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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION

ESTATE OF JOHN WATERS)	
)	NO. 2011 P 6631 F
)	
DECEASED)	
)	
_____)	Supplemental Proceeding
DANIEL V. WATERS, and)	
GERALD M. WATERS,)	
Co-Administrators of the Estate)	
)	
Petitioners)	
v.)	
)	
JOSEPH T. FIGARELLI, J., FIG TRUST No.)	
9850 dated April 15, 2008, STATE BANK)	
OF COUNTRYSIDE, u/t/a date 1 September 21,)	
1995 and known as Trust No. 95-1611, and)	
STATE BANK OF COUNTRYSIDE an)	
Illinois Banking Corporation, UNKNOWN)	
OWNERS and NON-RECORD)	
CLAIMANTS)	
)	
Respondents)	

Paul R. Iverson, as Successor Trustee)	
To I. A. Breen, a/t/u/t/a dated May 3, 1981)	
)	
)	
PLAINTIFF)	
)	
V.)	NO. 2014 CH 05686
)	
)	9808 S. Oak Park Ave.
Joseph T. Figarelli, J. Fig Trust No. 9850)	Chicago Ridge, IL 60415
et al)	COMPLAINT TO QUIET TITLE
)	TRANSFERRED TO PROBATE
DEFENDANTS)	ON NOVEMBER 5, 2014

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Permanent Index Number: 24-07-127-009-0000

Common Address: 9808 S. Oak Park Av., Chicago Ridge, Illinois.

3. The I. A. Breen Trust dated May 3, 1981 and known as Trust Number 9850 has legal and equitable title to, and ownership in the property in question.
- ✱ 4. The Estate of John Waters has the sole interest in and control over, the I. A. Breen Trust dated May 3, 1981 and that title to the property at 9808 S. Oak Park Ave., Chicago Ridge, IL is confirmed in the Heirs to the Estate of John Waters deceased.
- ✱ 5. That the Co-Administrators are to be named as the Successor Trustees to the I. A. Breen Trust dated May 3, 1981.
6. The Court specifically finds that Paul R. Iverson either individually, or as trustee or as successor trustee of the I. A. Breen Trust dated May 3, 1981 has no right, title or interest to the property commonly known as 9808 S. Oak Park Ave., Chicago Ridge, Illinois.
7. That the purported signature of I. A. Breen as trustee on the deed recorded May 29, 2008 as document number 0815054036 by which Joseph T Figarelli and the J. Fig Trust No. 9850 dated April 15, 2008 ("Figarelli") claims title, is a forgery.
8. That the purported conveyance of the real estate to Figarelli is a nullity by reason of the forgery of I. A. Breen's signature.
9. The forged deed recorded as document 0815054036, under which Figarelli, as trustee of the Fig Trust, is the purported grantee, constitutes a cloud on title to the real estate is void and has no legal effect.
10. That Figarelli as grantee under a forged deed lacked the capacity to convey any title or interest in the property to State Bank of Countryside a/t/a/dated September 21, 1995 a/k/a/t/n 95-1611 ("Land Trustee") and the purported conveyance is a nullity, void and has no legal effect.
11. That the deed recorded August 12 as document 0822550032 under which the Land Trustee is the purported grantees, constitutes a cloud on title, is void and has no legal effect.
12. That the mortgage recorded August 12, 2008 as document 0822550033 in favor of State Bank of Countryside as the Lender constitutes a cloud on title, is void and has no legal effect.

PAGE 3 OF 4

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13. The Court further makes the specific finding that this is a Final Order within the meaning of Supreme Court Rule 304 (a), and the Court makes the finding there is no reason to delay the enforcement or appeal of this Order.

ENTER:

JUDGE

ENTERED
JUDGE JAMES G. RILEY 1782
NOV 25 2015
CLERK OF THE
OF COOK
DEPUTY CLERK

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