

UNOFFICIAL COPY

1121015038

Doc#: 1121015038 Fee: \$52.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/29/2011 02:12 PM Pg: 1 of 9



1121015038

Doc#: 1121010139 Fee: \$56.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 07/29/2011 04:21 PM Pg: 1 of 11

WARRANTY DEED IN LIEU OF FORECLOSURE

THIS DEED IN LIEU OF FORECLOSURE is given this 28th day of July 2011, by HJ Holdings, Inc., an Illinois corporation, c/o President Jassy Gabriel a/k/a Jassy B. Gabriel, 4821 W 153rd St, Oak Forest, IL 60452 ("Grantor") to Fifth Third Bank, an Ohio banking corporation, successor by merger with Fifth Third Bank, a Michigan banking corporation, c/o Michael Alch, 990 South Waukegan Rd, Lake Forest, IL 60045 ("Grantee").

WITNESSETH:

That the Grantor, for \$1.00 (One and 00/100 Dollars) and other consideration listed herein, has granted, bargained, sold, remised, released, alienated, and confirmed, and by these presents does grant, bargain, sell, remise, release, alien and confer unto the Grantee, and to its successors and assigns, forever, all that certain real estate located in the County of Cook, State of Illinois, described as follows:

Parcel 1: Lots 1 and 2 (except the East 168 feet of Lot 1 and 2) taken as a tract, in Block 19 in Arthur T. McIntosh and Company's Cicero Avenue subdivision in Section 15 and 16, Township 36 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: Lot 23 (except the West 150 feet thereof) in Block 19 in Arthur T. McIntosh and Company's Cicero Avenue Subdivision in the West 1/2 of Section 15 and the East 1/2 of Section 16, Township 36 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 4821 W. 153rd Street, Oak Forest, IL

PIN No.: 28-16-208-030-0000; 28-16-208-031-0000; 28-16-208-033-0000

For the Consideration of \$1.00 (One and 00/100 Dollars)

**Re-recorded to attach exhibit A to Warranty Deed*

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Exempt under provision of Paragraph 1, Section 31-45, Real Estate Transfer Tax Law.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion or reversions, remainder or remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, claim, or demand whatsoever, of the said Grantor either in law or equity, of in or to the above-described premises, with the said tenements, hereditaments and appurtenances; to have and to hold the premises as before described, with the appurtenances, unto said Grantee, its successors and assigns, forever. And that the said Grantor for itself, and for its heirs, successors, and assigns, does covenant, except for the property taxes, grant, bargain, and agree to and with the Grantee, its successors and assigns, that it has not done, committed, or wittingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the premises herein granted or any part thereof is, or shall or may be charged or encumbered in title, estate, or otherwise howsoever, excepting only those permitted exceptions stated on Exhibit A attached hereto and those acts memorialized by the following-recorded instruments:

Mortgage granted by HJ Holdings, Inc. ("Mortgagor") to Fifth Third Bank dated June 7, 2007 and recorded June 14, 2007 as Document No. 0716535054, Cook County Recorder of Deeds.

It is expressly understood and agreed that the execution and delivery of this instrument and conveyance is a release of the Grantor from the enforcement or personal liability to the Grantee under the Mortgage under which Grantee is the Mortgagee. Said Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption laws of the State of Illinois and any other State Law which may apply. It is further agreed that Mortgagor shall vacate the premises no later than July 15, 2011 or the Deed in Lieu may not be accepted.

IN WITNESS WHEREOF, the Grantor has executed this instrument on the date first written above and has declared this conveyance to be binding upon herself and her personal representatives, heirs, successors and assigns.

HJ HOLDINGS, INC.

Dated: July 28 '11

By: J.B. Gabriel

Name: Jassy Gabriel a/k/a Jassy B. Gabriel

Title: President

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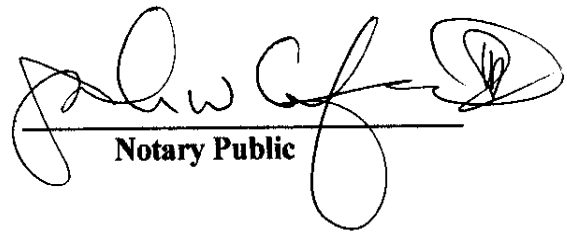
NOTARIZATION FOR BORROWER

STATE OF IL)
) ss.
COUNTY OF COOK)

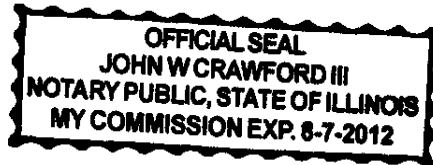
On July 28th, 2011 before me, Jassy B Gabriel, a Notary Public in and for said County and State, personally appeared Jassy Gabriel a/k/a Jassy B. Gabriel, President of HJ Holdings, Inc., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose names is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY SEAL


Notary Public

THIS INSTRUMENT PREPARED BY:
Amy A, Kalarickal, ARDC# 6291675
Potestivo & Associates, P.C.
223 W. Jackson Blvd., Suite 610
Chicago, IL 60606
(312) 263-0003
Our File No: C11-41867



