



Doc#: 0627055047 Fee: \$48.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 09/27/2006 08:10 AM Pg: 1 of 13

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ILLINOIS STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY

(NOTICE: THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, WHICH MAY INCLUDE POWERS TO PLEDGE, SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU. THIS FORM DOES NOT IMPOSE A DUTY ON YOUR AGENT TO EXERCISE GRANTED POWERS; BUT WHEN A POWER IS EXERCISED, YOUR AGENT WILL HAVE TO USE DUE CARE TO ACT FOR YOUR BENEFIT AND IN ACCORDANCE WITH THIS FORM. A COURT CAN TAKE AWAY THE POWERS OF YOUR AGENT IF IT FINDS THE AGENT IS NOT ACTING PROPERLY. YOU MAY NAME SUCCESSOR AGENTS UNDER THIS FORM BUT NOT CO-AGENTS. UNLESS YOU EXPRESSLY LIMIT THE DURATION OF THIS POWER IN THE MANNER PROVIDED BELOW, UNTIL YOU REVOKE THIS POWER OR A COURT ACTING ON YOUR BEHALF TERMINATES IT, YOUR AGENT MAY EXERCISE THE POWERS GIVEN HERE THROUGHOUT YOUR LIFETIME, EVEN AFTER YOU BECOME DISABLED. THE POWERS YOU GIVE YOUR AGENT ARE EXPLAINED MORE FULLY IN SECTION 3-4 OF THE ILLINOIS "STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY LAW" OF WHICH THIS FORM IS A PART (SEE EXHIBIT "A" ATTACHED FOR FULL TEXT OF LAW). THAT LAW EXPRESSLY PERMITS THE USE OF ANY DIFFERENT FORM OF POWER OF ATTORNEY YOU MAY DESIRE. IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU.)

POWER OF ATTORNEY made this 29th day of July, 1993.

1. I, STEPHANIE HRUBY, of LaGrange Park, Illinois, hereby appoint my husband, FRANK HRUBY, of LaGrange Park, Illinois, as my attorney-in-fact (my "agent") to act for me and in my name (in any way I could act in person) with respect to the following powers, as defined in Section 3-4 of the "Statutory Short Form Power of Attorney for Property Law" (including all amendments):

- (a) Real estate transactions.
- (b) Financial institution transactions.
- (c) Stock and bond transactions.
- (d) Tangible personal property transactions.
- (e) Safe deposit box transactions.
- (f) Insurance and annuity transactions.
- (g) Retirement plan transactions.

15

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- (h) Social Security, employment and military service benefits.
- (i) Tax matters.
- (j) Claims and litigation.
- (k) Commodity and option transactions.
- (l) Business operations.
- (m) Borrowing transactions.
- (n) Estate transactions.
- (o) All other property powers and transactions.

2. In addition to the powers granted above, I grant my agent the power to make gifts to my spouse and other donees (including any agent named as attorney-in-fact hereunder), either directly or by way of gifts to any trust, except that the total gifts to any donee (other than my spouse) during any calendar year shall not exceed the largest amount which then qualifies for the annual per donee exclusion allowable for federal gift tax purposes under Section 2503 of the Internal Revenue Code of 1986, or any applicable successor provision of similar effect.

3. My agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making to any person or persons whom my agent may select, but such delegation may be amended or revoked by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

4. If any agent named by me shall die, become legally disabled, resign or refuse to act, I name my nephew, PATRICK KOWALYK, as successor agent.

5. If a guardian of my estate is to be appointed, I nominate the following to serve as such guardian (each to act alone and successively, in the order named):

- A. My husband, FRANK HRUBY; and
- B. My nephew, PATRICK KOWALYK.

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6. Reproductions of this executed original power of attorney, certified as a true, exact and accurate copy of the original power of attorney by an attorney in the possession of the original, shall be deemed original counterparts of this power of attorney.

7. I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent.

Signed: Stephanie Hruby  
STEPHANIE HRUBY (principal)

Specimen signature of agent

Frank Hruby  
FRANK HRUBY (agent)

I certify that the signature of my agent is correct

Stephanie Hruby  
STEPHANIE HRUBY (principal)

We certify that the foregoing instrument was on the date thereof signed and declared by the principal in our presence and that we, at her request and in her presence and in the presence of each other, have signed our names as witnesses thereto, believing the principal to be of sound mind and memory at the time of signing.

Doreen J. Jones  
Danielle S. DeKam  
Suzanne A. Chetani

1900 Spring Road, Suite 200  
Oak Brook, IL 60521

1900 Spring Road, Suite 200  
Oak Brook, IL 60521

1900 Spring Road, Suite 200  
Oak Brook, IL 60521

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STATE OF ILLINOIS )  
  )  
COUNTY OF DUPAGE )

We, the undersigned, being the principal and the witnesses, respectively, whose names are signed to the foregoing instrument, and being first duly sworn, do hereby declare to the undersigned authority that the principal, in the presence of witnesses, signed the instrument willingly; and that each of the witnesses, in the presence of principal and in the presence of each other, signed the instrument as a witness and that to the best of his or her knowledge the principal was at that time of legal age, of sound mind and under no constraint or undue influence.

