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Doc#: 1125929015 Fee: \$58.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 09/16/2011 10:15 AM Pg: 1 of 12

JOINT TENANCY AFFIDAVIT

Prepared By and MAIL TO:
Hegarty, Kowols & Associates PC
301 W. Touhy Ave.
Park Ridge, IL 60068
(847) 692-3031

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

ERNEST W. SHEWCHUK, Independent Executor of the Estate of MIKE SHEWCHUK, DECEASED, hereby referred to as the affiant, states under oath that the affiant resides at 97 Timberline Drive, in the City of Lemont, Illinois; that the affiant was acquainted with PAULINE SHEWCHUK, decedent; that at the time of death, the decedent was one of the owners of the property, by virtue of a properly recorded joint tenancy warranty deed, said property located in Cook County, Illinois, and legally described as follows:

PARCEL 1:

Unit 606 in Merrimac Square Condominium III as delineated on a survey of the following described real estate: Lots 1 and 4 in Pontarelli Subdivision of Merrimac Square, a part of the fractional Southeast ¼ of Section 18, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois which survey is attached as Exhibit "B" to Declaration of Condominium made by Parkway Bank and Trust Company under Trust Agreement Dated June 9, 1992 and known as Trust Number 10346 and recorded in the Office of the Recorder of Deeds of Cook County as Document Number 93337398 together with its undivided percent interest in said parcel (excepting from said parcel all the property and space comprising all the units thereof as defined and set forth in said Declaration and Survey).

PARCEL 2:

Perpetual, non-exclusive easement for the benefit of Parcel 1 for ingress and egress over, along and upon the land, as set forth below, and further delineated in Exhibit "A" of Document Number 92607113, for driveways, walkways, common parking and park areas as created by Declaration of Common Elements and Maintenance Agreement Dated August 7, 1992 and recorded August 14, 1992 as Document Number 92607113 by and among Parkway Bank and Trust Company as Trustee under Trust Agreement Dated June 9, 1992 and known as Trust Number 10345, Parkway Bank and Trust Company as Trustee under Trust Agreement Dated November 5, 1991 and known as Trust Number 10176 and Parkway Bank and Trust Company as Trustee under Trust Agreement Dated June 9, 1992 and known as Trust Number 10346.

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PARCEL 3:

The exclusive right to the use of Parking Space No. P-11, and Storage Space No. S-46, limited common elements as delineated on the survey attached to the Declaration aforesaid, recorded as Document Number 93337398.

The real estate is commonly known as 6530 W. Irving Park, Unit #606, Chicago, Illinois 60634

P.I.N.: 13-18-409-034-1046

That the decedent had no interest in any business or partnership, nor held any power of appointment at death, nor created any remainder interests in property by transfer with retention of a life interest thereof or the creation of interest to take effect in possession or enjoyment after death;

That the decedent died on April 5, 2010, leaving a last will and testament. A certified copy of the death certificate is attached hereto and a copy of the last will and testament, if any.

That the total value of decedent's estate at death, including the taxable interest in the above property was less than the applicable federal and state estate tax unified credit and that the value of the above property individually was less than the applicable federal and state estate tax unified credit.

That the Illinois Inheritance Tax and the Federal Estate Tax, if any was due from the decedent's estate, has been paid in full;

That affiant hereby covenants and agrees, for himself/herself/themselves, heirs, personal representatives or assignees, to forever indemnify, protect, defend and hold NA harmless and to reimburse said title company for all loss, costs, damages, suits, attorney's fees and expenses of every kind and nature which said title company may suffer, expend or incur by reason of the issuance of said policy free and clear of the following objections:

1. Claims against the estate of PAULINE SHEWCHUK, the decedent.
2. Illinois State Inheritance Tax and Federal Estate Tax which may be charged against the estate of said decedent;
3. Legacies, if any, created by the will of said decedent;
4. Rights of contribution.



