

# UNOFFICIAL COPY



Doc# 1704157107 Fee \$62.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

AFFIDAVIT FEE: \$2.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 02/10/2017 02:43 PM PG: 1 OF 13

This instrument prepared by: Ross M. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 3805, Edwards Road, Suite 550, Cincinnati, Ohio 45209 (513) 247-9605.

Return To:  
Specialized Loan Servicing LLC  
8742 Lucent Blvd. Ste. 300  
Highlands Ranch, CO 80129

Mail Tax Statements To:  
**HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc.,**  
**Mortgage Pass-Through Certificates Series 2006-AR3**  
Specialized Loan Servicing LLC, 8742 Lucent Blvd. Ste. 300, , Highlands Ranch, CO 80129.

Parcel Number or APN: 29-30-112-017-0000

## DEED IN LIEU OF FORECLOSURE

Exempt: Sec. 200/31-45 (8)

KNOWN ALL MEN BY THESE PRESENTS, that **MARCUS GIPSON** and **TONI CHERISE GIPSON**, a married couple, whose mailing address is **PO BOX 439480, CHICAGO, IL 60643**, hereinafter called grantors, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3**, whose tax mailing address is **Specialized Loan Servicing LLC, 8742 Lucent Blvd. Ste. 300, , Highlands Ranch, CO 80129**, 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 **Cook County, Illinois**, described as follows:

Property Address: 16814 TRAPET AVE., HAZEL CREST, IL 60429

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**SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION**

**SEE EXHIBIT "B" ATTACHED HERETO AS ESTOPPEL AFFIDAVIT**

COMMONLY known as: **16814 TRAPET AVE., HAZEL CREST, IL 60429**

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.

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 in accord with the Estoppel Affidavit attached hereto as Exhibit B.

Consideration. This Deed in Lieu of Foreclosure relates to real property secured by the following mortgage(s) or deed(s) of trust:

**SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST**

No Merger. Grantor agrees and acknowledges that its entry into this Deed and the other documents contemplated hereby shall not result in a merger of Assignee's interest under the Deed of Trust with Grantee's interest under the Deed. The terms, covenants, representations, and warranties of this Agreement shall not merge into the Deed but shall survive the close of the transaction contemplated hereby.

In construction 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.

**Representations and Warranties.** Grantor represents, warrants, and acknowledges that:

(a) it is in default of its obligations under the Loan and the Note and that the unpaid principal balance thereof together with interest thereupon is immediately due and payable to **HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3** without offset, defense, or counterclaim;

(b) the Note and the Deed of Trust or Mortgage are valid and binding agreements enforceable in accordance with their terms;

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**Advice of Counsel.** Grantor hereby agrees, represents, and warrants that it has had advice of competent counsel of its own choosing, or has willingly forgone advice of counsel, in negotiations for and the preparation of this Deed, that it has read this Deed or has had the same read to it by its counsel, that it has had this Deed fully explained by such counsel, and that it is fully aware of its contents and legal effect.

## **RIGHT TO FORECLOSE**

**TRANSFEROR AGREES AND ACKNOWLEDGES THAT NOTHING CONTAINED HEREIN SHALL AFFECT, AND TRANSFEREE HEREBY EXPRESSLY RESERVES, THE RIGHT TO FORECLOSE THE "MORTGAGE", "DEED TO SECURE DEBT" OR "DEED OF TRUST" BY JUDICIAL OR, TO THE EXTENT PERMITTED BY APPLICABLE LAW, NONJUDICIAL FORECLOSURE AND, IN CONNECTION WITH ANY SUCH FORECLOSURE, TRANSFEROR AND/OR GUARANTOR MAY, IN TRANSFEREE'S SOLE DISCRETION, BE NAMED AS A PARTY DEFENDANT, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, TRANSFEROR SHALL AGREE TO ANY CONSENT TO JUDGMENT (OR SIMILAR PROCESS) AVAILABLE TO TRANSFEREE, AND TRANSFEREE WILL BE PERMITTED TO SEEK, OBTAIN, AND SATISFY A JUDGMENT IN ANY SUCH FORECLOSURE PROCEEDINGS, PROVIDED, HOWEVER, THAT TRANSFEROR AND GUARANTOR SHALL NOT BE PERSONALLY LIABLE FOR SATISFACTION OF SUCH JUDGMENT. IF TRANSFEREE PURSUES ITS RIGHTS UNDER THIS SECTION, IT MAY DETRIMENTALLY AFFECT TRANSFEROR'S CREDIT RATING.**