WHEN RECORDED, RETURN TO:
Fifth Third Bank
ATTN.: Michael Alch
990 South Waukegan Rd
Lake Forest, IL 60045
Mail Drop: G63551

Property of Cook County Clerk's Office

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Exhibit A

Permitted Exceptions

1. Such matters as would be shown by a current survey of the property.
2. Real estate taxes due and payable.

Property of Cook County Clerk's Office



UNOFFICIAL COPY**MECHANICS AND TITLE AFFIDAVIT**

STATE OF Illinois)
) SS.
 COUNTY OF COOK)

Jassy Gabriel a/k/a Jassy B. Gabriel, President of HJ Holdings, Inc., an Illinois corporation, being first duly sworn, deposes and states as follows:

1. HJ Holdings, Inc. is, at the time of its execution and delivery of a certain Deed described below, the owner of a parcel of land located in the County of Cook, State of Illinois, and described as follows (the "Property"):

Parcel 1: Lots 1 and 2 (except the East 168 feet of Lot 1 and 2) taken as a tract, in Block 19 in Arthur T. McIntosh and Company's Cicero Avenue subdivision in Section 15 and 16, Township 36 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: Lot 23 (except the West 150 feet thereof) in Block 19 in Arthur T. McIntosh and Company's Cicero Avenue Subdivision in the West ½ of Section 15 and the East ½ of Section 16, Township 36 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 4821 W. 153rd Street Oak Forest, IL

PIN No.: 28-16-208-030-0000; 28-16-208-031-0000; 28-16-208-033-0000

Affiant states that up to this date no contracts for the furnishings of labor or materials on the foregoing premises have been made, no improvements or repairs have been made on the premises described above or upon buildings on said land, nor any work done thereon, which have not been fully completed and paid for nor have any materials which have not been fully paid for been furnished for use upon said land or any building thereon, and that no contract of any kind has been made, nor anything done, suffered or permitted in relation to said land or any building thereon or improvement thereof, in consequence of which any lien may be claimed or enforced against said land under the Mechanic's Lien Laws of the state in which the foregoing property is located.

Affiant says that no agreement or contract for conveyance, or deed for conveyance, or written lease, or writing whatsoever, is or are in existence adversely affecting the title to said premises except as follows: N/A

Affiant further states that it makes this affidavit for the purpose of inducing the mortgagee or the Secretary of Veterans Affairs of Washington D.C., their successors and assigns, or the Secretary of Housing and Urban Development, of Washington D.C. their successors and assigns as the case may be, to accept a voluntary conveyance of the above described premises.

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HJ HOLDINGS, INC.

Dated: July 28th '11

By: J B Gabriel

Name: Jassy Gabriel a/k/a Jassy B. Gabriel

Title: President

NOTARIZATION FOR BORROWER

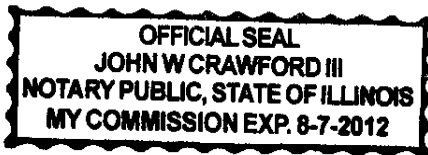
STATE OF IL
COUNTY OF Cook) ss.

On July 28th, 2011 before me, Jassy B Gabriel, a Notary Public in and for said County and State, personally appeared Jassy Gabriel a/k/a Jassy B. Gabriel, President of HJ Holdings, Inc., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose names is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY SEAL

John W Crawford III
Notary Public



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ESTOPPEL AFFIDAVIT DEED IN LIEU OF FORECLOSURE TRANSACTION

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

Jassy Gabriel a/k/a Jassy B. Gabriel, President of HJ Holdings, Inc., an Illinois corporation, being first duly sworn, deposes and states as follows:

1. HJ Holdings, Inc. ("Borrower") is, at the time of its execution and delivery of a certain Deed described below, the owner of a parcel of land located in the County of Cook, State of Illinois, and described as follows (the "Property"):

Parcel 1: Lots 1 and 2 (except the East 168 feet of Lot 1 and 2) taken as a tract, in Block 19 in Arthur T. McIntosh and Company's Cicero Avenue subdivision in Section 15 and 16, Township 36 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: Lot 23 (except the West 150 feet thereof) in Block 19 in Arthur T. McIntosh and Company's Cicero Avenue Subdivision in the West ½ of Section 15 and the East ½ of Section 16, Township 36 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 4821 W. 153rd Street, Oak Forest, IL

PIN No.: 28-16-208-030-0000; 28-16-208-031-0000; 28-16-208-033-0000

2. That the Property is encumbered by that certain mortgage set forth below:
 - (a) Mortgage granted by HJ Holdings, Inc. ("Mortgagor") to Fifth Third Bank ("Mortgagee") dated June 7, 2007 and recorded June 14, 2007 as Document No. 0716535054, Cook County Recorder of Deeds.
3. That as of June 28, 2011 the outstanding balance due and owing on this mortgage is a total amount of Two Hundred Eight Thousand Three Hundred Three Dollars and 03/100 (\$208,303.03) plus fees and costs.
4. That Borrower is in default under the terms and conditions of the mortgage referred to in subparagraph 2(a) above (the "Mortgage") and other related instruments, and that Borrower has failed to respond to demand for payment of the obligation set forth above.
5. That this Affidavit is being made in connection with a certain deed of even date herewith conveying the Property to Fifth Third Bank, an Ohio banking corporation, successor by merger with Fifth Third Bank, a Michigan banking corporation (the "Deed").

