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**Transfer on Death
Instrument
(BENEFICIARY DEED)
pursuant to the
Illinois Residential Real Property
Transfer on Death Instrument
Act
(755 ILCS 27)
WHEN RECORDED RETURN TO:**



Doc#: 1210857038 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/17/2012 03:20 PM Pg: 1 of 3

**CHERYL A. DAVIS
8321 S. INDIANA AVE
CHICAGO, IL 60619**

(Above Space for Recorder's Use Only)

I, **CHERYL A. DAVIS**, a SINGLE, FEMALE, RESIDENT OF **CHICAGO**, DOMICILED IN **COOK COUNTY, IL**, AND BORN **February 26, 1946**, declare this document to be my Transfer on Death Instrument, hereinafter referred to as a Beneficiary Deed, revoking all Beneficiary Deeds prepared, executed and recorded regarding the Subject Property described below. This document is to be interpreted, governed and construed under the laws of the State of Illinois.:

- 1) I am the OWNER of the Subject Property
 - a) located at and commonly known as: **8321 S. INDIANA AVE., CHICAGO, COOK COUNTY, IL 60619.**
 - b) PIN: **20-34-303-016-0000**
 - c) legally described as: **LOT 39 AND THE NORTH 12-1/2 FEET OF LOT 38, IN BLOCK 3, IN BOWEN AND THATCHER'S SUBDIVISION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.**
- 2) The Subject Property is Residential Real Estate as defined under the Illinois Residential Real Property Transfer on Death Instrument Act, in that it is:
 - a) Real property improved with not less than one nor more than 4 residential dwelling units;
 - b) A unit in a residential cooperative;
 - c) A unit in a residential condominium development, including the limited common elements allocated to the exclusive use thereof that form an integral part of the condominium unit; or
 - d) A single tract of agriculture real estate consisting of 40 acres or less which is improved with a single family residence.
- 3) Under this Beneficiary Deed, I am naming the person or persons to be my designated beneficiary. Furthermore, upon my death, I am transferring the Subject Property with all rights, title and interest to an appropriate beneficiary in accordance with the Illinois Residential Real Property Transfer on Death Instrument Act and the following provisions:
 - a) References to a person in this Beneficiary Deed have the same meaning as a person as defined under the Illinois Residential Real Property Transfer on Death Instrument Act (755 ILCS 27/5).
 - b) I may name one designated beneficiary to receive the Subject Property or I may name multiple beneficiaries to receive the property.
 - c) I may designate beneficiaries who are members of a class (e.g., my siblings, my children, my parents, etc.) or I may specifically name multiple beneficiaries that form a related or an unrelated group.

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- d) Unless indicated otherwise, when, in a single devise, I name multiple beneficiaries to receive the Subject Property, the beneficiaries who are entitled to take, must do so in equal shares, as JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP and not as TENANTS IN COMMON.
- e) Priority and division of Designated Beneficiaries:
- i) Level 1: My "FIRST" DESIGNATED BENEFICIARY is the person or persons who would have priority of entitlement to receive the Subject Property, in the event of my death.
 - ii) Level 2: My "SECOND" DESIGNATED BENEFICIARY is the person or persons who would have priority of entitlement to receive the Subject Property, in the event of a lapse of the devise to all First Designated Beneficiaries.
 - iii) Level 3: My "THIRD" DESIGNATED BENEFICIARY is the person or persons who would have priority of entitlement to receive the Subject Property, in the event of a lapse of the devise to all First Designated Beneficiaries and all Second Designated Beneficiaries.
- f) References to a beneficiary living or surviving me means the beneficiary is then living or in existence on the 8th day after the date of my death.
- g) Wherever used in this Beneficiary Deed and the context so requires, the masculine includes the feminine and the singular includes the plural, and vice versa.
- h) Unless otherwise indicated, if a particular designated beneficiary from one of the respective beneficiary levels fails to survive me, the surviving members of that level, who are then living at the time of my death, shall take the share or shares which the deceased member(s) would have taken if the deceased member(s) survived me. In the case where a designated beneficiary fails to survive me, unless I specify that a designated beneficiary shall take the Subject Property, per stirpes, even when a deceased member of the group is a descendant of mine, the transfer to the deceased designated beneficiary shall lapse.
- 4) MY FIRST DESIGNATED BENEFICIARY OR BENEFICIARIES:
- a) **MY SON, CLARENCE MELVIN TOLBERT IV, BORN JULY 28, 1985, OF ATLANTA, GA, PER STIRPES**
- 5) MY SECOND DESIGNATED BENEFICIARY OR BENEFICIARIES:
- a) **MY BROTHER, DR. JOSEPH H. DAVIS, JR., BORN SEPTEMBER 14, 1943, OF PHOENIX, AZ, IF HE SURVIVES ME AND NONE OF MY LINEAL DESCENDANTS SURVIVE ME.**
- 6) MY THIRD DESIGNATED BENEFICIARY OR BENEFICIARIES:
- a) **MY NIECE, DR. TORIA CHERYL DAVIS-FOSTER, BORN MAY 16, 1976, OF ATLANTA, GA, PER STIRPES**