Ernest W. Shewchuk, Independent
Executor of the Estate of Mike
Shewchuk, Deceased

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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 ERNEST W. SHEWCHUK, Independent Executor of the Estate of Mike Shewchuk, Deceased, is 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 acknowledge 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 and official seal, this 1st day of September, 2011
Commission expires 6/19/2014

Mary Ann Kowols



Property of Cook County Clerk's Office

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CERTIFICATION OF DEATH RECORD

CHICAGO, ILLINOIS MEDICAL CERTIFICATE OF DEATH

STATE FILE NUMBER 2010 0025252		DATE ISSUED 04/07/2010	
DECEDENT'S LEGAL NAME PAULINE SHEWCHUK		SEX FEMALE	DATE OF DEATH APRIL 05, 2010
COUNTY OF DEATH COOK	AGE AT LAST BIRTHDAY 92 YEARS	DATE OF BIRTH AUGUST 03, 1917	
CITY OR TOWN CHICAGO		HOSPITAL OR OTHER INSTITUTION NAME RESURRECTION MEDICAL CENTER	
PLACE OF DEATH INPATIENT			
BIRTHPLACE CANADA	SOCIAL SECURITY NUMBER ██████-7103	MARITAL STATUS AT TIME OF DEATH MARRIED	SURVIVING SPOUSE'S NAME MIKE SHEWCHUK
RESIDENCE 6530 WEST IRVING PARK ROAD		APT. NO. 606	CITY OR TOWN CHICAGO
COUNTY COOK	STATE IL	ZIP CODE 60634	FATHER'S NAME IGNAC MANDRYK
INFORMANT'S NAME ERNEST SHEWCHUK		RELATIONSHIP SON	MOTHER'S NAME PRIOR TO FIRST MARRIAGE BARBARA JOS
METHOD OF DISPOSITION ENTOMBMENT		PLACE OF DISPOSITION RIDGEWOOD MEMORIAL PARK	LOCATION - CITY OR TOWN AND STATE DES PLAINES, IL
FUNERAL HOME GLUECKERT FUNERAL HOME LTD, 1520 N. ARLINGTON HEIGHTS ROAD, ARLINGTON HEIGHTS, IL, 60004		DATE OF DISPOSITION APRIL 08, 2010	EVER IN U.S. ARMED FORCES? NO
FUNERAL DIRECTOR'S NAME THOMAS GOTLUND		FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER 034014764	
LOCAL REGISTRAR'S NAME DAVID ORR		DATE FILED WITH LOCAL REGISTRAR APRIL 6, 2010	
CAUSE OF DEATH PART I. HYPERCAPNIA RESPIRATORY FAILURE IMMEDIATE CAUSE (Final disease or condition resulting in death) a. _____ Due to (or as a consequence of): 4 DAYS b. PNEUMONIA c. _____ Due to (or as a consequence of): 4 DAYS _____ Due to (or as a consequence of):			
PART II. Enter other <i>significant conditions contributing to death</i> but not resulting in the underlying cause given in PART I:		WAS AN AUTOPSY PERFORMED? NO	
DID TOBACCO USE CONTRIBUTE TO DEATH?		WERE AUTOPSY FINDINGS USED TO COMPLETE CAUSE OF DEATH? N/A	
DATE OF INJURY		MANNER OF DEATH NATURAL	
FEMALE PREGNANCY STATUS NOT APPLICABLE		INJURY AT WORK?	
TIME OF INJURY	PLACE OF INJURY	IF TRANSPORTATION INJURY, SPECIFY:	
LOCATION OF INJURY			
DESCRIBE HOW INJURY OCCURRED:			
ATTEND THE DECEASED? YES	DATE LAST SEEN ALIVE APRIL 05, 2010	WAS MEDICAL EXAMINER OR CORONER CONTACTED? NO	DATE PRONOUNCED
CERTIFIER PHYSICIAN		TIME OF DEATH 02:08 PM	
NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH AVUBASG JGUABU, 900 JORIE BLVD, OAK BROOK, ILLINOIS, 60523		DATE CERTIFIED APRIL 06, 2010	
		PHYSICIAN'S LICENSE NUMBER 036-123717	



This is to certify that this is a true and correct copy from the official death record filed with Illinois Department of Health.

David Orr
David Orr
Cook County Clerk



UNOFFICIAL COPY*Last Will and Testament**of**Pauline Shewchuk**PAULINE P.S.*

I, **Mike Shewchuk**, of 6530 W. Irving Park Road, Unit #606, Chicago, Illinois, make this my Last Will and Testament and hereby revoke all prior wills and codicils.

**ARTICLE I:
My Family**

I am married to **Mike Shewchuk**. I have two (2) children; **Clifford Edward Shewchuk**, born on August 17, 1942 (deceased) and **Ernest William Shewchuk** born on August 1, 1944.

