



Doc#: 1502341077 Fee: \$64.00  
RHSP Fee:\$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 01/23/2015 11:25 AM Pg: 1 of 9

2/4  
AFTER RECORDING, PLEASE

MAIL TO:

Moskal & Associates, Ltd.  
15601 S. Cicero Ave., #101  
Oak Forest, IL 60452

STATE OF ILLINOIS)

)SS

COUNTY OF C O O K)

14526730075

**AFFIDAVIT OF HEIRSHIP**

MICHAEL J. DALY, on oath states:

1. The decedent, EUGENE F. DALY, died in Romeoville, Illinois on December 8, 2013, at the age of 76 years. A copy of the death certificate is attached as Exhibit "A".
2. I am of legal age. I reside at 6507 W. 91<sup>st</sup> Place, Oak Lawn, Illinois 60453. I am the son of the decedent and have knowledge of the facts contained herein.
3. At the time of his death, decedent held title to the following described real estate:

Lot 20 in Block 1 in Beverly Fields being a Subdivision of the West half of the Northeast quarter of Section 19, Township 37 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded November 4, 1943 as Document 13171609, in Cook County, Illinois.

Commonly known as 11110 S. Nashville Avenue, Worth, Illinois 60482  
Permanent Index Nos.: 24-19-213-015-0000

4. EUGENE F. DALY had no interest in any business or partnership, nor held any power of appointment at death, nor created any remainder interests in the property with retention of a life interest therein nor the creation of interests to take effect in possession or enjoyment after death.
5. The decedent was married once to Patricia A. Daly, who died before the decedent. The following children and no others were born to or adopted by the decedent and Patricia A. Daly.:
  - A. MICHAEL J. DALY, living, married to Cheryl Daly;
  - B. JAMES DALY, living, married to Becky Daly;
  - C. EUGENE DALY, living, married to Kris Daly;
  - D. THOMAS DALY, who died before the decedent.

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Attorneys' Title Guaranty Fund, Inc.  
1 S. Wacker Rd., STE 2400  
Chicago, IL 60606-4850  
Attn: Search Department

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THOMAS DALY was married once to Lynette Daly which marriage ended in divorce. The following child and no other was born to or adopted by THOMAS DALY and Lynette Daly:

A. SYDNEY DALY, living, unmarried.

No other child was born to or adopted by THOMAS DALY.

6. No other child was born to or adopted by the decedent.
7. Based upon the foregoing, decedent left as his heirs:
  - A. MICHAEL J. DALY, his son, of legal age, no legal disabilities;
  - B. JAMES DALY, his son, of legal age, no legal disabilities;
  - C. EUGENE DALY, his son, of legal age, no legal disabilities;
  - D. SYDNEY DALY, his granddaughter, of legal age, no legal disabilities.
8. The decedent, EUGENE F. DALY, died testate. A copy of his Last Will and Testament is attached here to as Exhibit "B". In Article 2.2, the decedent gives the balance of his estate to his descendants in equal shares per stirpes.
9. Based upon the foregoing, EUGENE F. DALY left as his legatees:
  - A. MICHAEL J. DALY, his son, of legal age, no legal disabilities;
  - B. JAMES DALY, his son, of legal age, no legal disabilities;
  - C. EUGENE DALY, his son, of legal age, no legal disabilities;
  - D. SYDNEY DALY, his granddaughter, of legal age, no legal disabilities.
10. MICHAEL J. DALY, JAMES DALY, EUGENE DALY and SYDNEY DALY are required to sign any Deed of Conveyance because the four are direct heirs and legatees of the decedent, EUGENE F. DALY.
11. There are no federal estate or Illinois estate taxes due as a result of the death of the decedent.
12. Any and all debts and funeral expenses of the decedent have been paid.