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6. That the Deed was made and executed by Borrower upon its receipt of additional consideration of \$1.00, as set forth herein; that the Deed was given in lieu of foreclosure of the Mortgage; and that the Deed was given voluntarily and without fraud or duress.
7. That the Deed is an absolute and unconditional sale of the Property, including all of Borrower's rights to redemption and possession, and is not intended to be a mortgage, trust conveyance, or security of any kind.
8. That the consideration for the Deed was the full release by Fifth Third Bank, an Ohio banking corporation, successor by merger with Fifth Third Bank, a Michigan banking corporation, of any deficiency to which it might be entitled by virtue of the execution by me of a note dated June 7, 2007, secured by the Mortgage, and that this release constitutes fair and adequate consideration for the Deed.
9. That the Deed and other consideration were not given as preference against any other creditors.
10. That Borrower expressly waives any claim to the exercise of its right of redemption from any foreclosure sale relating to the property and expressly confirms that no such right or claim of right of redemption exists or will exist for our benefit or for the benefit of any person, firm, or corporation which may claim or hold under Borrower.
11. That Borrower will remove all personal property including but not limited to medical waste, medical records, and effects from the Property without damage or waste to the Property and will, thereupon, vacate and surrender possession of the Property in broom clean condition along with keys and garage door opener to Fifth Third Bank, an Ohio banking corporation, successor by merger with Fifth Third Bank, a Michigan banking corporation on or before July 15, 2011.
12. This Affidavit is made for the protection and benefit of Fifth Third Bank, an Ohio banking corporation, successor by merger with Fifth Third Bank, a Michigan banking corporation ("Deed") its successors, and assigns.

HJ HOLDINGS, INC.

Dated: July 24th 11

By: 

Name: Jassy Gabriel a/k/a Jassy B. Gabriel

Title: President

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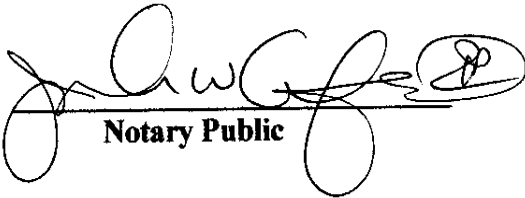
NOTARIZATION FOR BORROWER

STATE OF IL)
COUNTY OF COOK) ss.

On July 28th, 2011 before me, Jassy B Gabriel, a Notary Public in and for said County and State, personally appeared Jassy Gabriel a/k/a Jassy B. Gabriel, President of HJ Holdings, Inc., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose names is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY SEAL


Notary Public



Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATEMENT BY GRANTOR AND GRANTEE

The Grantor or his Agent affirms that, to the best of his knowledge, the name of the Grantor 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 July 29, 2011

Signature: _____
Grantor or Agent

Subscribed and sworn to before me
by the said Agent
this 29 day of July, 2011.
Notary Public [Signature]

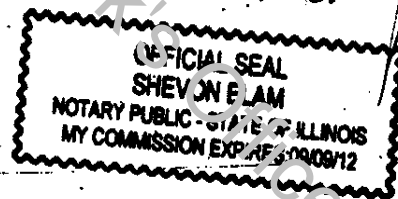


The Grantee or his Agent affirms and verifies that the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, 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 July 29, 2011

Signature: _____
Grantee or Agent

Subscribed and sworn to before me
by the said Agent
this 29 day of July, 2011.
Notary Public [Signature]



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.

(Attached 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.)

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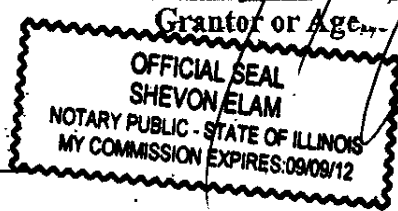
STATEMENT BY GRANTOR AND GRANTEE

The Grantor or his Agent affirms that, to the best of his knowledge, the name of the Grantor 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 July 29, 2011

Signature: _____

Subscribed and sworn to before me
by the said Agent
this 29 day of July, 2011
Notary Public Sherron

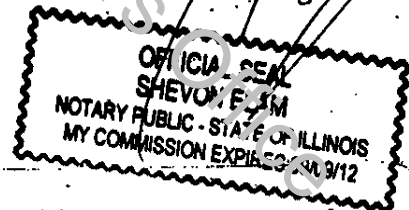


The Grantee or his Agent affirms and verifies that the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, 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 July 29, 2011

Signature: _____

Subscribed and sworn to before me
by the said Agent
this 29 day of July, 2011
Notary Public Sherron



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.

(Attached 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.)