

# UNOFFICIAL COPY



Doc#: 1215929127 Fee: \$52.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 06/07/2012 02:50 PM Pg: 1 of 8

When Recorded Return To:  
Indecomm Global Services  
2925 Country Drive  
St. Paul, MN 55117

77604212

This Instrument was prepared by:  
Heather A. Spittler  
CHANGE OF TITLE, INC.  
160 S. OLD SPRINGS ROAD, SUITE 260  
ANAHEIM HILLS, CA 92808

## DEED IN LIEU OF FORECLOSURE

Dated: February 25, 2012

TP# 0021430491

KNOWN ALL MEN BY THESE PRESENTS, that **CATHERINE M. MIGLIERI, A MARRIED WOMAN, JOINED BY HER SPOUSE MICHAEL P. GANNON**, hereinafter called Grantor, for **\$196,954.61** and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **WELLS FARGO BANK, N.A.**, whose mailing address is 4101 WISEMAN BOULEVARD, MAC T7422-010, SAN ANTONIO, TX 78251, 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 the COOK County, State of Illinois, described as follows:

LOT 314 IN BREMEN TOWNE ESTATES UNIT 3 BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 7719 W 161ST PLACE TINLEY PARK, IL 60477

Assessor's Parcel Number: 27-24-107-012-0000

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 on 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.

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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. See Estoppel Affidavit attached as Exhibit "A".

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 notes secured by the mortgages hereinafter described and agreement not to name the Grantor as a party to a foreclosure action stated above with respect to that certain 1<sup>st</sup> mortgage dated 7/3/2003, and recorded 8/20/2003 in Instrument No. 0323234108 and that certain 2<sup>nd</sup> mortgage dated 12/3/2004, and recorded 12/23/2004 in Instrument No. 0435845119 by Grantor in favor of **World Savings Bank, FSB**, recorded in Cook County, IL.

In construction of 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.

Dated this 25<sup>th</sup> day of February, 2012.

Catherine M. Miglieri  
CATHERINE M. MIGLIERI

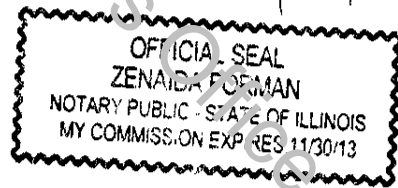
STATE OF ILLINOIS )  
COUNTY OF Cook ) SS.

The foregoing instrument was acknowledged before me this 25 day of Feb, 2012 by  
CATHERINE M. MIGLIERI.

Zenaida Forman  
Notary Public

Printed Name

My Commission Expires: 11/30/13



Exempt under provision of Paragraph L  
Section 31-45, Real Estate Transfer Tax Act.

03-21-12 [Signature]  
Date Buyer, Seller or Representative

# UNOFFICIAL COPY

Dated this 25 day of February, 2012.

Michael P. Gannon

MICHAEL P. GANNON

STATE OF ILLINOIS

COUNTY OF

Cook

} SS.

The foregoing instrument was acknowledged before me this 25 day of Feb, 2012, by  
MICHAEL P. GANNON.

Zenaida Forman  
Notary Public  
Zenaida Forman

Printed Name

My Commission Expires: 11/30/13



Property of Cook County Clerk's Office

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## Exhibit "A" ESTOPPEL AFFIDAVIT

STATE OF ILLINOIS )  
COUNTY OF Cook ) SS.

**CATHERINE M. MIGLIERI, A MARRIED WOMAN, JOINED BY HER SPOUSE MICHAEL P. GANNON**, being first duly sworn, depose and says: That he/she/ they are the identical party(ies) who made, executed, and delivered that certain Deed in Lieu of Foreclosure to **WELLS FARGO BANK, N.A.** dated the 25<sup>th</sup> day of February, 2012 conveying the following described property, to-wit:

LOT 314 IN BREMEN TOWNE ESTATES UNIT 3 BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST ¼ OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 7719 W 161ST PLACE TINLEY PARK, IL 60477

Assessor's Parcel Number: 27-24-107-012-0000

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to **WELLS FARGO BANK, N.A.**, 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 **WELLS FARGO BANK, N.A.**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **WELLS FARGO BANK, N.A.**

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 **WELLS FARGO BANK, N.A.**, 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 **\$196,954.61** by **WELLS FARGO BANK, N.A.'S** agreement to forebear taking any action

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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 affiants in such foreclosure action. The mortgages referred to herein were executed by the undersigned to World Savings Bank, FSB, and that certain 1<sup>st</sup> mortgage dated 7/3/2003, and recorded 8/20/2003 in Instrument No. 0323234108 and that certain 2<sup>nd</sup> mortgage dated 12/3/2004, and recorded 12/23/2004 in Instrument No. 0435845119 recorded at COOK County Records, State of Illinois.

