and Sworn to before me  
this 14th day of March, 2005.



  
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.

Date: March 14, 2005

Signature:   
Agent

Subscribed and Sworn to before me  
this 14th day of March, 2005.



  
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 Tax Act.)

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