# UNOFFICIAL COM

Doc#: 1436410060 Fee: \$56.00 RHSP Fee: \$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds

Date: 12/30/2014 11:58 AM Pg: 1 of 10

This space for recorder's use only

First American Title Insurance Company

Order No. 2594408

Change this verbiage to reflect type of document you are recording re.
County Clert's Office

Prepared By and Mail To:

1436410060 Page: 2 of 10

## **UNOFFICIAL COPY**

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

#### **CLIENT**

### 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 your fine icial 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 nust keep a record of all receipts, disbursements, and significant actions taken as your agent.

Unless you specifically limit the period of time that this Power of Attorney will be in effect, your agent may exercise the powers given to him of 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 stories 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 of 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:

Principal's Initials

1436410060 Page: 3 of 10

### JNOFFICIAL CO

I, Anhthu Tran, 842 Timothy Lane, Des Plaines, IL 60016, revoke all prior powers of attorney for property executed by me and appoint

#### Hinh Nguyen, 842 Timothy Lane, Des Plaines, IL 60016

(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 Pov et of Attorney for Property Law" (including all amendments), but subject to any limitations or, 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 strike the title of any category will cruse the powers described in that category to be granted to the agent. To strike out a category you must draw a line through the title of that category.)

- (b) Financial institution transactions
- (e) 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 benefits

(i) Tax matters

- <del>(i)</del> Claims and litigation
- Commodity and option transactions <del>(k)</del>
  - Business operations
- Borrowing transactions (m)
- <del>(n)</del> Estate transactions
- All other property powers and <del>(0)</del> tra eactions

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

<del>(1)</del>

2. The powers granted above shall not include the following powers or shall be modified or limited in the following particulars:

> The powers conveyed under this Power of Attorney are expressly limited to the powers related to the sale of real estate located at: 842 Timothy Lane, Des Plaines, IL 60016.

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.)

1436410060 Page: 4 of 10

### **UNOFFICIAL COPY**

My agent may transfer property held in my name to the acting trustee of the CLIENT LIVING TRUST, or any revocable trust of which I am the grantor, as amended from time to time, to be added to the trust estate thereunder.

My agent may amend the administrative, nondispositive provisions of any such revocable trust to achieve my intentions or otherwise in the interest of the beneficiaries. Any such amendment shall be made by an instrument in writing delivered to the then income beneficiaries of such trust. Any such amendment made by my agent in good faith shall be conclusive on all persons interested in the trust estate, and no agent shall be liable for the consequences of any amendment or not among. No such amendment shall substantially affect the beneficial enjoyment of the trust property or income.

My agent may also make gifts of my property from time to time, not to exceed the annual exclusion for federal site tax purposes per donce per year, to any one or more of my descendants, and may take tax effects into consideration in deciding whether to make such gifts. Notwithstanding anything herein to the contrary, my agent may only make gifts to himself or herself as necessary or advisable for my agent's health, maintenance and support.

(NOTE: Your agent will have authority to employ other persons as necessary to enable the agent to properly resise 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 region 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 attorney. 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 entitled to reasonable compensation for services rendered as agent under this power of attorney.

(NOTE: This power of attorney may 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. This power of attorney shall become effective on December 11, 2014.
- 7. This power of attorney shall terminate on December 31, 2014.

## **UNOFFICIAL COPY**

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

First Successor:

NAME, ADDRESS

Second Successor:

NAME, ADDRESS

For purposes of this paragraph 8, a person shall be considered to be incompetent if and while the reson 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 velfare. 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.
- 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.

Date: December 10, 2014

Anhthu Tran

(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 Anhthu Tran, 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 delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth. I believe Anhthu Tran 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 provider; (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

# **UNOFFICIAL COPY**

power of attorney, whether such relationship is by blood, marriage, or adoption; or (d) an agent

or successor agent under the foregoing power of attorney.