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 affiant is made for the protection and benefit of **WELLS FARGO BANK, N.A.**, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

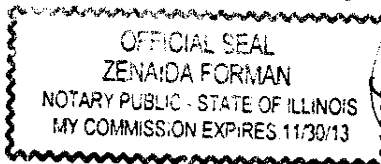
**I/WE (THE BORROWERS) UNDERSTAND THAT I/WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED, I/WE HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.**

Dated this 25 day of February 2012.

Catherine M. Miglieri  
CATHERINE M. MIGLIERI

STATE OF ILLINOIS )  
  ) SS.  
COUNTY OF Cook )

Signed and sworn (or affirmed) to before me on 25 Feb, 2012, by CATHERINE M. MIGLIERI.



Zenaida Forman  
Notary Public  
Zenaida Forman  
Printed Name  
My Commission Expires: 11/30/13

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

Dated this 25 day of February, 2012.

Michael P. Gannon  
MICHAEL P. GANNON

STATE OF ILLINOIS                    )  
  ) SS.  
COUNTY OF Cook                    )

Signed and sworn (or affirmed) to before me on 25 Feb, 2012, by MICHAEL P. GANNON.

OFFICIAL SEAL  
ZENaida FORMAN  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES 11/30/13  
Zenaida Forman  
Notary Public  
Printed Name  
My Commission Expires: 11/30/13

RETURN RECORDED DOCUMENT TO:  
Rels Settlement Services  
5700 Smtana Drive, Suite 400  
Minnetonka, MN 55343

MAIL TAX DOCUMENTS TO:  
WELLS FARGO BANK, N.A.  
4101 WISEMAN BOULEVARD, MAC T7422-010  
SAN ANTONIO, TX 78251



U02535850

7909 3/26/2012 77604212/1

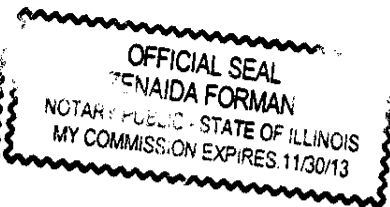
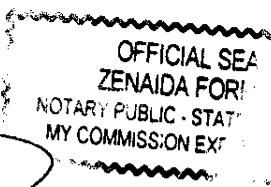
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## STATEMENT OF GRANTOR/GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, 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 title to real estate under the laws of the State of Illinois.

Dated Feb 26, 2012 Signature: Michael P. Gannon  
Grantor or Agent

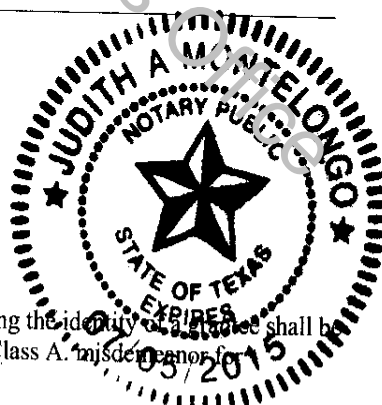
Subscribed and sworn to before me by the said Michael P. Gannon this 25 day of Feb 2012.  
Notary Public [Signature]



The grantee or his agent affirms that, to the best of his knowledge, 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 title to real estate under the laws of the State of Illinois.

Dated March, 21 Signature: [Signature]  
Grantee or Agent

Subscribed and sworn to before me by the said AFFIANT this 21<sup>st</sup> day of MARCH, 2012.  
Notary Public Judith A. Montelongo  
7/5/2015



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.

(Attach to deed or AB) to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.

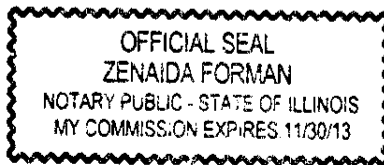
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## STATEMENT OF GRANTOR/GRANTEE

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Dated February, 25<sup>th</sup> 2012 Signature: Catherine M. Miglieri  
Grantor or Agent

Subscribed and sworn to before me by the said Catherine M. Miglieri this 25 day of Feb, 2012.



Notary Public [Signature]

The grantee or his agent affirms that, to the best of his knowledge, 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 title to real estate under the laws of the State of Illinois.

Dated March, 21 Signature: [Signature]  
Grantee or Agent

Subscribed and sworn to before me by the said AFFILIANT this 21<sup>st</sup> day of MARCH, 2012.  
Notary Public Judith A. Montelongo  
7/5/2015



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