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Doc#: 1330833066 Fee: \$58.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00

Karen A.Yarbrough

Cook County Recorder of Deeds
Date: 11/04/2013 09:55 AM Pg: 1 of 11

**ILLINOIS STATUTORY** 

SHORT FORM

POWER OF ATTORNEY FOR PROPERTY

#### Prepared by:

Carol Thompson-Erker, Attorney at Law Kelleher & Buckley, LLC 102 S. Wynstone Park Drive North Barrington, IL 60010

DOOP OF

Mail to:

Carol Thompson-Erker, Attorney at Law Kelleher & Buckley, LLC 102 S. Wynstone Park Drive North Barrington, IL 60010

Box 400-CTCC

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### NOTICE TO THE INDIVIDUAL SIGNING THE ILLINOIS

STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY.

PLEASE READ THIS NOTICE CAREFULLY. The form that you will be signing is a legal document. It is governed by the Illinois Power of Attorney Act. If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.

The purpose of this Power of Attorney is to give your designated "agent" broad powers to handle voor financial affairs, which may include the power to pledge, sell, or dispose of any of your real or personal property, even without your consent or any advance notice to you. When using the Statutory Short Form, you may name successor agents, but you may not name co-agents.

This form does not impose a duty upon your agent to handle your financial affairs, so it is important that you select an agent who will agree to do this for you. It is also important to select an agent whom you trust since you are giving that agent control over your financial assets and property. Any agent who does act for you has a duty to act in good faith for your benefit and to use due care, competence, and diligence. He or she must also act in accordance with the law and with the directions in this form. Your agent must keep a record of all receipts, disbursements, and significant actions taken as your agent.

Unless you specifically limit the period of tires that this Power of Attorney will be in effect, your agent may exercise the powers given is him or her throughout your lifetime, both before and after you become incapacitated. A court, however, can take away the powers of your agent if it finds that the agent is not acting properly. You may also revoke this Power of Attorney if you wish.

This Power of Attorney does not authorize your agent to appear in court for you as an attorney-at-law or otherwise to engage in the practice of law unless he or she is a licensed attorney who is authorized to practice law in Illinois.

The powers you give your agent are explained more fully in Section 3-4 or the Illinois Power of Attorney Act. This form is a part of that law. The "NOTE" paragraphs throughout this form are instructions.

You are not required to sign this Power of Attorney, but it will not take effect without your signature. You should not sign this Power of Attorney if you do not understand everything in it, and what your agent will be able to do if you do sign it.

Please place your initials on the following line indicating that you have read this Notice:

**SU** 

Principal's initials

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#### ILLINOIS STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY

1. I, SHERL H. WHEELER, of 20866 Laurel Drive, Barrington, IL 60010, both individually and as Trustee of the Sherl H. Wheeler Revocable Living Trust dated October 14, 2008 (insert name and address of principal) hereby revoke all prior powers of attorney for property executed by me and appoint: BLAKE WHEELER SEEDS, of 1240 Burr Oak, Barrington, iL 60010

(insert name and address of agent)

(NOTE: You may not name co-agents using this form.)

as my attorney-in-fact (my "agent") to act for me and in my name (in any way I could act in person) with respect to the following powers, as defined in Section 3-4 of the "Statutory Short Form Power of Attorney for Property Law" (ir cluding all amendments), but subject to any limitations on or additions to the specified powers inserted in paragraph 2 or 3 below:

(NOTE: You must strike out any one or more of the following categories of powers you do not want your agent to have. Failure to stril cane title of any category will cause the powers described in that category to be granted to the agent. To strik out a category you must draw a line through the title of that category.)

- (a) Real estate transactions.
- (b) Financial institution transactions.
- (c) Stock and bond transactions.
  - (d) Tangible personal property transactions
  - (e) Safe deposit box transactions.
  - (f) Insurance and annuity transactions.
- (g) Retirement plan transactions.
- (h) Social Security, employment and military service be refer
- (i) Tax-matters.
- (j) Claims and litigation.
- (k) Commodity and option transactions.
- (I) Business operations.
- (m) Borrowing transactions.
- (n) Estate transactions.
- (o) All other property transactions.

Clarks (NOTE: Limitations on and additions to the agent's powers may be included in this pov er of attorney if they are specifically described below.)

2. The powers granted above shall not include the following powers or shall be modified or 'im.ted in the following particulars:  (NOTE: Here you may include any specific limitations you deem appropriate, such as a prohibition or conditions on the sale of particular stock or real estate or special rules on borrowing by the agent.)