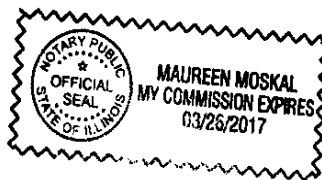
  
 \_\_\_\_\_  
 MICHAEL J. DALY

Subscribed and sworn to before  
 me this 14<sup>th</sup> day of January  
 2015

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Notary Public



**Prepared by:**  
Maureen Moskal  
Moskal & Associates, Ltd.  
15601 South Cicero Avenue  
Suite 101  
Oak Forest, Illinois 60452

Property of Cook County Clerk's Office

**COOK COUNTY**  
**RECORDER OF DEEDS**  
**SCANNED BY \_\_\_\_\_**

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**WILL COUNTY LOCAL REGISTRAR  
JOLIET, ILLINOIS  
MEDICAL CERTIFICATE OF DEATH**

STATE FILE NUMBER 2013-0893058

DATE ISSUED 12/11/2013

DECEDENT'S LEGAL NAME EUGENE FRANCIS DALY		SEX MALE	DATE OF DEATH DECEMBER 08, 2013	
COUNTY OF DEATH WILL	AGE AT LAST BIRTHDAY 78 YEARS	DATE OF BIRTH AUGUST 07, 1937		
CITY OR TOWN ROMEDEVILLE		HOSPITAL OR OTHER INSTITUTION NAME SENIOR STAR AT WEBER		
PLACE OF DEATH ASSISTED LIVING				
BIRTHPLACE IRELAND	SOCIAL SECURITY NUMBER	STATUS AT TIME OF DEATH WIDOWED	SURVIVING SPOUSE/CIVIL UNION PARTNER'S MAIDEN NAME	EVER IN U.S. ARMED FORCES? NO
RESIDENCE 11110 S NASHVILLE	APT. NO.	CITY OR TOWN WORTH	INSIDE CITY LIMITS? YES	
COUNTY COOK	STATE IL	FATHER/CO-PARENT'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION JAMES DALY	MOTHER/CO-PARENT'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION BRIDIE MC KENNA	
INFORMANT'S NAME MICHAEL J DALY		RELATIONSHIP SON	MAILING ADDRESS 6507 W 91ST PLACE, OAK LAWN, IL, 60453	
METHOD OF DISPOSITION BURIAL	PLACE OF DISPOSITION HC - SEPULCHRE CATHOLIC CEMETERY	LOCATION - CITY OR TOWN AND STATE ALSIP, IL	DATE OF DISPOSITION DECEMBER 13, 2013	
FUNERAL HOME THOMPSON AND KUENSTER FUNERAL HOME, 5570 W 95TH STREET, OAK LAWN, IL, 60453				
FUNERAL DIRECTOR'S NAME ROBERT BERNARD KUENSTER		FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER 034011257		
LOCAL REGISTRAR'S NAME JOHN J CICERO		DATE FILED WITH LOCAL REGISTRAR DECEMBER 11, 2013		
<b>CAUSE OF DEATH</b> PART I: DEMENTIA				
IMMEDIATE CAUSE (Final disease or condition resulting in death)				
a. _____ Due to (or as a consequence of)				
b. _____ Due to (or as a consequence of)				
c. _____ Due to (or as a consequence of)				
PART II: Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I				
			WAS AN AUTOPSY PERFORMED? NO	
			WERE AUTOPSY FINDINGS USED TO COMPLETE CAUSE OF DEATH? N/A	
FEMALE PREGNANCY STATUS NOT APPLICABLE			MANNER OF DEATH NATURAL	
DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?	
LOCATION OF INJURY				
DESCRIBE HOW INJURY OCCURRED:			IF TRANSPORTATION INJURY, SPECIFY:	
ATTEND THE DECEASED? YES	DATE LAST SEEN ALIVE DECEMBER 08, 2013	WAS MEDICAL EXAMINER OR CORONER CONTACTED? YES	DATE PRONOUNCED	TIME OF DEATH 05:15 PM
CERTIFIER PHYSICIAN			DATE CERTIFIED DECEMBER 10, 2013	
NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH KARIM TOURK, 109 N 129TH INFANTRY DRIVE, JOLIET, ILLINOIS, 60435			PHYSICIAN'S LICENSE NUMBER 036102125	

This is to certify that this is a true and correct copy from the official death record filed with the Illinois Department of Public Health.