*Stephanie Hruby*  
\_\_\_\_\_  
principal

*[Signature]*  
\_\_\_\_\_  
witness

*[Signature]*  
\_\_\_\_\_  
witness

*[Signature]*  
\_\_\_\_\_  
witness

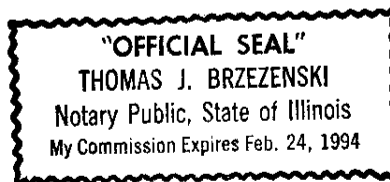
STATE OF ILLINOIS )  
  )  
COUNTY OF DUPAGE )

The undersigned, a Notary Public in and for the above County and State, certifies that STEPHANIE HRUBY (principal), known to me to be the same person whose name is subscribed as principal to the foregoing instrument, appeared before me in person and acknowledged signing and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth, and that the principal certified to the correctness of the signature of the agent.

Dated: July 29, 1993  
(SEAL)

*[Signature]*  
\_\_\_\_\_  
Notary Public

This document was prepared by:  
Lillig & Thorsness, Ltd.  
1900 Spring Road, Suite 200  
Oak Brook, IL 60521  
(708) 571-1900



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## EXHIBIT "A"

### SECTION 3-4 OF THE ILLINOIS STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY LAW:

Section 3-4. Explanation of powers granted in the statutory short form power of attorney for property. This Section defines each category of powers listed in the statutory short form power of attorney for property and the effect of granting powers to an agent. When the title of any of the following categories is retained (not struck out) in a statutory property power form, the effect will be to grant the agent all of the principal's rights, powers and discretions with respect to the types of property and transactions covered by the retained category, subject to any limitations on the granted powers that appear on the face of the form. The agent will have authority to exercise each granted power for and in the name of the principal with respect to all of the principal's interests in every type of property or transaction covered by the granted power at the time of exercise, whether the principal's interests are direct or indirect, whole or fractional, legal, equitable or contractual, as a joint tenant or tenant in common or held in any other form; but the agent will not have power under any of the statutory categories (a) through (o) to make gifts of the principal's property, to exercise powers to appoint to others or to change any beneficiary whom the principal has designated to take the principal's interests at death under any will, trust, joint tenancy, beneficiary form or contractual arrangement. The agent will be under no duty to exercise granted powers or to assume control of or responsibility for the principal's property or affairs; but when granted powers are exercised, the agent will be required to use due care to act for the benefit of the principal in accordance with the terms of the statutory property power and will be liable for negligent exercise. The agent may act in person or through others reasonably employed by the agent for that purpose and will have authority to sign and deliver all instruments, negotiate and enter into all agreements and do all other acts reasonably necessary to implement the exercise of the powers granted to the agent.

- (a) Real estate transactions. The agent is authorized to: buy, sell, exchange, rent and lease real estate (which term includes, without limitation, real estate subject to a land trust and all beneficial interests in and powers of direction under any land trust); collect all rent, sale proceeds and earnings from real estate; convey, assign and accept title to real estate; grant easements, create conditions and release rights of homestead with respect to real estate; create land trusts and exercise all powers

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under land trusts; hold, possess, maintain, repair, improve, subdivide, manage, operate and insure real estate; pay, contest, protest and compromise real estate taxes and assessments; and, in general, exercise all powers with respect to real estate which the principal could if present and under no disability.

- (b) Financial institution transactions. The agent is authorized to: open, close, continue and control all accounts and deposits in any type of financial institution (which term includes, without limitation, banks, trust companies, savings and building and loan associations, credit unions and brokerage firms); deposit in and withdraw from and write checks on any financial institution account or deposit; and, in general, exercise all powers with respect to financial institution transactions which the principal could if present and under no disability.
- (c) Stock and bond transactions. The agent is authorized to: buy and sell all types of securities (which term includes, without limitation, stocks, bonds, mutual funds and all other types of investment securities and financial instruments); collect, hold and safekeep all dividends, interest, earnings, proceeds of sale, distributions, shares, certificates and other evidences of ownership paid or distributed with respect to securities; exercise all voting rights with respect to securities in person or by proxy, enter into voting trusts and consent to limitations on the right to vote; and, in general, exercise all powers with respect to securities which the principal could if present and under no disability.
- (d) Tangible personal property transactions. The agent is authorized to: buy and sell, lease, exchange, collect, possess and take title to all tangible personal property; move, store, ship, restore, maintain, repair, improve, manage, preserve, insure and safekeep tangible personal property; and, in general, exercise all powers with respect to tangible personal property which the principal could if present and under no disability.
- (e) Safe deposit box transactions. The agent is authorized to: open, continue and have access to all safe deposit boxes; sign, renew, release or terminate any safe deposit contract; drill or surrender any safe deposit box; and, in general, exercise all powers with respect to safe deposit matters which the principal could if present and under no disability.

