

# UNOFFICIAL COPY



Doc#: 1411239039 Fee: \$46.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Affidavit Fee: \$2.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 04/22/2014 10:21 AM Pg: 1 of 5

This Instrument was reviewed/prepared by:  
LARRY A. WHITNEY, Attorney at Law  
231 NORTH AURORA AVE  
PARK RIDGE, IL 60068

## DEED IN LIEU OF FORECLOSURE

Dated: March 27, 2014

KNOWN ALL MEN BY THESE PRESENTS, that **MARK HENRY A/K/A MARK A. HENRY AND PAULETTE A. HENRY, HUSBAND AND WIFE**, hereinafter called Grantor, for **\$172,131.28** and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **WELLS FARGO FINANCIAL ILLINOIS, INC.**, whose mailing address is ONE HOME CAMPUS, MAC X2301-03R, DES MOINES, IA 50328 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 649 IN MICHAEL-JOHN CROSSINGS UNIT 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 AND PART OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 31, 1993 AS DOCUMENT NO. 93692680 IN COOK COUNTY, ILLINOIS.**

**COMMONLY KNOWN AS: 22612 PARKVIEW DR, RICHTON PARK, IL 60471**

**ASSESSOR'S PARCEL NUMBER: 31-34-105-025-0000**

**BEING THE SAME PROPERTY CONVEYED TO MARK HENRY BY DEED FROM FINANCIAL FEDERAL TRUST & SAVINGS BANK, DATED APRIL 4, 2000 FILED APRIL 6, 2000 AND RECORDED AS DOCUMENT NO. 00241429 IN COOK COUNTY RECORDS**

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.

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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. 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 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 dated 8/8/2006 b. Grantor in favor of WELLS FARGO FINANCIAL ILLINOIS, INC., recorded in Cook County, Illinois, as Document Number 0623046168, on 8/18/2006.

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 27th day of March, 2014.

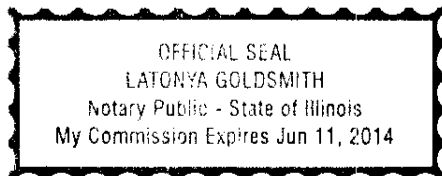
*Mark Henry*  
MARK HENRY

*Paulette A. Henry*  
PAULETTE A. HENRY

*AKA Mark A. Henry*  
A/K/A MARK A. HENRY

STATE OF ILLINOIS )  
  ) SS.  
COUNTY OF Cook )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of MARCH, 2014, by MARK HENRY A/K/A MARK A. HENRY AND PAULETTE A. HENRY.



*Latonya Goldsmith*  
Notary Public  
LATONYA GOLDSMITH  
Printed Name  
My Commission Expires: 6-11-14

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

4/11/14 *Debra Wright*  
Date                      Buyer, Seller or Representative

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## Exhibit "A" ESTOPPEL AFFIDAVIT

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF Cook )

**MARK HENRY A/K/A MARK A. HENRY AND PAULETTE A. HENRY, HUSBAND AND WIFE**, 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 FINANCIAL ILLINOIS, INC.**, dated the March day of 27<sup>th</sup>, 2014, conveying the following described property, to-wit:

**LOT 649 IN MICHAEL-JOHN CROSSINGS UNIT 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 AND PART OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 31, 1993 AS DOCUMENT NO. 93692680 IN COOK COUNTY, ILLINOIS.**

**COMMONLY KNOWN AS: 22512 PARKVIEW DR, RICHTON PARK, IL 60471**

**ASSESSOR'S PARCEL NUMBER: 31-34-105-025-0000**

**BEING THE SAME PROPERTY CONVEYED TO MARK HENRY BY DEED FROM FINANCIAL FEDERAL TRUST & SAVINGS BANK, DATED APRIL 4, 2000 FILED APRIL 6, 2000 AND RECORDED AS DOCUMENT NO. 00241429 IN COOK COUNTY RECORDS**

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

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 FINANCIAL ILLINOIS, INC., 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 \$172,131.28 by WELLS FARGO FINANCIAL ILLINOIS, INC.'S, 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 affiants in such foreclosure action. The mortgage referred to herein was executed by the undersigned to WELLS FARGO FINANCIAL ILLINOIS, INC., dated 8/8/2006 and recorded at Cook County Records, State of Illinois as document number 0623046168, on 8/18/2006. 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 WELLS FARGO FINANCIAL ILLINOIS, INC., its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

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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 27th day of March, 2014.

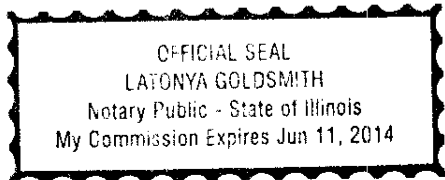
*Mark Henry*  
MARK HENRY

*Paulette A Henry*  
PAULETTE A. HENRY

*AKA Mark A Henry*  
A/K/A MARK A. HENRY

STATE OF ILLINOIS                     )  
  ) SS.  
COUNTY OF Cook                     )

Signed and sworn (or affirmed) to before me on MARCH 27, 2014, by MARK HENRY A/K/A MARK A. HENRY AND PAULETTE A. HENRY.



*Latonya Goldsmith*  
Notary Public  
LATONYA GOLDSMITH  
Printed Name  
My Commission Expires: 6-11-14

RETURN RECORDED DOCUMENT TO:  
DATAQUICK TITLE  
6 CAMPUS CIRCLE, SUITE 430  
WESTLAKE, TX 76262

MAIL TAX DOCUMENTS TO:  
WELLS FARGO FINANCIAL ILLINOIS, INC.  
ONE HOME CAMPUS, MAC X2301-03R  
DES MOINES, IA 50328

**DOT**  
DOT Global  
145 Pumper Road  
Bldg 701  
PO Box 10109

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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 of Assignment of Beneficial Interest in 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.

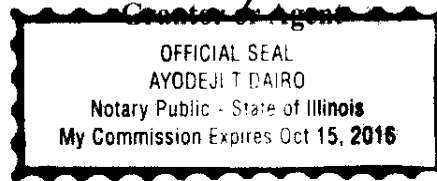
Dated March 27, 2014

Signature: \_\_\_\_\_

*Mark A Henry*

Subscribed and sworn to before me

By the said Mark A Henry  
This 4th day of April, 2014  
Notary Public [Signature]



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 title to real estate under the laws of the State of Illinois.

Date 4/11/2014, 2014

Signature: \_\_\_\_\_

*Leah A. Wright*  
Grantee or Agent

Subscribed and sworn to before me

By the said Leah A. Wright  
This 11th day of April, 2014  
Notary Public [Signature]



**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.)