*John J. Cicero, M.H.A.*  
John J. Cicero, M.H.A.  
Executive Director and Local Registrar  
Will County Health Department



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

THE WORD VOID APPEARS WHEN PHOTOCOPIED

HOLD UP TO LIGHT TO VERIFY TRUE WATERMARK

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## WILL OF EUGENE F. DALY

I, EUGENE F. DALY, of Worth, Illinois, make this my Will and revoke all prior wills and codicils.

### Article 1 Introduction

1.1 My Family. I am a widower. I have four children now living, namely: James Daly, Michael Daly, Eugene Daly and Thomas Daly. I intend by this Will to provide for my children.

### Article 2 Gifts on My Death

2.1 Gifts of Tangible Personal Property. I give all my tangible personal property to my children, James Daly, Michael Daly, Eugene Daly and Thomas Daly to be divided among them as they agree. My executor shall sell any property as to which they cannot agree within sixty (60) days after my death and shall add the proceeds of such sale to the property disposed of in Section 2.2 of this Article. The term "tangible personal property" means all personal and household effects, jewelry, automobiles, collections, and other tangible personal property that I own at my death (including insurance thereon but excluding business use property, precious metals, and unset gems).

2.2 Gift of Balance. I give the balance of my estate in shares of equal value to my descendants per stirpes.

2.3 Survivorship. Only persons living on the 30<sup>th</sup> day after the day of my death shall be deemed to have survived me for purposes of this Article.

### Article 3 Distribution to Beneficiaries Under Prescribed Age

Any property to be distributed to a beneficiary who is under age 21 at the time of distribution shall immediately vest in the beneficiary, but my executor shall distribute the property to a custodian for the beneficiary under a Uniform Transfers or Gifts to Minors Act.

### Article 4 Executor

4.1 Executor. I name as my executor the first of the following who is from time to time willing and able to act:

- (a) my son, Michael Daly;
- (b) my son, James Daly;
- (c) my son, Eugene Daly;

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(d) my son, Thomas Daly.

4.2 Waiver of Surety. No security, surety, or bond shall be required of my executor. If permitted by law and if not inconsistent with the best interests of the beneficiaries as determined by my executor, the administration of my estate shall be independent of the supervision of any court.

4.3 Executor Powers. I give to my executor, with respect to my estate, all the powers, authorities, discretions, and immunities granted to executors under law, to be exercised without authorization from any court, except, as to property subject to administration outside the state of my domicile, only with the approval of my domiciliary executor. In addition, and not by way of limitation, my executor shall have the following powers:

- (a) To sell at public or private sale, to retain, to lease, and to borrow money from any source and for that purpose to mortgage or to pledge, all or part of the real or personal property of my estate, all without regard to the income tax basis of such property;
- (b) To invest and reinvest in bonds, stocks, notes, and other personal and real property;
- (c) To settle claims in favor of or against my estate;
- (d) To allot different kinds or disproportionate shares of property or undivided interests in property among the distributive shares, to distribute the residue of my estate in cash or in kind, or partly in each, and to determine the value of any property allotted or distributed, all without regard to the income tax basis of such property;
- (e) To retain any person, firm, or bank as agent and to delegate in writing to such agent any right, power, or discretion of the executors, including the rights to sign and endorse checks and have access to any safe deposit box;
- (f) To execute and deliver any deeds, contracts, mortgages, bills of sale, or other instruments necessary or desirable for the exercise of the executors' powers and discretions;
- (g) To deal with the fiduciary of any estate or trust even if the fiduciary is an executor under this instrument; and
- (h) To retain any property comprising my estate, including without limiting the generality of the foregoing any stocks, bonds, or other securities or interests of any company, partnership, or business venture in which any executor may also have an interest, or any parent of, affiliate of, or successor to any corporate executor or any such company, partnership, or business venture.

#### Article 5

#### Payment of Death Taxes, Expenses, and Debts

5.1 Payments. My executor shall make the following payments:

- (a) Death Taxes. All of my death taxes.

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(b) Expenses. All expenses of my last illness, funeral, and burial; costs of safeguarding and delivering tangible personal property; and estate administration expenses.

(c) Debts. All of my debts, other than debts secured by life insurance, by an interest in a land trust or cooperative, or by real property.

