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STATE OF ILLINOIS]
] SS.
COUNTY OF COOK]



Doc#: 0613508195 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/15/2006 03:51 PM Pg: 1 of 6

IN THE CIRCUIT COURT OF COOK COUNTY,
ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION

IN RE THE ESTATE OF:
JOSEPH BORTOLI, Deceased,
Plaintiff,
-vs-
JOSEPH P. BORTOLI, RAYMOND
BORTOLI & LASALLE BANK
CORPORATION,
Defendants.

No.: 05 CH 22619

JUDGMENT

THIS CAUSE coming on to be heard upon the Complaint of the Plaintiff, ESTATE OF JOSEPH BORTOLI, and Defendants, JOSEPH P. BORTOLI and RAYMOND BORTOLI, being in agreement, Defendant, LA SALLE BANK CORPORATION, not having filed an Appearance or answers, being personally served on January 11, 2006 by the Cook County Sheriff; the Plaintiff having appeared by his attorney, JEREMIAH P. MURRAY, and the Court having heard, examined and considered oral and documentary evidence and the argument of counsel and being fully advised in the premises;

NOW, THEREFORE, the Court finds as follows:

1. That it has jurisdiction of the parties hereto and the subject matter hereof;
2. That all material allegations of the Complaint herein have been proved and are true;
3. That Plaintiff ^{is decedent} was the owner in fee simple of certain real estate situated in Cook County, Illinois, and described in the Complaint, to-wit:

LOT TWENTY-SIX (26) (EXCEPT THE WEST TEN (10) FEET THEREOF) AND THE WEST TWENTY (20) FEET OF LOT TWENTY-SEVEN (27) IN CLARK AND MARSTONS FIRST ADDITION TO CLARKDALE, BEING A SUBDIVISION OF THE NORTH EAST QUARTER (NE 1/4) AND THE NORTH WEST QUARTER (NW 1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE THIRTEEN (13), EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PERMANENT R.E. INDEX NO.: 19-35-102-051-0000

PROPERTY ADDRESS: 3650 West 79th Place, Chicago, IL 60652

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4. That Defendant, LA SALLE BANK CORPORATION, unlawfully claims the title to said premises by virtue of a certain Deed in Trust purportedly executed and delivered by JOSEPH BORTOLI on January 3, 1966 and recorded January 4, 1966 as document 19700811 in the office of the Recorder of Deeds. A copy of said Deed in Trust is attached hereto and made a part hereof.
5. That said claim of Defendant, LA SALLE BANK CORPORATION, is apparently valid, but the same is actually invalid for the reason that the Trust Agreement between LA SALLE BANK CORPORATION and JOSEPH BORTOLI was terminated and is no longer in effect and said claim constitutes a cloud on title of Plaintiff to said real estate, which greatly diminishes the value and interferes with the sale thereof.
6. That the equities of this case are with the Plaintiff.

WHEREFORE, it is ordered, decreed and adjudged by this Court as follows:

- A. That the claim of Defendants, JOSEPH P. BORTOLI and RAYMOND BORTOLI, be and it is hereby decreed to be illegal and void and Eugene Moore, the Recorder of Deeds of Cook County, Illinois, or his successor be and he is hereby authorized and directed to cancel said Deed in Trust of record;
- B. That the title to said real estate hereinbefore described by and it is hereby quieted, established and confirmed in Plaintiff, JOSEPH BORTOLI, free and clear of any claim of Defendants. *Estate of*
- C. That Plaintiff have execution therefore.

JUDGE THOMAS F. QUINN

MAY 11 2006

Circuit Court

JUDGE

DATE:

Thomas F. Quinn

JUDGE

AGREED:

Joseph P. Bortoli

JOSEPH P. BORTOLI

Raymond Bortoli

RAYMOND BORTOLI

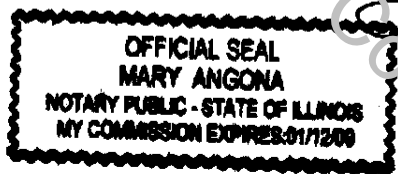
Office

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STATE OF ILLINOIS]
]
COUNTY OF COOK]

Before me, a notary public, in and for the county and state aforesaid, appeared JOSEPH P. BORTOLI and RAYMOND BORTOLI, personally known to me to be the same persons who executed the foregoing instrument and they acknowledged that they executed and delivered said instrument as their free and voluntary act and deed for the uses and purposes therein set forth.

SUBSCRIBED and SWORN to before me this 9th day of May, 2006.



Mary Angona

NOTARY PUBLIC

Property of Cook County Clerk's Office

JEREMIAH P. MURRAY 35984
Attorney for Plaintiff
4550 West 103rd Street, Suite 201
Oak Lawn, IL 60453
708-423-7674

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19 700 811

327-10

This Indenture Witnesseth, That the Grantor JOSEPH BORTOLI, divorced and not since remarried,

of the County of COOK and the 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 unto LA SALLE NATIONAL BANK, a national banking association, of Chicago, Illinois, its successor or successors as Trustee under the provisions of a trust agreement dated the 3rd day of January 19 66 known as Trust Number 32621 the following described real estate in the County of COOK,

and State of Illinois, to-wit: Lot Twenty-six (26) (except the West ten (10) feet thereof) and the West twenty (20) feet of Lot Twenty-seven (27) in Clark and Marstons First Addition to Clarkdale, being a Subdivision of the North East quarter (NE1/4) and the North West quarter (NW1/4) of Section Thirty-five (35), Township Thirty-eight (38) North, Range Thirteen (13), East of the Third Principal Meridian, in Cook County, Illinois

400

TO HAVE AND TO HOLD the said premises with the appurtenances, upon the trusts and for 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 present or in future, and upon any terms and for any period or periods of time, not exceeding in the case of any lease the term of 99 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 a lease or to purchase the whole or any part of the premises or to exchange said property, or any part thereof, for other real or personal property, to grant easements, to partition or to exchange any kind, to release, convey or assign any right, title or interest in or about or adjacent 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.

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 held liable 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 premises shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, covenants and limitations contained in this Indenture and in said trust agreement or in some amendment thereto 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 the, 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 in 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 cases 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 his hand and seal

at the City of Chicago, Illinois, this 3rd day of January, 1966

CONSIDERATION LESS THAN \$100.00 - NO REVENUE STAMPS REQUIRED

(SEAL)

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STATE OF Illinois)
COUNTY OF Cook) s. E. STANLEY BRIN

a Notary Public in and for said County, in the State aforesaid, do hereby certify that JOSEPH BORTOLI, divorced and not since remarried,

personally known to me to be the same person, * * whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his 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, *NOTARIAL* seal this 3rd day of January, A. D. 1966.
Stanley Brin
Notary Public



Office of Cook County Clerk's Office

Liberty K. ...

COOK COUNTY CLERK
FILED FOR RECORD

JAN 4 '66 3 01 PM

...

*19700811

19700

BOX 350

Deed in Trust

WARRANTY DEED

ADDRESS OF PROPERTY

3530 West 79th Place

CHICAGO, ILLINOIS

TO:

LaSalle NATIONAL BANK
TRUSTEE

COPY

UNOFFICIAL COPY

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I hereby certify that the document to which this certification is affixed is a true copy.

Date MAY 15 2006

Dorothy Brown
Clerk of the Circuit Court
of Cook County, IL