3. In addition to the powers granted above, I grant my agent the following powers: (NOTE: Here you may add any other delegable powers including, without limitation, power to make gifts, exercise powers of appointment, name or change beneficiaries or joint tenants or revoke or amend any trust specifically referred to below.)

This Power of Attorney is specifically limited to the making, execution, delivery and receipt of documents and negotiable instruments directly related to the purchase and mortgage financing of

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that certain real property	mmonly known as 2550 N. Lakeview, Unit N15-03 and P-79, Chicago
Illinois 60614	Chicago

(NOTE: Your agent will have authority to employ other persons as necessary to enable the agent to properly exercise the powers granted in this form, but your agent will have to make all discretionary decisions. If you want to give your agent the right to delegate discretionary decision-making powers to others, you should keep paragraph 4, otherwise it should be struck out.)

4. My agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making to any person or persons whom my agent may select, but such delegation may be amended or revoked by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

(NOTE: Your agent will be entitled to reimbursement for all reasonable expenses incurred in acting under this power of adminy. Strike out paragraph 5 if you do not want your agent to also be entitled to reasonable compensation for services as agent.)

5. My agent shall be entiried to reasonable compensation for services rendered as agent under this power of attorney.

(NOTE: This power of attorney (ne) be amended or revoked by you at any time and in any manner. Absent amendment or revocation, the authority granted in this power of attorney will become effective at the time this power is signed and will continue until your death, unless a limitation on the beginning date or duration is made by initialing and completing one or both of paragraphs 6 and 7.)

6. (X ) This power of attorney shall become effective on the date signed

(NOTE: Insert a future date or event during your lifetime, such as a court determination of your disability or a written determination by your physician that you are incapacitated, when you want this power to first take effect.)

7. (X) This power of attorney shall terminate upon my death or upon revocation by me

(NOTE: Insert a future date or event, such as a court determination that you are not under a legal disability or a written determination by your physician that you are not incapacitated if you want this power to terminate prior to your death.)

(NOTE: If you wish to name one or more successor agents, insert the name and audress of each successor agent in paragraph 8.)

8. If any agent named by me shall die, become incompetent, resign or refuse to accept the office of agent, name the following (each to act alone and successively, in the order named) as successor(s) to such agent:

For purposes of paragraph 8, a person shall be considered to be incompetent if and while the person is a minor or an adjudicated incompetent or disabled person or the person is unable to give prompt and intelligent consideration to business matters, as certified by a licensed physician.

(NOTE: If you wish to, you may name your agent as guardian of your estate if a court decides that one should be appointed. To do this, retain paragraph 9, and the court will appoint your agent if the court finds that this appointment will serve your best interests and welfare. Strike out paragraph 9 if you do not want your agent to act as guardian.)

9. If a guardian of my estate (my property) is to be appointed, I nominate the agent acting under this power of attorney as such guardian, to serve without bond or security.

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10. I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent.

(NOTE: This form does not authorize your agent to appear in court for you as an attorney-at-law or otherwise to engage in the practice of law unless he or she is a licensed attorney who is authorized to practice law in Illinois.)

11. The Notice to Agent is incorporated by reference and included as part of this form.

Individually and as Tructee of the Sherl H. Wheeler Revocable Living Trust Dated October 14, 2008

(NOTE: This power of attorney will not be effective unless it is signed by at least one witness and your signature is notarized, using the form below. The notary may not also sign as a witness.)

The undersigned witness certifies that ...Sherl H. Wheeler......, known to me to be the same person whose name is subscribed as principal to the foregoing power of attorney, appeared before me and the notary public and acknowledged signing and delive ing the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth. I believe him or her to be of sound mind and memory. The undersigned witness also certifies that the witness is not: (a) the attending physician or mental health service provider or a relative of the physician or provide.; (b) an owner, operator, or relative of an owner or operator of a health care facility in which the principal is a patient or resident; (c) a parent, sibling, descendant, or any spouse of such parent, sibling, or descendant of either the principal or any agent or successor agent under the foregoing power of attorney, whether such relationship is by blood, marriage, or adoption; or (d) an agent or successor agent under the foregoing rower of attorney.

Dated: UCH. 9, 2013

State of Illivois

The undersigned, a notary public in and for the above county and state, certifies that Sherl H. Wheeler, known to me to be the same person whose name is subscribed as principal to the foregoing power of acknowledged signing and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth.