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- (f) Insurance and annuity transactions. The agent is authorized to: procure, acquire, continue, renew, terminate or otherwise deal with any type of insurance or annuity contract (which terms include, without limitation, life, accident, health, disability, automobile casualty, property or liability insurance); pay premiums or assessments on or surrender and collect all distributions, proceeds or benefits payable under any insurance or annuity contract; and, in general, exercise all powers with respect to insurance and annuity contracts which the principal could if present and under no disability.
- (g) Retirement plan transactions. The agent is authorized to: contribute to, withdraw from and deposit funds in any type of retirement plan (which term includes, without limitation, any tax qualified or nonqualified pension, profit sharing, stock bonus, employee savings and other retirement plan, individual retirement account, deferred compensation plan and any other type of employee benefit plan); select and change payment options for the principal under any retirement plan; make rollover contributions from any retirement plan to other retirement plan; or individual retirement accounts; exercise all investment powers available under any type of self-directed retirement plan; and, in general, exercise all powers with respect to retirement plans and retirement plan account balances which the principal could if present and under no disability.
- (h) Social Security, unemployment and military service benefits. The agent is authorized to: prepare, sign and file any claim or application for Social Security, unemployment or military service benefits; sue for, settle or abandon any claims to any benefit or assistance under any federal, state, local or foreign statute or regulation; control, deposit to any account, collect, receipt for, and take title to and hold all benefits under any Social Security, unemployment, military service or other state, federal, local or foreign statute or regulation; and, in general, exercise all powers with respect to Social Security, unemployment, military service and governmental benefits which the principal could if present and under no disability.
- (i) Tax matters. The agent is authorized to: sign, verify and file all the principal's federal, state and local income, gift, estate, property and other tax returns, including joint returns and declarations of estimated tax; pay all taxes; claim, sue for and receive all tax refunds; examine and copy all the principal's tax returns and records;

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represent the principal before any federal, state or local revenue agency or taxing body and sign and deliver all tax powers of attorney on behalf of the principal that may be necessary for such purposes; waive rights and sign all documents on behalf of the principal as required to settle, pay and determine all tax liabilities; and, in general, exercise all powers with respect to tax matters which the principal could if present and under no disability.

- (j) Claims and litigation. The agent is authorized to: institute, prosecute, defend, abandon, compromise, arbitrate, settle and dispose of any claim in favor of or against the principal or any property interests of the principal; collect and receipt for any claim or settlement proceeds and waive or release all rights of the principal; employ attorneys and others and enter into contingency agreements and other contracts as necessary in connection with litigation; and, in general, exercise all powers with respect to claims and litigation which the principal could if present and under no disability.
- (k) Commodity and option transactions. The agent is authorized to: buy, sell, exchange, assign, convey, settle and exercise commodities futures contracts and call and put options on stocks and stock indices traded on a regulated options exchange and collect and receipt for all proceeds of any such transactions; establish or continue option accounts for the principal with any securities or futures broker; and, in general, exercise all powers with respect to commodities and options which the principal could if present and under no disability.
- (l) Business operations. The agent is authorized to: organize or continue and conduct any business (which term includes, without limitation, any farming, manufacturing, service, mining, retailing or other type of business operation) in any form, whether as a proprietorship, joint venture, partnership, corporation, trust or other legal entity; operate, buy, sell, expand, contract, terminate or liquidate any business; direct, control, supervise, manage or participate in the operation of any business and engage, compensate and discharge business managers, employees, agents, attorneys, accountants and consultants; and, in general, exercise all powers with respect to business interests and operations which the principal could if present and under no disability.
- (m) Borrowing transactions. The agent is authorized to: borrow money; mortgage or pledge any real estate or tangible or



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intangible personal property as security for such purposes; sign, renew, extend, pay and satisfy any notes or other forms of obligation; and, in general, exercise all powers with respect to secured and unsecured borrowing which the principal could if present and under no disability.

- (n) Estate transactions. The agent is authorized to: accept, receipt for, exercise, release, reject, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, devise, gift or other property interest or payment due or payable to or for the principal; assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish a revocable trust solely for the benefit of the principal that terminates at the death of the principal and is then distributable to the legal representative of the estate of the principal; and, in general, exercise all powers with respect to estates and trusts which the principal could if present and under no disability; provided, however, that the agent may not make or change a will and may not revoke or amend a trust revocable or amendable by the principal or require the trustee of any trust for the benefit of the principal to pay income or principal to the agent unless specific authority to that end is given, and specific reference to the trust is made, in the statutory property power form.
- (o) All other property powers and transactions. The agent is authorized to: exercise all possible powers of the principal with respect to all possible types of property and interests in property, except to the extent the principal limits the generality of this category (o) by striking out one or more of categories (a) through (n) or by specifying other limitations in the statutory property power form.