Dated: December 10 2014	- Coron
<del>-  </del>	WITNESS
	Print Name: MINH-THI_ MANUALEN
	Address: 9995 LINDA LN APWL
	DES PLAINES, IL 60016
NOTE: Illinois requires only one with	ness, but other jurisdictions may require
more than one witness. If you wish to	have a second witness, have him or her
certify ar a sign here:)	
The undersigned witness certifies that Anhthu Tr	ran, 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 acknowled get signing and del	
act of the principal, for the uses and purposes the sound mind and memory. The undersigned with	·
attending physician or mental health service provi	vider or a relative of the physician or provider;
(b) an owner, operator, or relative of an cwise of	
principal is a patient or resident; (c) a parent, sib sibling, or descendant of either the principal or a	
power of attorney, whether such relationship is b	by ilcod, marriage, or adoption; or (d) an agent
or successor agent under the foregoing power of	attorney.
Dated: December, 2014	
	WITNESS
	Print Name:
	Address:
STATE OF ILLINOIS )	U <sub>K</sub>
COUNTY OF COCK ) SS	
occivit of Section	
The undersigned, a notary public in and for the c	· · · · · · · · · · · · · · · · · · ·
known to me to be the same person whose name	dditional witness(es) in person and Minh -TUI-Nguye
acknowledged signing and delivering the instrum	nent as the free and voluntary act of the
principal, for the uses and purposes therein set for	orth.
Dated: December 10, 2014	- Juniff
	NOTARY PUBLIC
	My Commission Expires: \underset \un
	January 1
	OFFICIAL SEAL ZEHRA S. JIWANI
5	Notary Public - State of Illinois My Commission Expires Jun 4, 2017

1436410060 Page: 7 of 10

## **UNOFFICIAL COPY**

(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.)

(and successors):	successors) are correct.
N/ A	N/ A
200	CLIENT
N/ A	N/ A
SUCCESSOR	CLIENT
Ox	c
N/ A	N/ A
SUCCESSOR	CLIENT
	ss, and place number of the person preparing this form
or who assisted the princip	pal in completing this form should be inserted below.)
This document was prepared by:	Vincent Aur cchio, Auricchio Law Offices, 1 N. LaSalle Street, Suite 600, Chicago, IL 60601 Ph: 312-263-0010

Notice to Agent. The following form may be known as "Notice to Agent" and shall be supplied to an agent appointed under a power of attorney for property.

1436410060 Page: 8 of 10

### UNOFFICIAL COPY

#### 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:

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

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

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

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

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

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

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

commingle the principal's funds with your funds;

borrow funds or other property from the principal, unless otherwis, authorized;

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 for property document.

1436410060 Page: 9 of 10

# **UNOFFICIAL COPY**

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.

(f) The requirement of the signature of a witness in addition to the principal and the notary, imposed by Public Act 91-790, applies only to instruments executed on or after June 9, 2000 (the effective date of that Public Act).

(NOTe: This amendatory Act of the 96th General Assembly deletes provisions that referred to the one required witness as an "additional witness", and it also provides for the signature of an optional "second witness".)

(Source: P.A. 96-1195, eff. 7/1/11.)

STREET ADDRESS: 842 Timothy Lane, Chicago, IL 60016

PERMANENT TAX INDEX NUMBER: 03-36-304-057-0000

(THE SPACE ABOVE IS NOT PART OF OFFICIAL STATUTORY FORM. IT IS ONLY FOR THE AGENT'S USE IN RECORDING THIS FORM WHEN NECESSARY FOR REAL ESTATE TRANSACTIONS.)

1436410060 Page: 10 of 10

# **UNOFFICIAL COPY**

#### **EXHIBIT A**

#### LEGAL DESCRIPTION

Legal Description: LOT 7 IN UNIT ONE OF THE JOSEPH H. ANDERSON'S CRAIG MANOR, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON JUNE 25, 1959 AS DOCUMENT 1869758.

Permanent Index #'s: 03-36-304-007-0000 Vol. 0235

Property Address: 842 Timothy Lane, Des Plaines, Illinois 60016