

# UNOFFICIAL COPY



Doc#: 120110077 Fee: \$52.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 01/11/2012 02:31 PM Pg: 1 of 9

Property of Cook County Clerk's Office

Commitment Number: 110683

This instrument prepared by Jay Rosenberg, Esq., and reviewed by Ross M. Rosenberg, Esq.,  
Rosenberg LPA, Attorneys At Law, 7367A E. Kemper Road, Cincinnati, Ohio 45249. (513) 247-  
9605

Mail Tax statements to:  
Bank of America, N.A.

After Recording, Return to: \_\_\_\_\_

Metro Lender Services, Inc.  
250 Clever Rd. Suite 200  
McKees Rocks, PA 15136

## DEED IN LIEU OF FORECLOSURE

KNOWN ALL MEN BY THESE PRESENTS, that Janis T. Welch, unmarried, hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in Cook County, Illinois, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

S yes  
P yes  
S N  
M N  
SC yes  
E yes  
INT no

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File No: 110683

## EXHIBIT "A"

**THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE COUNTY OF COOK IN THE STATE OF ILLINOIS, TO WIT:**

**UNIT NO. 17485 IN CHELSEA PLACE NORTH OF COUNTRY CLUB HILLS CONDOMINIUM, AS DELINEATED ON A PLAT OF SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND; CERTAIN LOTS IN CHELSEA PLACE, A SUBDIVISION OF THE EAST 535.55 FEET OF THE WEST 1525.55 FEET OF THE SOUTH 405 FEET OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART FOR OR DEDICATED AS 175TH STREET) IN COOK COUNTY, ILLINOIS, WHICH PLAT OF SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED FEBRUARY 11, 1997 AS DOCUMENT NO. 97097806, AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.**

**PARCEL NO. 28-26-307-698-1013**

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This being the identical property conveyed to the GRANTOR herein by Deed from recorded in **Document 0531948000**.

COMMONLY known as: **17485 Chelsea Place Country Club Hills, IL 60478**  
Assessor's Parcel Number: **28-26-307-098-1013**

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

This deed does not effect a merger of the fee ownership and the lien of the mortgage described below. The fee and lien shall hereafter remain separate and distinct. By acceptance and recording of this deed, grantee covenants and agrees that it shall forever forebear taking any action whatsoever to collect against grantor or the obligations which are secured by the mortgage/deed of trust (referred to herein as "mortgage") described below, other than by foreclosure of that mortgage; and, that in any proceedings to foreclosure that mortgage, grantee shall not seek, obtain or permit a deficiency judgment against grantors, their heirs, successors or assigns, such right being hereby waived. This paragraph shall be inapplicable in the event that grantor attempts to have this deed set aside or this deed is determined to transfer less than fee simple title to grantee.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made.

The true and actual consideration for this transfer consists of grantee's waiver of its right to bring an action against Grantor based on the promissory note secured by the mortgage hereinafter described and agreement not to name the grantor as a party to a foreclosure action stated above with respect to that certain mortgage signed on November 1, 2007, by grantor in favor of Countrywide Bank, FSB, and recorded November 20, 2007 at property records of Cook County, Illinois at Document Number **0732447100**. Said mortgage was later assigned to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP, recorded 10.22/2009 in Document no. **929557088** in Cook County Illinois records.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

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WITNESS the hand of said Grantor this 17 day of NOVEMBER, 2011.

Janis T. Welch  
Janis T. Welch

STATE OF ILLINOIS  
COUNTY OF COOK

The foregoing instrument was acknowledged before me on November 17, 2011 by Janis T. Welch, who is personally known to me or has produced her drivers license as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

Notary Public



MUNICIPAL TRANSFER STAMP  
(If Required)

COUNTY/ILLINOIS TRANSFER STAMP  
(If Required)

EXEMPT under provisions of Paragraph c Section 31-45, Property Tax Code.

Date: 11-18-11

Jennifer Baker  
Buyer, Seller or Representative

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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 assignment of beneficial interest in land trust is either a. natural person, and 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 \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Signature of Grantor or Agent

Subscribed and sworn to before  
Me by the said \_\_\_\_\_  
this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

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 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.

Date **DEC 20 2011**, 20\_\_

*Laura Elliott*  
Signature of Grantee or Agent **Laura Elliott**  
**Assistant Vice President**

Subscribed and sworn to before  
Me by the said \_\_\_\_\_  
This \_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

NOTARY PUBLIC \_\_\_\_\_ **See Attached JURAT**

NOTE: Any person who knowingly submits a false statement concerning the identity of 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.)

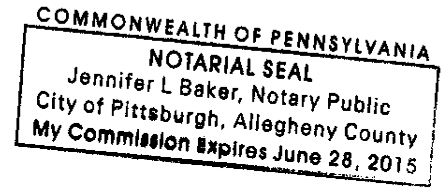
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## STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed assignment of beneficial interest in land trust is either a. natural person, and 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 December 29, 20 11

Kristen Anthony  
Signature of Grantor or Agent



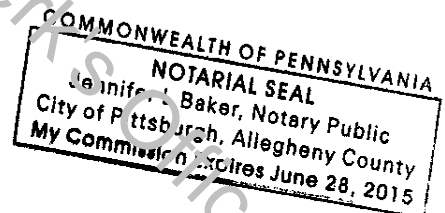
Subscribed and sworn to before  
Me by the said Kristen Anthony  
this 29th day of December,  
20 11.

NOTARY PUBLIC Jennifer L Baker

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 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.

Date December 29, 20 11

Kristen Anthony  
Signature of Grantee or Agent



Subscribed and sworn to before  
Me by the said Kristen Anthony  
This 29th day of December,  
20 11.

NOTARY PUBLIC Jennifer L Baker

NOTE: Any person who knowingly submits a false statement concerning the identity of 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.)

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## EXHIBIT "B" ESTOPPEL AFFIDAVIT

STATE OF Illinois  
COUNTY OF Cook

**Janis T. Welch**, unmarried, being first duly sworn, depose and say: That she is the identical party who made, executed, and delivered that certain Deed in Lieu of Foreclosure to **Federal National Mortgage Association**, dated the 10<sup>th</sup> day of November, 2011, conveying the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Parcel ID # 28-26-307-098-1013

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to **Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP**, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to **Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP**;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than **Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP**, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by **Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP**, agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against

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affiants in such foreclosure action. The mortgage referred to herein was executed by the undersigned on November 1, 2007, by grantor in favor of Countrywide Bank, FSB, and recorded November 20, 2007 at property records of Cook County, Illinois at Document Number 0732447100. Said mortgage was later assigned to BAC Home Loans Servicing, LP f/k/a

Countrywide Home Loans Servicing, LP, recorded 10.22/2009 in Document no. 929557088 in Cook County Illinois records. At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded or more.

This affidavit is made for the protection and benefit of **Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP**, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

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WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: NOVEMBER 17, 2011

Janis T. Welch  
Janis T. Welch

STATE OF ILLINOIS  
COUNTY OF COOK

The foregoing instrument was acknowledged before me on November 17, 2011 by Janis T. Welch, who is personally known to me or has produced her Drivers license as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

[Signature]  
Notary Public



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