My commission expires 5/87/17

OFFICIAL SEAL CAROL A ERKER

**NOTARY PUBLIC - STATE OF ILLINOIS** MY COMMISSION EXPIRES:05/17/17

Notary Public

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(NOTE: You may, but are not required to, request your agent and successor agents to provide specimen signatures below. If you include specimen signatures in this power of attorney, you must complete the certification opposite the signatures of the agents.)

agent (and successors)	I certify that the signatures of my agent (and successors) are genuine.
(agent)	(principal)
	(ріпісіраі)
(successor agent)	(principal)
(successor agent)	(principal)
(NOTE: The name, address, and phone number of the p principal in completing this form should be insert	erson preparing this form or who assisted the led below.)

Name: Carol Thompson-Erker, Atto ney at Law

Kelleher & Buckley, LLC 102 S. Wynstone Park Drive North Barrington, IL 60010

Phone: 847-382-9130

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#### "NOTICE TO AGENT

When you accept the authority granted under this power of attorney a special legal relationship, known as agency, is created between you and the principal. Agency imposes upon you duties that continue until you resign or the power of attorney is terminated or revoked.

As agent you must:

(1) do what you know the principal reasonably expects you to do with the principal's property;

(2) act in good faith for the best interest of the principal, using due care, competence, and diligence;

(3) keep a complete and detailed record of all receipts, disbursements, and significant actions conducted for the principal;

(4) attempt to preserve the principal's estate plan, to the extent actually known by the agent, if preserving the plan is consistent with the principal's best interest; and

(5) cooperate with a person who has authority to make health care decisions for the principal to carry out the principal's reasonable expectations to the extent actually in the principal's best interest As agent you must not do any of the following:

(1) act so as to create a conflict of interest that is inconsistent with the other principles in this Notice to Agent;

(2) do any act beyond the authority granted in this power of attorney;

(3) commingle the principal's funds with your funds;

(4) borrow funds or other property from the principal, unless otherwise authorized;

(5) continue acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney such as the death of the principal, your legal separation from the principal, or the dissolution of your marriage to the principal.

If you have special skills or expertise, you must use those special skills and expertise when acting for the principal. You must disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name "as Agent" in the following manner:

"(Principal's Name) by (Your Name) as Agent"

The meaning of the powers granted to you is contained in Section 3-4 of the Illinois Power of Attorney Act, which is incorporated by reference into the body of the power of attorney to property document.

If you violate your duties as agent or act outside the authority granted to you, you may be liable for any damages, including attorney's fees and costs, caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice from an attorney."

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#### **EXHIBIT A**

#### **LEGAL DESCRIPTION**

#### PARCEL 1A:

UNIT N15-03, IN THE LINCOLN PARK 2550, A CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:

CERTAIN LOTS IN LINCOLN PARK 2520 SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 2011 AS DOCUMENT NUMBER 1129722061, AS RE-RECORDED NOVEMBER 23, 2011 AS DOCUMENT 1132729082; WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 29, 2011 AS DOCUMENT NUMBER 1136318007; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY ILLINOIS.

#### PARCEL 1B: RESIDENTIAL PARCEL FASEMENTS

A NON-EXCLUSIVE EASEMENT FOR THE UNITS DESCRIBED IN PARCEL 1A ABOVE AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS MADE BY LAKE TOWER DEVELOPMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY DATED OCTOBER 27, 2011 AND RECORDED OCTOBER 27, 2011 AS DOCUMENT 1130029045 FOR THE PURPOSE OF

- i) MAINTENANCE, STRUCTURAL SUPPORT, USE OF CERTAIN FACILITIES, ENCROACHMENTS, AND FOR COMMON WALLS, CEILINGS AND FLOORS, SIGNAGE, ACCESS TO STORAGE AREAS, LOADING DOCK AND TRASH ROOM, GARAGE SERVICE ELEVATOR AND STAIRWELLS, VALET PARKING OPERATIONS OVER THOSE PARTS OF THE GARAGE PARCEL AS DESCRIBED THEREIN.
- ii) INGRESS AND EGRESS FOR MAINTENANCE, STRUCTURAL SUPPORT, USE OF CERTAIN FACILITIES, ENCROACHMENTS, AND FOR COMMON WALLS, CHILINGS AND FLOORS, OVER THOSE PARTS OF THE SINGLE FAMILY HOME PARCEL DEFINED THEREIN.