**ARTICLE II:
Gifts at My Death**

2.1 *Gifts of Tangible Personal Property.* I give all my tangible personal property to **Mike Shewchuk**, my husband. If my husband does not survive me, then I give all my tangible personal property to **Ernest William Shewchuk**, my son, of 97 Timberline Drive, Lemont, Illinois. The term "tangible personal property" means all personal and household effects, jewelry, automobiles, collections, and other tangible personal property that I own at my death.

2.2 *Gift of Real Property.* I give my interest in the condominium located at 6530 W. Irving Park Road, Unit #606, Chicago, Illinois to **Mike Shewchuk**, my husband. If my husband does not survive me, then I give my interest in the condominium to **Ernest William Shewchuk**, my son.

2.3 *Specific Gifts:* If my husband, **Mike Shewchuk**, does not survive me I give the following gifts:

(a) I give ten thousand dollars (\$10,000.00) to **Scott Ernest Shewchuk**, my grandson, born September 19, 1965, and resides at 6231 W. Lawrence Avenue, Chicago, Illinois.

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(b) I give ten thousand dollars (\$10,000.00) to **Todd William Shewchuk**, my grandson, born January 2, 1968, and resides at 6231 W. Lawrence Avenue, Chicago, Illinois.

(c) I give two thousand dollars (\$2,000.00) to each to the following when they turn the age of twenty-one (21), all of which are my great grand-children:

1. **Katelyn Marie Shewchuk** born December 18, 2003;
2. **Margaret Pauline Shewchuk**, born October 21, 2005;
3. **Sarah Evelyn Shewchuk**, born August 15, 2008;
4. **Michael Anthony Shewchuk**, born October 5, 1992;
5. **Julianus Rose Shewchuk**, born July 25, 1996.

If any one or more of the above beneficiaries does not attain the age of twenty-one (21) before their death, their share is to be distributed equally among the remaining beneficiaries above.

2.4 *Gift of Balance of Estate.* I give the balance of my estate to **Mike Shewchuk**, my husband. If my husband does not survive me, then I give the balance of my estate to **Ernest William Shewchuk**, my son.

2.5 *Survivorship.* Only persons living on the 30th day after the day of my death shall be deemed to have survived me for purposes of this Article.

ARTICLE III: Distribution to Beneficiaries Under Prescribed Age

Any property to be distributed to a beneficiary who is under age 21 at the time of distribution shall immediately vest in the beneficiary, but my executor shall distribute the property in any one of the following ways as my executor deems best: (a) to the legally appointed representative of the beneficiary, if any; (b) to a custodian for the beneficiary under a Uniform Transfers or Gifts to Minors Act; or (c) to a parent or adult relative of the beneficiary, as trustee, against such person's receipt and upon his or her written undertaking to deliver the property to the beneficiary when the beneficiary attains age 21, and in the meantime to hold it in trust and use it for the benefit of the beneficiary. The receipt of a legally appointed representative or of a custodian, or the receipt and written undertaking of a trustee, shall discharge my executor.



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ARTICLE IV: Executors

4.1 *Executor.*

(a) I nominate and appoint **Ernest William Shewchuk**, my son, of 97 Timberline Drive, Lemont, Illinois as my executor.

(b) If, for whatever reason, **Ernest William Shewchuk** is unable or unwilling to act as such executor, then and in that event I nominate and appoint **Scott Ernest Shewchuk**, my grandson, born September 19, 1965, and resides at 6231 W. Lawrence Avenue, Chicago, Illinois, as successor executor.

(c) If, for whatever reason, **Scott Ernest Shewchuk** is unable or unwilling to act as such executor, then and in that event I nominate and appoint, **Todd William Shewchuk**, my grandson, born September 19, 1965, and resides at 6231 W. Lawrence Avenue, Chicago, Illinois, as successor executor.

4.2 *Waiver of Surety.* No security, surety, or bond shall be required of my executor or successor executor. If permitted by law and if not inconsistent with the best interests of the beneficiaries as determined by my executor, the administration of my estate shall be independent of the supervision of any court.

