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Corrective Trustee's Deed and Deed In Trust



Doc#: 1035122080 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/17/2010 03:15 PM Pg: 1 of 7

This deed is being recorded to correct the percentage interests described in the paragraph below on page 1 that begins with "WITNESSETH," and in the paragraph immediately preceding the paragraph that begins "TO HAVE AND TO HOLD" on page 2 of that certain Trustee's Deed and Deed in Trust dated December 31, 2008

(The above space for Recorder's use only)

and recorded on May 27, 2009 as document number 0914722141.

THIS INDENTURE made as of this 30 day of December 2009 between **MARIITA CONLEY** and **JOHN W. HOYT**, as successor trustees of the **Richard Evans III Living Trust dated January 10, 1997** party of the first part, and **MARIITA CONLEY**, trustee of the **Mariita Conley Trust dated January 10, 1997**, party of the second part,

WITNESSETH, That said party of the first part, in consideration of the sum of ten and no/100s Dollars, and other good and valuable considerations in hand paid does hereby convey and quit claim unto said party of the second part, an undivided six and nineteen one-hundredths percent (6.19%) interest [being twelve and thirty-eight one-hundredths percent (12.38%) of the undivided one-half interest owned by the party of the first part], in the following described real estate, situated in Cook County, Illinois, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO

Permanent Property Index No.: 17-10-318-031-1114

Address: 360 East Randolph, Unit 1802, Chicago, Illinois 60601

EXEMPT UNDER PROVISIONS OF
PARAGRAPH 2, SECTION 45
REAL ESTATE TRANSFER TAX ACT
Shirley 12/17/10
Buyer, Seller, Representative

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together with the tenements and appurtenances thereunto belonging.

Subject to: General real estate taxes not due and payable at the time hereof; covenants, conditions and restrictions of record; building lines and easements, if any, so long as they do not interfere with the current use and enjoyment of the real estate.

The undersigned acknowledge that the effect of this deed is the undersigned Richard Evans III Living Trust dated January 10, 1997 owning an undivided nineteen and thirty-one one-hundredths percent (19.31%) interest in the entire real estate and the Mariita Conley Trust dated January 10, 1997 owning an undivided eighty and sixty-nine one-hundredths percent (80.69%) interest in the entire real estate.

TO HAVE AND TO HOLD the said property unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part upon the trusts and purposes herein and in said trust agreement set forth.

Full power and authority are hereby granted to said trustees to improve, manage, protect and subdivide said property or any part thereof; to dedicate parks, streets, highways or alleys; to vacate any subdivision or part thereof, and to subdivide 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 property 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 trustees; 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 property 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.

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In no case shall any party dealing with said trustees in relation to said property, or to whom said property or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustees, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said property, 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 trustees, 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 trustees 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 instruments, (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 trusts, 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 trustees were 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, the 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.

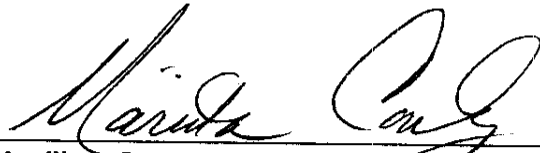
If the title to any to the above lands is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust," or "upon condition," or "with limitation," or words of similar import, in accordance with the statute in such case made and provided.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

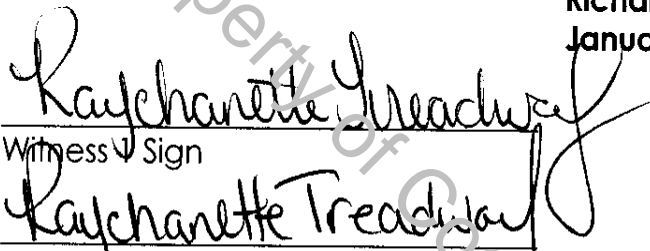
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IN WITNESS WHEREOF, said party of the first part have hereto set their hands and seals on the day and year first above written.

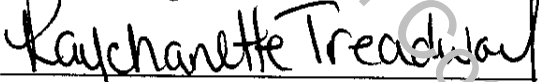
The said party of the first part do hereby expressly waive and release any right or benefit pursuant to any statutes of the State of Illinois providing for the exemption of homestead from sale on execution or otherwise.



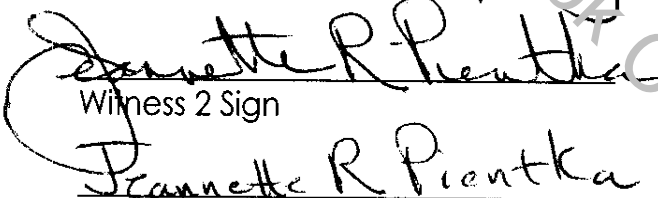
Mariita Conley, successor trustee of the
Richard Evans III Living Trust dated
January 10, 1997



Witness 1 Sign



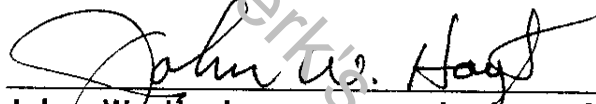
Witness 1 Print



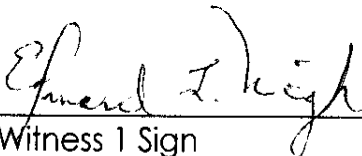
Witness 2 Sign



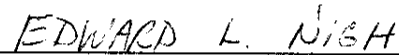
Witness 2 Print



John W. Hoyt, successor trustee of the
Richard Evans III Living Trust dated
January 10, 1997



Witness 1 Sign



Witness 1 Print



Witness 2 Sign



Witness 2 Print

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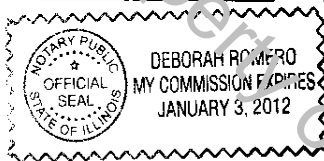
STATE OF ILLINOIS

COUNTY OF COOK

) SS

I, Deborah Romero, a notary public in and for said County, in the state aforesaid, do hereby certify that **MARIITA CONLEY**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 22 day of November, 2010.