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## FRANK AND STEPHANIE HRUBY JOINT TRUST AGREEMENT

## REMOVAL OF FRANK AND STEPHANIE HRUBY AS TRUSTEES

AND

## ACCEPTANCE OF OFFICE BY SUCCESSOR TRUSTEE

Pursuant to ARTICLE FIRST of the FRANK AND STEPHANIE HRUBY JOINT TRUST AGREEMENT dated July 29, 1993, as amended and restated in its entirety on July 2, 2002, Dr. Jacqueline Walker has determined that both FRANK HRUBY and STEPHANIE HRUBY are unable to give prompt and intelligent consideration to financial matters, pursuant to her determination dated August 31, 2006, a copy of which is attached hereto and made a part hereof.

Therefore, I, Patrick Kowalyk, pursuant to ARTICLE FIFTH, SECTION 8 of the Trust Agreement, hereby accept the office of successor trustee of the FRANK AND STEPHANIE HRUBY JOINT TRUST AGREEMENT dated July 29, 1993, as amended and restated in its entirety on July 2, 2002, and agree to be bound by the terms of said agreement.

Dated: Sept. 7th, 2006.

Patrick Kowalyk  
Patrick Kowalyk, Successor Trustee

SUBSCRIBED AND SWORN to  
before me on September 7, 2006.

Katrina M. Gueles  
NOTARY PUBLIC



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MELVIN I. GLICK, M.D.  
JACQUELINE WALKER, M.D.  
FAMILY PRACTICE & GERIATRIC MEDICINE  
4475 Lawn Avenue  
Western Springs, IL 60558  
Phone: (708)246-2500; Fax: (708)246-2785

August 31, 2006

Susan Jones  
5 S. 6<sup>th</sup> Ave.  
La Grange, IL 60525

RE: Frank Hruby

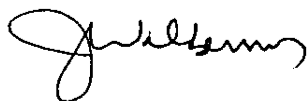
DOB: 1/05/1920

Dear Susan:

Please allow this letter to confirm that the above-referenced patient is unable to provide sound personal and financial decisions.

This is expected to be a permanent situation for this patient.

Sincerely,



Jacqueline Walker, M.D.

Property of Cook County Clerk's Office

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MELVIN I. GLICK, M.D.  
JACQUELINE WALKER, M.D.  
FAMILY PRACTICE & GERIATRIC MEDICINE  
4475 Lawn Avenue  
Western Springs, IL 60558  
Phone: (708)246-2500; Fax: (708)246-2785

August 31, 2006

Susan Jones  
5 S. 6<sup>th</sup> Ave.  
La Grange, IL 60525

RE: Stephanie Hruby


DOB: 10/10/1914

Dear Susan:

Please allow this letter to confirm that the above-referenced patient is unable to provide sound personal and financial decisions.

This is expected to be a permanent situation for this patient.

Sincerely,



Jacqueline Walker, M.D.

Property of Cook County Clerk's Office

**UNOFFICIAL COPY****TICOR TITLE INSURANCE COMPANY**

**ORDER NUMBER:** 2000 004000048 SC  
**STREET ADDRESS:** 755 N. NORTHWEST HWY  
**CITY:** PARK RIDGE **COUNTY:** COOK COUNTY  
**TAX NUMBER:** 09-26-113-049-0000

**LEGAL DESCRIPTION:**

PARCEL 1: LOT 2 IN LABRANT DEVELOPMENT COMPANY RESUBDIVISION OF LOT 35 IN WEISJOHN'S SUBDIVISION OF LOT 6 IN THE SUBDIVISION OF WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS PARCEL 2: THAT PART OF LOT 2 IN LEWANDOWSKI'S RESUBDIVISION OF LOT 36 AND THE NORTH EASTERLY 1/2 OF VACATED ALLEY LYING SOUTHWESTERLY AND ADJOINING LOT 36 IN WEISJOHN'S SUBDIVISION OF LOT 6 IN SUBDIVISION OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF RAND ROAD, WHICH LIES WEST OF A STRAIGHT LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID LOT 2, SAID POINT BEING 31.95 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 2 TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2, SAID POINT BEING 38.55 FEET SOUTH EASTERLY OF THE NORTHWEST CORNER OF SAID LOT 2, AS MEASURED ON THE SOUTHERLY LINE THEREOF IN COOK COUNTY, ILLINOIS

MAIL TO:

FRANK HRUBY

755 N. Northwest Hwy

PARK RIDGE, IL

60068