4.3 *Powers of Executor.* I give my executor power, without authorization of any court:

(a) *Retention.* To retain any property regardless of diversification and regardless of whether the property would be considered a proper estate investment; and to continue or to permit the continuation of any business, incorporated or unincorporated, that I may own or in which I may have any interest at the time of my death for such period as my executor shall determine;

(b) *Sale.* To sell at public or private sale, contract to sell, grant options to buy, convey, transfer, exchange, or partition any real or personal property of my estate for such price and on such terms as my executor sees fit;

(c) *Real and Tangible Personal Property.* To make leases and subleases and grant options to lease, although the terms thereof commence in the future; to purchase, operate, maintain, improve, rehabilitate,

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alter, demolish, abandon, release, or dedicate any real or tangible personal property; and to develop or subdivide real property, grant easements, and take any other action with respect to real or tangible personal property that an individual owner thereof could take;

(d) *Borrowing.* To borrow money from any lender (including my executor individually), extend or renew any existing indebtedness, and mortgage or pledge any property;

(e) *Investing.* To invest in bonds, common or preferred stocks (including securities of any corporate fiduciary or of any affiliated corporation), notes, options, common trust funds, mutual funds, shares of any investment company or trust, or other securities, partnership interests general or limited, joint ventures, real estate, or other property of any kind, regardless of diversification and regardless of whether the property would be considered a proper estate investment;

(f) *Distribution; Determination of Value.* To distribute my estate in cash or in kind, or partly in each; and to allocate or distribute undivided interests or different property or disproportionate interests to the beneficiaries, and to determine the value of any property so allocated or distributed; but no adjustment shall be made to compensate for a disproportionate allocation of unrealized gain for income tax purposes and no action taken by my executor pursuant to this subparagraph shall be subject to question by any beneficiary;

(g) *Rights as to Securities.* To have all the rights, powers, and privileges of an owner of securities, including, but not limited to, the powers to vote, give proxies, and pay assessments, and to participate in voting trusts, pooling agreements, foreclosures, reorganizations, consolidations, mergers, and liquidations and, incident to such participation, to exercise or sell stock subscription or conversion rights;

(h) *Conservation of Assets.* To take any action that an individual owner of an asset could take to conserve or realize the value of the asset and with respect to any foreclosure, reorganization, or other change with respect to the asset;

(i) *Delegation.* To employ agents, attorneys, and proxies of all types (including any firm in which a relative of mine or his or her spouse is a partner, associate, or employee or is otherwise affiliated) and to delegate to them any powers my executor considers advisable;



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(j) *Principal and Income.* To determine in cases not covered by statute the allocation of receipts and disbursements between income and principal; to establish out of income and credit to principal reasonable reserves for depreciation, depletion, and obsolescence; and to amortize out of income any premium paid for interest-bearing obligations;

(k) *Dealing with Fiduciaries.* To deal with, purchase assets from, or make loans to the fiduciary of any trust made by me or a trust or estate in which any beneficiary under this instrument has an interest, even though my executor is the fiduciary, and to retain any assets or loans so acquired, regardless of diversification and regardless of whether the property would be considered a proper estate investment; to deal with a corporation acting as executor under this will or a parent or affiliate company; and to deal with the fiduciary of any other estate, trust, or custodial account even though the fiduciary is my executor;

(l) *Compromising Claims.* To litigate, compromise, settle, or abandon any claim or demand in favor of or against my estate;

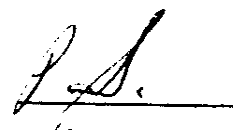
(m) *Nominee Arrangements.* To hold any asset in the name of a nominee, in bearer form or otherwise, without disclosure of any fiduciary relationship;

(n) *Liability Insurance.* To purchase liability and casualty insurance of any kind for the protection of the estate, including comprehensive liability insurance;

(o) *Environmental Matters.* To inspect and monitor businesses and real property (whether held directly or through a partnership, corporation, trust, or other entity) for environmental conditions or possible violations of environmental laws; to remediate environmentally damaged property or to take steps to prevent environmental damage in the future, even if no action by public or private parties is currently pending or threatened; to abandon or refuse to accept property that may have environmental damage; and to expend estate funds to do the foregoing; and no action or failure to act by my executor pursuant to this subparagraph shall be subject to question by any beneficiary;

(p) *Disclaimers.* To disclaim any property or interest on my behalf without court approval;

(q) *Instruments.* To execute and deliver necessary instruments and give full receipts and discharges;



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(r) *Ancillary Executor.* To appoint any ancillary executor with the powers, and subject to the direction, of my executor; and

(s) *Powers of Trustee.* To exercise any power now or hereafter conferred by the statutes of Illinois on the trustee of a trust having its situs in Illinois.

