

UNOFFICIAL COPY

DEED IN TRUST

CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty of merchantability or fitness for a particular purpose.



Doc#: 0529032131 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/17/2005 12:34 PM Pg: 1 of 5

THE GRANTOR (NAME AND ADDRESS)
ROBERT M. GAILEN and
CAROL M. SMEJA
270 E. Pearson Street - Unit 1002
Chicago, Illinois 60611

(The Above Space For Recorder's Use Only)

of the City of Chicago County of Cook, and State of Illinois, in consideration of the sum of TEN (\$10.00) Dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby conveys and quit claims to ROBERT M. GAILEN as Trustee, under the terms and provisions of a certain Trust Agreement dated the 2nd day of September, 2005, and designated as Trust No. _____, and to any and all successors as Trustee appointed under said Trust Agreement, or who may be legally appointed, the following described real estate: (See reverse side for legal description.) *1 and CAROL M. SMEJA, Trustee under the Carol M. Smeja Revocable Trust dated Sept. 2nd 2005 not as joint tenants, but as tenants in common, each to an undivided one-half (1/2) interest.
Permanent Index Number (PIN): 17-03-228-032-1021 and 17-03-228-033-4027

Address(es) of Real Estate: 270 E. Pearson Street - Unit 1002, Parking Unit P29
Chicago, Illinois 60611

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 herein, 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 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 that the terms of the trust have been complied with, or to enquire into the 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 and claiming under such conveyance or other instrument; that at the time of the execution and delivery of any of aforesaid instruments, the Trust Agreement above described was in full force and effect; that said instrument executed was pursuant to and in accordance with the authority granted the Trustee, and is binding upon the beneficiary or beneficiaries under 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.

Section 17-03-228-032-1021
Exempt under provisions of Paragraph 1 of Real Estate Transfer Tax Act.

10-19-05
Date

UNOFFICIAL COPY

4. In the event of the inability, refusal of the Trustee herein named, to act, or upon his removal from the County CAROL M. SMEJA; ROBERT M. GAILEN

is then appointed as Successor Trustee herein with like powers and authority as is vested in the Trustee named herein.

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 Grantor s hereby waive _____ and release _____ any and all right and benefit under and by virtue of the Statues Statues of the State of Illinois providing for the exemption of homestead from sale or execution or otherwise.

DATED this 2nd day of September 2005

PLEASE PRINT OR TYPE NAME(S) BELOW SIGNATURE(S)

ROBERT M. GAILEN (SEAL)

CAROL M. SMEJA (SEAL)

(SEAL) (SEAL)

State of Illinois, County of COOK ss. I, the undersigned, a Notary Public in and for



IMPRESS SEAL HERE

said County, in the State aforesaid. DO HEREBY CERTIFY that ROBERT M. GAILEN and CAROL M. SMEJA 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 2nd day of September 2005

Commission expires 11/19/2005 Edna Garcia NOTARY PUBLIC

This instrument was prepared by MORRIS G. DYNER, ESQ., 190 S. LaSalle St. - Suite 2850, Chicago, Illinois 60603 (NAME AND ADDRESS)

Legal Description

SEE EXHIBIT "A" ATTACHED HERETO

MAIL TO: MORRIS G. DYNER, ESQ.
(Name)
Fischel & Kahn, Ltd.
190 S. LaSalle St. - Suite 2850
(Address)
Chicago, Illinois 60603
(City, State and Zip)

SEND SUBSEQUENT TAX BILLS TO:
Mr. Robert M. Gailen and Ms. Carol M. Smeja
(Name)
270 E. Pearson Street - Unit 1002
(Address)
Chicago, Illinois 60611
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO. 345

UNOFFICIAL COPY

EXHIBIT "A"

Property Address: 270 E. PEARSON STREET, UNIT 1002,
CHICAGO IL 60611

Legal Description:

PARCEL 1: UNIT 1002 IN THE BELVEDERE CONDOMINIUMS (AS HEREINAFTER DESCRIBED) TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, WHICH UNIT AND COMMON ELEMENTS ARE COMPRISED OF: (A) THE LEASEHOLD ESTATE, CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: NORTHWESTERN UNIVERSITY, A CORPORATION OF ILLINOIS, AS LESSOR, AND 270 EAST PEARSON, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, AS LESSEE, DATED AS OF JUNE 31, 2000, WHICH LEASE WAS RECORDED AUGUST 2, 2000 AS DOCUMENT 000584667, AND RE-RECORDED AUGUST 11, 2000 AS DOCUMENT NUMBER 00614549, AND AS AMENDED BY AMENDMENT TO GROUND LEASE RECORDED MARCH 2, 2001 AS DOCUMENT NUMBER 0010169900 AND AS FURTHER AMENDED BY SECOND AMENDMENT TO GROUND LEASE DATED AS OF MAY 20, 2004 AND RECORDED MAY 20, 2004 AS DOCUMENT NUMBER 0414131096, AND BY UNIT SUBLEASE RECORDED MAY 21, 2004 AS DOCUMENT NUMBER 0414242177. WHICH LEASE, AS AMENDED, DEMISES THE LAND (AS HEREINAFTER DESCRIBED) FOR A TERM OF 99 YEARS COMMENCING JULY 31, 2000 (EXCEPT THE BUILDINGS AND IMPROVEMENTS LOCATED ON THE LAND); AND

(B) OWNERSHIP OF THE BUILDINGS AND IMPROVEMENTS LOCATED ON THE FOLLOWING DESCRIBED LAND: CERTAIN LOTS IN THE RESIDENCES ON LAKE SHORE PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF LOTS 91 TO 98 IN LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCKS 14 AND 20 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED MAY 20, 2004 AS DOCUMENT NUMBER 0414131100, AS AMENDED, FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE EXCLUSIVE RIGHT TO THE USE OF STORAGE SPACE S27, A LIMITED COMMON ELEMENT, AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION OF CONDOMINIUM AFORESAID.

UNOFFICIAL COPY

PARCEL 3: PARKING UNIT P29 IN THE 270 EAST PEARSON GARAGE CONDOMINIUMS (AS HEREINAFTER DESCRIBED) TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS WHICH PARKING UNIT IS COMPRISED OF:

(A) THE LEASEHOLD ESTATE, CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: NORTHWESTERN UNIVERSITY, A CORPORATION OF ILLINOIS, AS LESSOR, AND 270 EAST PEARSON, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, AS LESSEE, DATED MAY 20, 2004, WHICH LEASE WAS RECORDED MAY 20, 2004 AS DOCUMENT 0414131097, AND BY UNIT SUBLEASE RECORDED MAY 21, 2004 AS DOCUMENT NUMBER 0414242221, WHICH LEASE, AS AMENDED, DEMISES THE LAND (AS HEREINAFTER DESCRIBED) FOR A TERM OF 25 YEARS COMMENCING MAY 20, 2004 (EXCEPT THE BUILDINGS AND IMPROVEMENTS LOCATED ON THE LAND); AND

(B) OWNERSHIP OF THE BUILDINGS AND IMPROVEMENTS LOCATED ON THE FOLLOWING DESCRIBED LAND: CERTAIN LOTS IN THE RESIDENCES ON LAKE SHORE PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF LOTS 91 TO 98 IN LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCKS 14 AND 20 IN CANAL TRUSTEE'S SUBDIVISION OF SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED MAY 20, 2004 AS DOCUMENT NUMBER 0414131103, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 4: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCELS 1, 2 AND 3 FOR INGRESS, EGRESS, USE, ENJOYMENT AND SUPPORT AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED AS DOCUMENT NUMBER 0414131098.

PARCEL 5: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 3 FOR INGRESS, EGRESS, USE, ENJOYMENT AND SUPPORT AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED AS DOCUMENT NUMBER 0317834091.

Permanent Index No.: 17-03-228-032-1021
17-03-228-033-4027

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: September 2, 2005

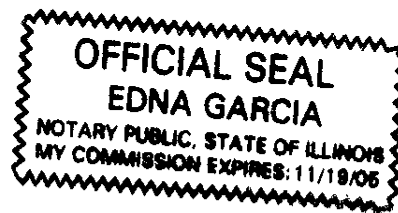
Signature: _____

[Handwritten Signature]
Grantor or Agent

Subscribed and sworn to before me by the said attorney/agent this 2nd day of September, 2005.

Notary Public _____

[Handwritten Signature]



The grantee 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: September 2, 2005

Signature: _____

[Handwritten Signature]
Grantee or Agent

Subscribed and sworn to before me by the said attorney/agent this 2nd day of September, 2005.

Notary Public _____

[Handwritten Signature]



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]