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TRUSTEE'S DEED

Doc#: 0621646140 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/04/2006 02:44 PM Pg: 1 of 5

THE GRANTORS, JAMES F. SUTERA, sole Trustee, or his successors in trust, under the **JAMES F. SUTERA LIVING TRUST, dated July 25, 1997**, and any amendments thereto and YVETTE SUTERA, for and in consideration of Ten Dollars, (\$10.00) and other good and valuable considerations in hand paid, Convey and WARRANT to

JAMES F. SUTERA and YVETTE SUTERA, Trustees of the SUTERA LIVING TRUST dated July 17, 2006, and any amendments thereto

all interest in the following described real estate situated in the County of Cook in the State of Illinois, to wit:

PARCEL 1:

UNIT 305 AND PARKING SPACE 38 IN SOUTH RIVER PARK CONDOMINIUM AS DELINEATED AND DEFINED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

LOT 1 IN KINZIE PARK SUBDIVISION BEING A RESUBDIVISION OF LOTS, BLOCKS, AND VACATED STREETS AND ALLEYS IN WABANSIA IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JULY 27, 1999 AS DOCUMENT NUMBER 99712460 IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED 9/13/99 AS DOCUMENT NUMBER 99867467, AND AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2:

EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AFORESAID, AS SET FORTH IN THE DECLARATION OF EASEMENTS, RESTRICTIONS, EASEMENTS AND BY-LAWS FOR KINZIE PARK

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HOMEOWNERS ASSOCIATION RECORDED MAY 27, 1999 AS DOCUMENT
NUMBER 99514088.

This Deed is subject to all rights, easements, covenants, restrictions and reservations contained in the Declaration of Covenants, Conditions, Restrictions, Easements and By-Laws for Kinzie Park Townhome Association and Declaration of Easements, Restrictions, Covenants and By-Laws for Kinzie Park Homeowners Association Declaration as same as though the provisions of said Declaration were recited and stipulated at length herein.

Permanent Index No.: 17-09-112-021-1014 and 17-09-112-021-1091

Address of Property: 400 N. Clinton, Unit #305 and Parking Spaces 38, Chicago, Illinois 60610-8879

TO HAVE AND TO HOLD the premises with the appurtenances on the trusts and for the uses and purposes set forth in this deed and in the trust agreement. Trustees of trust received power to convey pursuant to deed recorded December 3, 1999 under 09129921 in the offices of Cook County Recorder.

Full power and authority are granted to the trustee to improve, manage, protect, and subdivide the 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 the premises or any part thereof to a successor or successors in trust and to grant such successor or successors in trust all of the title, estate, powers, and authorities vested in the trustee; to donate, to dedicate, to mortgage, pledge, or otherwise encumber the 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, and to renew or extend leases upon any terms and for any period or periods of time to amend, change, or modify leases and the terms and provisions thereof at any time or times hereafter; to contract to make 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 the premises or any part thereof; and to deal with the 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 it, whether similar to or different from the ways above specified, at any time or times after the date of this deed.

In no case shall any party dealing with the 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 the trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on the premises, or be obliged to see that the terms of the trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the trustee, or be obliged or privileged to inquire into any of the terms of the trust agreement; and every deed, trust deed, mortgage, lease, or other instrument executed by the trustee in relation to the 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 deed and by the 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 deed and in the trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder; (c) that the 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 successor or successors in trust, that such successor or

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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, her, 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 the real estate, and such interest is declared to be personal property, and no beneficiary shall have any title or interest, legal or equitable, in or to the real estate as such, but only an interest in the earnings, avails, and proceeds thereof.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is 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.

The 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 homesteads from sale on execution or otherwise. Grantors shall pay all mortgages, if any, now encumbering the property conveyed hereby, and shall be and remain solely responsible therefore. This undertaking is solely for the benefit of the Grantee and not for the benefit of any third parties.

DATED this 17th day of July, 2006

James F. Sutera
JAMES F. SUTERA, Trustee, under the
JAMES F. SUTERA LIVING TRUST,
dtd July 25, 1997

Yvette Sutera
YVETTE SUTERA

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 JAMES F. SUTERA and YVETTE SUTERA, husband and wife, 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 17 day of July, 2006.

Commission expires 9-23, 2009

Janice A Schaller
NOTARY PUBLIC



This instrument was prepared by and
MAIL TO:

STEPHEN SUTERA, Attorney
4927 West 95th Street
Oak Lawn, Illinois 60453
(708)857-7255

SEND SUBSEQUENT TAX BILLS TO:

JAMES F. & YVETTE SUTERA
400 N. Clinton-Unit 305
Chicago IL 60610-8879

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

7/17/06
Date

Stephen Bortera
Representative

Property of Cook County Clerk's Office

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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.

Dated 7/17/2006

Signature: [Handwritten Signature]
Grantor or Agent

Subscribed and sworn to before me by the said Agent on 7/17/2006.

Notary Public

[Handwritten Signature: Janice A Schaller]



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 7/17/2006

Signature: [Handwritten Signature]
Grantee or Agent

Subscribed and sworn to before me by the said Agent on 7/17/2006.

Notary Public

[Handwritten Signature: Janice A Schaller]



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 of ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)