

UNOFFICIAL COPY



Doc#: 1224931049 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 09/05/2012 02:49 PM Pg: 1 of 6

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

77589004

This Instrument was prepared by:
Heather A. Spitzer
CHANGE OF TITLE, INC.
160 S. OLD SPRINGS ROAD, SUITE 260
ANAHEIM HILLS, CA 92808
TP# 0020932844

DEED IN LIEU OF FORECLOSURE

Dated: 1-19-12

KNOWN ALL MEN BY THESE PRESENTS, that **JENNIFER TSALAPATANIS AND PETER TSALAPATANIS, WIFE AND HUSBAND**, hereinafter called Grantor, for \$151,212.74 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 67 IN OAKTON GARDENS, BEING A SUBDIVISION OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1835 WEBSTER LANE DES PLAINES, IL 60018

Assessor's Parcel Number: 09-29-101-028-0000

Exempt deed or instrument
eligible for recordation
without payment of tax.

S. Brown 8/31/12
City of Des Plaines

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 forbear 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.

UNOFFICIAL COPY

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 1st mortgage dated 12/12/2003, recorded on 03/23/2004 in Instrument No. 0408308095 and that certain 2nd mortgage dated 12/12/2003, recorded on 03/23/2004 in Instrument No. 0408308096 by Jennifer Tsalapatanis, a married woman 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 19th day of January, 2012.

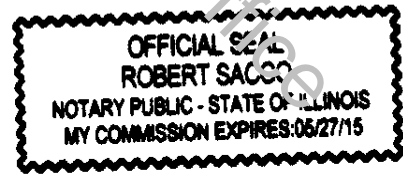
Jennifer Tsalapatanis
JENNIFER TSALAPATANIS

Peter Tsalapatanis
PETER TSALAPATANIS

STATE OF ILLINOIS)
COUNTY OF Cook) SS.

The foregoing instrument was acknowledged before me this 19th day of January, 2012 by JENNIFER TSALAPATANIS and PETER TSALAPATANIS

Robert Sacco
Notary Public
Robert Sacco
Printed Name
My Commission Expires: 5/27/15



Exempt under provision of Paragraph sk 2
Section 31-45, Real Estate Transfer Tax Act.

2-7-12 [Signature]
Date Buyer, Seller or Representative

UNOFFICIAL COPY

Exhibit "A" ESTOPPEL AFFIDAVIT

STATE OF ILLINOIS)
) SS.
COUNTY OF Cook)

JENNIFER TSALAPATANIS AND PETER TSALAPATANIS, WIFE AND HUSBAND, 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 19th day of January, 2012 conveying the following described property, to-wit:

LOT 67 IN OAKTON GARDEN, BEING A SUBDIVISION OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1835 WEBSTER LANE DES PLAINES, IL 60018

Assessor's Parcel Number: 09-29-101-028-0000

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 debtors 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 **\$191,212.74** by **WELLS FARGO BANK, N.A.'S**, agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgages described below, other than by foreclosure of those mortgages 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 **JENNIFER TSALAPATANIS, A MARRIED WOMAN** to **WORLD SAVINGS BANK, FSB**, that certain 1st mortgage dated 12/12/2003, recorded on 03/23/2004 in Instrument No. 0408308095 and that certain 2nd mortgage dated 12/12/2003, recorded on 03/23/2004 in Instrument No. 0408308096 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

UNOFFICIAL COPY

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 19th day of January, 2012.

Jennifer Tsalapatanis
JENNIFER TSALAPATANIS

Peter Tsalapatanis
PETER TSALAPATANIS

STATE OF ILLINOIS)
COUNTY OF Cook) SS.

Signed and sworn (or affirmed) to before me on 19th of January, 2012, by JENNIFER TSALAPATANIS AND PETER TSALAPATANIS.

Robert Sacco
Notary Public

Robert Sacco
Printed Name
My Commission Expires: 5/27/15



RETURN RECORDED DOCUMENT TO:
Reis Settlement Services
5700 Smetana Drive, Suite 400
Minnetonka, MN 55343

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



+U02512685+

7909 3/14/2012 77585004/1

UNOFFICIAL COPY



First American Title Company

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 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.

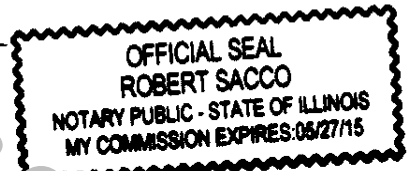
Dated 19th January, 2012 Signature Jennifer Tsalapatani
Grantor or Agent
Jennifer Tsalapatani and Peter Tsalapatani

Subscribed and sworn to before me
by the said affiant
This 19th day of See below, 2012
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 acquire and hold title to real estate in Illinois, or other 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.

Dated _____, 20____ Signature _____
Grantee or Agent: Wells
Fargo Bank, N.A.

Subscribed and sworn to before me
by the said affiant Jennifer Tsalapatani and Peter Tsalapatani's
This 19th day of January, 2012
Notary Public Robert Sacco (Robert Sacco)



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 ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act)

UNOFFICIAL COPY



First American Title Company

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 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 _____, 20____ Signature _____

Grantor or Agent
Jennifer Tsalapatanis and Peter Tsalapatanis

Subscribed and sworn to before me
by the said _____ affiant

This 3rd day of February, 2012
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 acquire and hold title to real estate in Illinois, or other 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.

Dated 02/03, 2012 Signature [Signature]

Grantee or Agent- Wells
Fargo Bank, N.A.

Subscribed and sworn to before me
by the said _____ affiant

This 3rd day of February, 2012
Notary Public Krista Cabello

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 ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