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TCG

MG

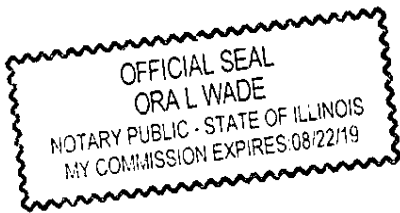
WITNESS the hand of said Grantor this 12 day of JANUARY, ~~2016~~ 2017

MARCUS GIPSON

TONI CHERISE GIPSON

STATE OF IL  
COUNTY OF Will

The foregoing instrument was acknowledged before me on Jan 12, <sup>2017</sup>~~2016~~ by MARCUS GIPSON and TONI CHERISE GIPSON who are personally known to me or have produced DL as identification, and furthermore, the aforementioned persons have acknowledged that their signatures were their free and voluntary act for the purposes set forth in this instrument.

  
Notary Public

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**MUNICIPAL TRANSFER STAMP**  
**(If Required)**

**COUNTY/ILLINOIS TRANSFER STAMP**  
**(If Required)**

EXEMPT under provisions of Paragraph \_\_\_\_\_ Section 31-45, Property Tax Code.

Date: \_\_\_\_\_

\_\_\_\_\_  
Buyer, Seller or Representative

Property of Cook County Clerk's Office

Property Address: 16814 TRAPET AVE., HAZEL CREST, IL 60429

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## EXHIBIT "B" ESTOPPEL AFFIDAVIT

STATE OF IL  
COUNTY OF will

MARCUS GIPSON and TONI CHERISE GIPSON, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3, conveying the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3, 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 HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3;

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 HSBC Bank USA, National Association as Trustee for Deutsche Alt-

Property Address: 16814 TRAPET AVE., HAZEL CREST, IL 60429

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A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3, 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 \$1.00 by HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3, 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(s) or deed(s) of trust referred to herein as described as follows:

**SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST**

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 HSBC Bank USA, National Association as Trustee for Deutsche Alt-A Securities, Inc., Mortgage Pass-Through Certificates Series 2006-AR3, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.


I understand and agree that I have waived or released any and all claims, known or unknown, that I have or might have against Grantee; and/or Servicelink, and/or their accountants, agents, attorneys, directors, employees, managers, members, officers servants, and/or shareholders.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

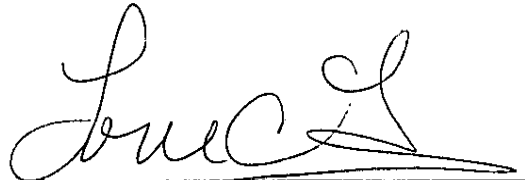
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WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: 1/12/17



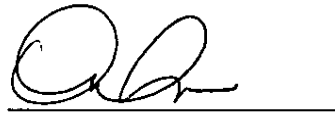
**MARCUS GIPSON**



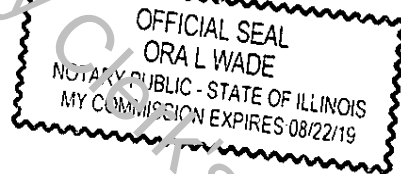
**TONI CHERISE GIPSON**

STATE OF IL  
COUNTY OF Will

The foregoing instrument was acknowledged before me on Jan 12, <sup>2017</sup>~~2016~~ by **MARCUS GIPSON** and **TONI CHERISE GIPSON** who are personally known to me or have produced DL as identification, and furthermore, the aforementioned persons have acknowledged that their signatures were their free and voluntary act for the purposes set forth in this instrument.



Notary Public





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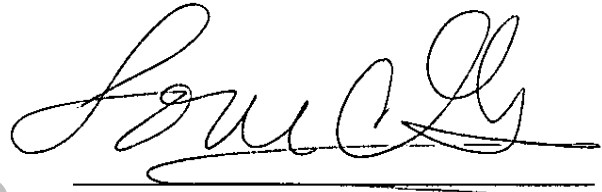
## GRANTOR(S) AFFIDAVIT

State of IL }  
County of Will }

**MARCUS GIPSON** and **TONI CHERISE GIPSON**, named in the attached deed, being first duly sworn upon oath, each for himself or herself and not one for the other, deposes and says:

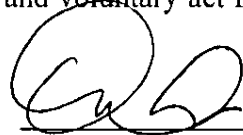
That he or she has read the attached deed and knows the contents thereof, and that every statement contained in the terms, warranties and covenants therein set forth is true of his or her own knowledge.