ARTICLE V: Payment of Death Taxes, Expenses, and Debts

5.1 *Payments.* My executor shall make the following payments:

(a) *Death Taxes.* All of my death taxes, except that any increase in my death taxes incurred as a result of property (1) over which I have power of appointment, (2) with respect to which a qualified terminable interest election has been allowed, or (3) includible in my estate as a transfer with a retained interest shall be paid by the person holding or receiving that property;

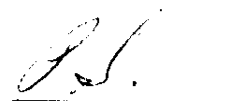
(b) *Expenses.* All expenses of my last illness, funeral, and burial; costs of safeguarding and delivering tangible personal property; and estate administration expenses; and

(c) *Debts.* All of my debts, other than debts secured by life insurance, by an interest in a land trust or cooperative, or by real property.

5.2 *Source of Payments Generally.* My executor shall make all payments required under this Article from my estate remaining after distribution of any gifts of tangible personal property. Notwithstanding the preceding sentence, my executor shall pay from the disclaimed assets all generation-skipping transfer taxes on direct-skip transfers of which I am the transferor occurring at my death as a result of a disclaimer.

5.3 *Apportionment and Reimbursement for Death Taxes and Expenses.* Except as otherwise provided in paragraph 5.1(a), I waive all rights to reimbursement and apportionment.

5.4 *Tax Elections.* My executor may make elections under tax laws and employee benefit plans and may make allocations of any available GST exemption as my executor deems advisable. No adjustment



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shall be made between principal and income or in the relative interests of the beneficiaries to compensate for any such election or allocation.

ARTICLE VI: Definitions

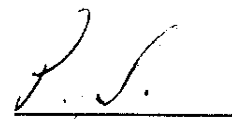
6.1 *Balance of My Estate.* The "balance of my estate" means my estate (excluding any property over which I have a power of appointment) reduced by any payments of expenses, debts, and death taxes required to be paid from my estate and any gifts of specific assets and any pecuniary gifts (including any pecuniary formula gifts).

6.2 *Code.* References to sections of the "Code" refer to the Internal Revenue Code of 1986, as amended from time to time, and include corresponding provisions of subsequent federal tax laws.

6.3 *Death Taxes.* "Death taxes" includes all estate, transfer, inheritance, and other succession taxes (including penalties and interest) imposed by reason of death. Death taxes shall not include generation-skipping transfer taxes imposed on any generation-skipping transfers other than direct-skip transfers made at the decedent's death of which the decedent is the transferor.

6.4 *Incapacity.* A person shall be considered incapacitated if under a legal disability or unable to give prompt and intelligent consideration to financial affairs. The existence of the inability may be determined by a physician, and any person may rely on written notice of the determination. A person already acting as executor or trustee shall cease to act upon incapacity.

6.5 *Per Capita.* By the number of individuals equally; share and share alike. Equal share is given to each of a number of persons, all of whom stand in equal degree to the decedent.



UNOFFICIAL COPY**ARTICLE VII:
Captions and Context of Terms**

Captions shall have no impact or meaning as to the terms of the document. Singular and plural and masculine, feminine, and neuter shall be interchangeable as required or permitted in the context of this instrument.

Signed this ^{P. D.} 10 day of ~~August~~ SEPTEMBER, 2008.

Pauline Shewchuk

Pauline Shewchuk

The testator, **Pauline Shewchuk**, signed this Will in our presence on the date it bears. Immediately thereafter, at the testator's request and in the testator's presence and in the presence of each other, we signed our names as witnesses. We certify that we believed the testator to be of sound mind and memory at the time of signing.

WitnessesAddresses

Joseph L Kotlarz

Residing at: 6530 W IRVING PK / UNIT 603

Name: JOSEPH L KOTLARZ

CHICAGO, IL 60634

Hildegard P. Thorn

Residing at:

6530 W IRVING PK

Name: HILDEGARD P. THORN

Chicago, IL 60634

Prepared by: **Brian E. Wright**
Law Offices of Brian E. Wright, P.C.
5151 N. Harlem, #306
Chicago, IL 60656
Ph: 773-792-8730

P. S.