5.2 Source of Payments Generally. My executor shall make all payments required under this Article from my estate remaining after distribution of any gifts of tangible personal property. Notwithstanding the preceding sentence, my executor shall pay from the disclaimed assets all generation-skipping transfer taxes on direct skips of which I am the transferor occurring at my death as a result of a disclaimer.

5.3 Apportionment and Reimbursement for Death Taxes and Expenses. I do not waive any rights my executor has under Code §§2206, 2207, 2207A, and 2207B or any similar statutes of any state (or any comparable provisions in effect at my death), and I authorize my executor to take such actions as are necessary to obtain reimbursement under those Code sections and statutes, including withholding distributions. I waive all other rights to reimbursement and apportionment.

5.4 Tax Elections. My executor may make elections under tax laws and employee benefit plans and may make allocations of any available GST exemption as my executor deems advisable. No adjustment shall be made between principal and income or in the relative interests of the beneficiaries to compensate for any such election or allocation.

## Article 6 Definitions

6.1 Balance of My Estate. The "balance of my estate" means my estate reduced by any payments of expenses, debts, and death taxes required to be paid from my estate and any gifts of specific assets.

6.2 Code. References to sections of the "Code" refer to the Internal Revenue Code of 1986, as amended from time to time, and include corresponding provisions of subsequent tax laws.

6.3 Death Taxes. "Death taxes" includes all estate, transfer, inheritance, and other succession taxes (including penalties and interest) imposed by reason of death. "Death taxes" shall not include generation-skipping taxes imposed on any generation-skipping transfers other than direct skips made at the decedent's death of which the decedent is the transferor.

6.4 Incapacity. A person shall be considered incapacitated if under a legal disability or unable to give prompt and intelligent consideration to financial affairs. The existence of the inability may be determined by a physician, and any person may rely on written notice of the determination. A person already acting as executor shall cease to act on incapacity.

6.5 *Per Stirpes*. Whenever assets are to be allocated for or distributed to the descendants of a person "*per stirpes*," those assets shall be divided into equal shares, one such share for each then living child of that person and one such share for each deceased child of that person who has a descendant then living. Any such deceased child's share shall then be allocated for or distributed

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to that child's descendants *per stirpes* in accordance with the preceding sentence and this sentence.

6.6 Qualified Corporation. A "qualified corporation" means any bank, trust company, or other corporate entity that is authorized to act as an executor or a trustee and that is not a related or subordinate party under Code §672(c) as to any beneficiary under this instrument.

## Article 7

## Captions and Context of Terms

Captions shall have no impact or meaning as to the terms of this instrument. Singular and plural and masculine, feminine, and neuter shall be interchangeable as required or permitted in the context of this instrument.

Signed on 10-18-06, 2006.

*Eugene F. Daly*  
 \_\_\_\_\_  
 EUGENE F. DALY

The testator, EUGENE F. DALY, signed this Will in our presence on the date it bears. Immediately thereafter, at the testator's request and in the testator's presence and in the presence of each other, we signed our names as witnesses. We certify that we believed the testator to be of sound mind and memory at the time of signing.

Witnesses

Addresses

<u>Kathleen Genter</u>	residing at	<u>16216 S. Forest</u>
		<u>Oak Forest, IL 60452</u>
<u>Laura LaPorta</u>	residing at	<u>12624 So. Central</u>
		<u>Palms Hts, IL 60463</u>

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

We, the attesting witnesses to the Will of EUGENE F. DALY, on oath state that each of us was present and saw the testator sign the Will to which this affidavit is attached; that the Will was attested to by each of us in the presence of the testator and the other witnesses and that each of us

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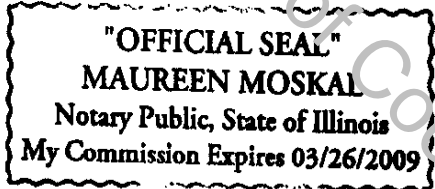
believed the testator to be of sound mind and memory at the time the testator signed the will and at the time we signed as witnesses.

Kathleen Cuatrecasas  
Laura LaPorta

Sworn to and subscribed before me  
This 18 day of October, 2006.

Maureen Moskal

Notary Public



Cook County Clerk's Office

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