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I, **CHERYL A. DAVIS**, having attained the age of 18 years and having the capacity required to make a valid Illinois will, execute this Beneficiary Deed pursuant to the Illinois Residential Real Property Transfer on Death Instrument Act.

Dated: **April 16, 2012**


CHERYL A. DAVIS, OWNER

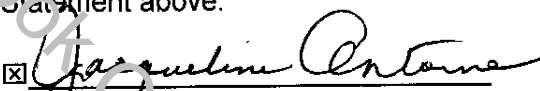

Dated: **April 16, 2012**

**EXEMPT UNDER PROVISIONS OF REAL ESTATE TRANSFER LAW
 35 ILCS 200/31-45 (d) and (e).**


CHERYL A. DAVIS, OWNER

Witness Statement - On the date **CHERYL A. DAVIS**, signed and executed the foregoing Beneficiary Deed, each of the undersigned witnesses below signed this instrument in the presence of a notary public; the owner, **CHERYL A. DAVIS**; and each other; and each of the respective witnesses, who have attained the age of 18, attest to the following:

- (1) **CHERYL A. DAVIS** is known to me to be the same person who signed and executed the foregoing Beneficiary Deed.
- (2) **CHERYL A. DAVIS** signed and executed this instrument in the presence of the witnesses subscribed below and a notary public.
- (3) **CHERYL A. DAVIS** signed and executed this instrument as a free and voluntary act and I believe **CHERYL A. DAVIS** to be of sound mind and memory

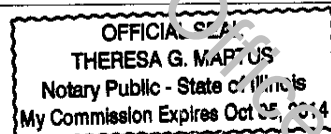
Witness Name and Residence (PRINT)	Witness Signature	Date
Witness 1: JACQUELINE ANTOINE 67912 M 62 N EDWARDSBURG, MI 49112	I certify the truthfulness of the Witness Statement above: <input checked="" type="checkbox"/> 	April 16, 2012
Witness 2: CONSTANCE M. WILSON 8326 S. INDIANA ST CHICAGO, IL 60619	I certify the truthfulness of the Witness Statement above: <input checked="" type="checkbox"/> 	April 16, 2012

State of **ILLINOIS**
 County of **COOK**

I, CERTIFY THAT, the witnesses, **JACQUELINE ANTOINE**, WITNESS 1; and **CONSTANCE M. WILSON**, WITNESS 2; and the OWNER of the Subject Property, **CHERYL A. DAVIS**, appeared before me and each are known to me to be the individuals who respectively signed this instrument, and acknowledged that each signed the same as his or her free and voluntary act. GIVEN under my hand and official seal this **April 16, 2012**.


 Notary Public: **THERESA G. MARTUS**

(Seal)



This instrument was drafted and prepared by:
 David E. Trice, Attorney at Law
 9723 S. Western Ave., Chicago, IL 60643
 773 233 3303 OFFICE 773 233 3330 FAX
www.tricelaw.com
 This instrument was drawn without title examination, using description provided by the owner.

Mail future tax bills to:

CHERYL A. DAVIS
 8321 S. INDIANA AVE.
 CHICAGO, IL 60619