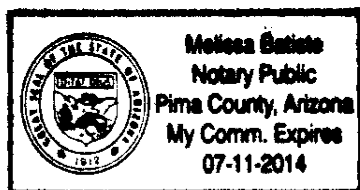
Deborah Romero
Notary Public

STATE OF ILCOUNTY OF Cook

) SS

I, Melissa Batiste, a notary public in and for said County, in the state aforesaid, do hereby certify that **JOHN W. HOYT**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 10th day of December, 2010.



Melissa Batiste
Notary Public

This instrument was prepared by Timothy G. Carroll, Harrison Held Carroll & Wall, LLP, Suite 1700, 333 West Wacker Drive, Chicago, Illinois 60606.

Mail to:

Mail subsequent tax bills to:

Timothy G. Carroll
333 W. Wacker Dr., Ste. 1700
Chicago, IL 60606

Mariita Conley, Trustee
360 E. Randolph, Unit 1802
Chicago, IL 60601

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PARCEL 1:

UNIT 1802 AS DELINEATED ON SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE

THAT PART OF THE LANDS LYING EAST OF AND ADJOINING FORT DEARBORN ADDITION TO CHICAGO, BEING THE WHOLE OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS::

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE, EXTENDED EAST, OF EAST RANDOLPH STREET, WITH A LINE 564.001 FEET, MEASURED PERPENDICULARLY, EAST FROM AND PARALLEL WITH THE EAST LINE, AND A SOUTHWARD EXTENSION THEREOF, OF NORTH COLUMBUS DRIVE, 110 FEET WIDE, AS SAID NORTH COLUMBUS DRIVE WAS DEDICATED AND CONVEYED TO THE CITY OF CHICAGO BY INSTRUMENT RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON THE 5TH DAY OF JUNE, 1972, AS DOCUMENT NUMBER 21925615, AND RUNNING THENCE NORTH ALONG SAID PARALLEL LINE A DISTANCE OF 72.191 FEET; THENCE EAST ALONG A LINE PERPENDICULAR TO SAID LAST DESCRIBED COURSE A DISTANCE OF 42.00 FEET; THENCE NORTH ALONG A LINE 606.001 FEET, MEASURED PERPENDICULARLY, EAST FROM AND PARALLEL WITH SAID EAST LINE OF NORTH COLUMBUS DRIVE, A DISTANCE OF 105.00 FEET; THENCE EAST ALONG A LINE PERPENDICULAR TO SAID LAST DESCRIBED COURSE A DISTANCE OF 179.065 FEET TO AN INTERSECTION WITH THE WEST LINE OF NORTH FIELD BOULEVARD, 98.00 FEET WIDE, AS SAID NORTH FIELD BOULEVARD IS LOCATED AND DEFINED IN THE AMENDATORY LAKE FRONT ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF CHICAGO ON THE 17TH DAY OF SEPTEMBER, 1969; THENCE SOUTH ALONG SAID WEST LINE OF NORTH FIELD BOULEVARD A DISTANCE OF 159.574 FEET TO A POINT 20.00 FEET, MEASURED ALONG A SOUTHWARD EXTENSION OF SAID WEST LINE, NORTH FROM THE POINT OF INTERSECTION OF SAID SOUTHWARD EXTENSION OF SAID WEST LINE WITH THE NORTH LINE, EXTENDED EAST, OF SAID EAST RANDOLPH STREET; THENCE SOUTHWESTWARDLY ALONG A STRAIGHT LINE A DISTANCE OF 28.13 FEET TO A POINT ON SAID NORTH LINE, EXTENDED EAST, OF EAST RANDOLPH STREET, DISTANT 20.00 FEET, MEASURED ALONG SAID NORTH LINE, EXTENDED EAST OF EAST RANDOLPH STREET, WEST FROM THE POINT OF INTERSECTION OF SAID NORTH LINE, EXTENDED EAST, WITH THE SOUTHWARD EXTENSION OF SAID WEST LINE OF NORTH FIELD BOULEVARD; AND THENCE WEST ALONG SAID NORTH LINE OF EAST RANDOLPH STREET EXTENDED EAST, A DISTANCE OF 201.095 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS,

WHICH SURVEY IS ATTACHED AS EXHIBIT A TO THE DECLARATION OF CONDOMINIUM MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 25, 1994 AND KNOWN AS TRUST NUMBER 118330-01 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS AS DOCUMENT NUMBER 94993981 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS

PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF PARKING SPACE 33 LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT 94993981

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STATEMENT BY GRANTOR AND GRANTEE

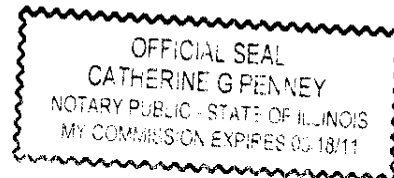
The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate 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: Dec 17, 2010

Signature: [Signature]
~~Grantor or Agent~~

Subscribed and sworn to
 before me this 17 day
 of December 2010

[Signature]
 Notary Public



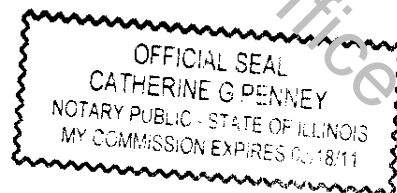
The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, 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.

Dated: Dec 17, 2010

Signature: [Signature]
~~Grantee or Agent~~

Subscribed and sworn to
 before me this 17 day
 of December 2010

[Signature]
 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 provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]