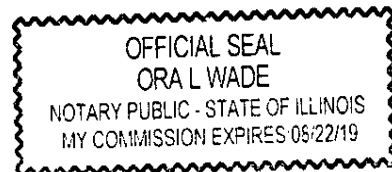
  
\_\_\_\_\_  
**MARCUS GIPSON**

  
\_\_\_\_\_  
**TONI CHERISE GIPSON**

STATE OF IL  
COUNTY OF Will

The foregoing instrument was acknowledged before me on Jan 18, <sup>2017</sup> ~~2016~~ by **MARCUS GIPSON** and **TONI CHERISE GIPSON** who are personally known to me or have produced DL as identification, and furthermore, the aforementioned persons have acknowledged that their signatures were their free and voluntary act for the purposes set forth in this instrument.

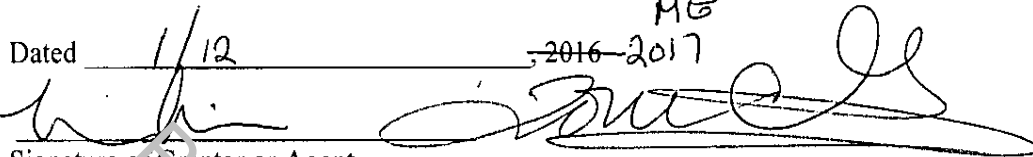
  
\_\_\_\_\_  
Notary Public



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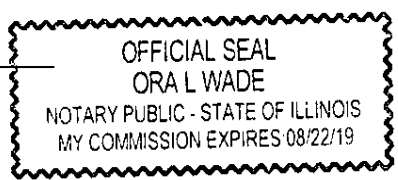
## STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in land trust is either a natural person, and 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 1/12 <sup>TCE</sup> <sup>MG</sup> ~~2016~~ 2017  
  
Signature of Grantor or Agent

Subscribed and sworn to before  
Me by the said Marcus Ripston and Loni Chuse Ripston  
this 12 day of January  
~~2016~~ 2017

NOTARY PUBLIC 



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 entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Date \_\_\_\_\_, 2016

\_\_\_\_\_  
Signature of Grantee or Agent

Subscribed and sworn to before  
Me by the said \_\_\_\_\_  
This \_\_\_\_\_ day of \_\_\_\_\_,  
2016.

NOTARY PUBLIC \_\_\_\_\_

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.)

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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 or assignment of beneficial interest in land trust is either a natural person, and 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 \_\_\_\_\_, 2016

\_\_\_\_\_  
Signature of Grantor or Agent

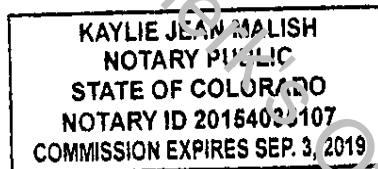
Subscribed and sworn to before  
Me by the said \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_,  
2016.

NOTARY PUBLIC \_\_\_\_\_

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 entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois

Date Jan 24, <sup>2017</sup>~~2016~~

Dane Wallace  
Signature of Grantee or Agent



Subscribed and sworn to before  
Me by the said Dane Wallace  
This 24 day of January,  
~~2016~~. 2017

NOTARY PUBLIC Kaylie Jean Malish

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.)

Dane Wallace  
Second Assistant Vice President  
Default Administration

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EXHIBIT A  
(LEGAL DESCRIPTION)

**LOT 26 IN BLOCK 13 IN HAZEL CREST PARK, A SUBDIVISION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

Property of Cook County Clerk's Office

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EXHIBIT C  
(DESCRIPTION OF MORTGAGE(S) OR DEED(S) OF TRUST)

**MORTGAGE FROM MARUS GIPSON, AN UNMARRIED MAN TO MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. "MERS, INC.", AS NOMINEE FOR OAK STREET MORTGAGE LLC LIMITED LIABILITY COMPANY IN INSTRUMENT NO 0617005041 IN THE AMOUNT OF \$100,000.00, DATED 05/01/2006, RECORDED 06/19/2006, IN COOK COUNTY RECORDS.**

**a. ASSIGNMENT OF RECORD BETWEEN MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR OAK STREET MORTGAGE, LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS AND HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR DEUTSCHE ALT-A SECURITES, INC. MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-AR3 AS SET FORTH IN INSTRUMENT NO 1430249003, DATED 10/28/2014, RECORDED 10/29/2014 IN COOK COUNTY RECORDS.**