#### PARCEL 1C:

THE EXCLUSIVE RIGHT TO THE USE OF ONE BALCONY FOR THE BENEFIT OF SAID UNIT N15-03, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR LINCOLN PARK 2550, A CONDOMINIUM, RECORDED DECEMBER 29, 2011 AS DOCUMENT NO. 1136318007, AS AMENDED BY AMENDMENT RECORDED JUNE 20, 2012 AS DOCUMENT 1217222014 AND AS AMENDED FROM TIME TO TIME.

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Commonly known as Unit N15-03 (the "Residential Unit"), 2550 North Lakeview, Chicago, Illinois 60614

#### Part of PINs:

14-28-319-042-0000 (UNDERLYING LOT 1\*)

14-28-319-043-0000 (UNDERLYING LOT 1A AND 1A\*)

14-28-319-044-0000 (UNDERLYING LOT 1B)

14-28-319-045-0000 (UNDERLYING LOT 1C AND 1C\*)

14-28-319-046-0000 (UNDERLYING LOT 1D)

14-28-319-047-0000 (UNDERLYING LOT 1E)

14-28-319-049-0000 (UNDERLYING LOT 1F)

14-28-319-049-0000 (UNDERLYING LOT 1G)

14-28-319-050-0000 (UNDERLYING LOT 1H)

14-28-319-051-0000 (ONDERLYING LOT 1J\*)

14-28-319-052-0000 (UNDERLYING LOT 1K AND 1K\*)

14-28-319-053-0000 (UND'3PLYING LOT 1L)

14-28-319-054-0000 (UNDERLYING LOT 1M)

14-28-319-055-0000 (UNDERLYING LOT 1N)

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#### **EXHIBIT A-1**

#### **LEGAL DESCRIPTION**

#### PARCEL 2A:

UNIT 79, IN THE LINCOLN PARK 2550, A PARKING CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND: CERTAIN LOTS IN LINCOLN PARK 2520 SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 2011 AS DOCUMENT NUMBER 1129722061, AS RE-RECORDED NOVEMBER 23, 2011 AS DOCUMENT 1132729082; WHICH SURVEY IS ATTACHED AS EXPLOIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 29, 2011 AS DOCUMENT NUMBER 1136318008; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY ILLINOIS.

#### PARCEL 2B: GARAGE PARCEL FASEMENTS

A NON-EXCLUSIVE EASEMENT FOR THE UNITS IN PARCEL 2A AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS MADE BY LAKE TOWER DEVELOPMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY DATED OCTOBER 27, 2011 AND RECORDED OCTOBER 27, 2011 AS DOCUMENT 1130029045 FOR THE PURPOSE OF INGRESS AND EGRESS FOR MAINTENANCE INCLUDING VENTILATION VENTS, STRUCTURAL SUPPORT, USE OF CERTAIN FACILITIES, ENCROACHMENTS, PEDESTRIAN EMERGENCY EGRESS, AND FOR COMMON WALLS, FLOORS AND CEILINGS OVER THOSE PARTS OF THE RESIDENTIAL PARCEL AND SINGLE FAMILY HOME PARCEL DEFINED THEREIN.

#### PARCEL 2C:

THE EXCLUSIVE RIGHT TO THE USE OF THE STORAGE AREA 579 FOR THE BENEFIT OF SAID UNIT 79, A LIMITED COMMON ELEMENT AS DELIVEATED ON THE SURVEY ATTACHED TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR LINCOLN PARK 2550, A PARKING CONDOMINIUM, RECORDED DECEMBER 29, 2011 AS DOCUMENT NO. 1136318008, AS AMENDED BY AMENDMENT RECORDED JUNE 20, 2012 AS DOCUMENT 1217222015 AND AS AMENDED FROM TIME TO TIME.

Commonly known as Unit 79 (the "Parking Unit"), 2550 North Lakeview, Chicago, Illinois 60614

#### Part of PINs:

14-28-319-042-0000 (UNDERLYING LOT 1\*)

14-28-319-044-0000 (UNDERLYING LOT 1B)

14-28-319-049-0000 (UNDERLYING LOT 1G)

14-28-319-064-0000 (UNDERLYING LOT 2 AND 2\*)

14-28-319-065-0000 (UNDERLYING LOT 2A)

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14-28-319-066-0000 (UNDERLYING LOT 2B)

14-28-319-067-0000 (UNDERLYING LOT 2C\*)

14-28-319-068-0000 (UNDERLYING LOT 2D)

14-28-319-069-0000 (UNDERLYING LOT 2E)

14-28-319-070-0000 (UNDERLYING LOT 2F)

14-28-319-071-0000 (UNDERLYING LOT 2G\*)

14-28-319-072-0000 (UNDERLYING LOT 2H)

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