

# UNOFFICIAL COPY



Doc#: 1129910027 Fee: \$40.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/26/2011 12:37 PM Pg: 1 of 3

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF COOK        )

8815987  
HH

## AFFIDAVIT OF ADVERSE POSSESSION

Thomas J. Higgins ("Affiant") hereby affirms that he previously was a shareholder of Higgins Bros., Inc., an Illinois Corporation ("HBI") and had been a shareholder of HBI since the date of its incorporation on June 6, 1969 through approximately one year ago. Affiant hereby states that since the date of its incorporation, HBI has been in sole and exclusive possession of premises legally described on Exhibit A which is attached hereto and hereby made a part hereof ("the real estate"). With respect to the real estate, Affiant hereby states as follows:

1. That HBI since the date of its incorporation has been in actual, notorious, visible, hostile, exclusive and continuous possession under a claim of right and color of title and that during this entire time HBI has paid to the proper authorities all taxes and assessments levied or assessed on the real estate (except for period from May 5, 1990 to date hereof during which period the real estate has been occupied by a tenant of HBI and real estate taxes have been paid by that tenant on behalf of HBI pursuant to the requirements of a lease of which HBI is the lessor). All rentals paid under the lease have been paid to HBI.
2. Since on date commencing in the 1940's or earlier the real estate was under the possession of Frank Higgins doing business as a sole proprietor under the name of Higgins Bros. and the property was used solely and exclusively for the business purposes of Higgins Bros. This possession and use continued to June 6, 1969. During this entire period, all real estate taxes and assessments levied against the real estate were paid to the proper authorities by Frank Higgins d/b/a Higgins Bros. Frank Higgins is now deceased. He was a descendant of James Higgins. Frank Higgins was never a shareholder of HBI.
3. HBI at the time of incorporation was advised by Frank Higgins that HBI would be able to enjoy the exclusive use of the real estate for its business purposes and could do so without interference or claim of any claimants or third parties.

BOX 334 CTT

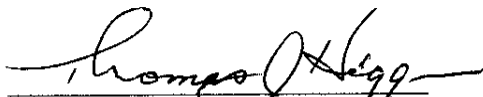
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4. Relying upon representation of Frank Higgins set forth in paragraph 3 above, HBI took possession of the real estate on June 6, 1969 and has used the real estate for its business purposes from that date until date of lease referred to in paragraph 1 hereof. HBI never obtained the consent or approval of any party other than Frank Higgins with respect to its taking possession of the real estate and using same for its business purposes. At time of taking exclusive possession of the real estate HBI acted and appeared as if it were the holder of fee simple title free and clear of any and all claims or rights of any third parties. Since the date of HBI taking possession of the real estate under appearances of being the sole and exclusive owner the real estate has been vacant and unimproved and HBI has used the real estate exclusively for its business purposes (other than period of time when the real estate was leased and used by lessee for its sole and exclusive business purposes).

This Affidavit of Adverse Possession has been executed and recorded to put third parties on notice of HBI's ownership interest in the above-described property and to induce Chicago Title Insurance Company to issue a title insurance policy insuring the title to the real estate in HBI.

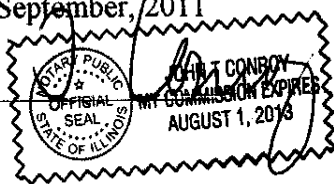
Further Affiant sayeth not.

Dated: September 19, 2011

  
 Thomas J. Higgins

Subscribed to and sworn before me  
 this 19th day of September, 2011

  
 Notary Public



Prepared by:  
 John T. Conroy  
 4544 W. 103<sup>rd</sup> Street  
 Oak Lawn, Illinois 60453

Return to:  
 John T. Conroy  
 4544 W. 103<sup>rd</sup> Street  
 Oak Lawn, Illinois 60453

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LEGAL DESCRIPTION:

LOTS 29, 30, 31, 32 AND 33 EXCEPT THAT PART OF LOTS 32 AND 33 LYING NORTHWESTERLY OF A LINE EXTENDED FROM A POINT ON THE WEST LINE OF LOT 33 WHICH IS 20 FEET SOUTH OF THE NORTHWEST CORNER THEREOF TO A POINT ON THE NORTH LINE OF LOT 32 WHICH IS 35 FEET EAST OF THE NORTHWEST CORNER OF LOT 33 IN GEORGE A. SEAVERN'S SUBDIVISION OF THE WEST ½ OF BLOCK 3 IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST ½ OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Permanent Real Estate Nos: 17-31-203-003-0000  
17-31-203-004-0000  
17-31-203-005-0000  
17-31-203-024-0000

Address of Premises: 1847-55 W. 31<sup>st</sup>. Place  
Chicago, IL. 60608

EXHIBIT A

Office of Cook County Clerk's Office