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Doc#. 1714649290 Fee: \$70.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/26/2017 11:21 AM Pg: 1 of 12

Dec ID 20170501660898

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

Send to:

Marinosef Law Group, P.C.
275 West Natick Road, Suite 500
Warwick, RI 02886

17-606501

Return / Mail To: NCS
9087 Foothills Blvd. Ste 700
Roseville, CA 95747
800-958-8060

Mail Tax Statements To:

Secretary of Housing and Urban Development
451 Seventh Street, S.W. Washington, DC 20410.

Parcel Number or APN: 24-12-207-062-0000

VILLAGE OF EVERGREEN PARK
EXEMPT. e

DEED IN LIEU OF FORECLOSURE TRANSFER TAX

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

Lynne M. Welton

KNOWN ALL MEN BY THESE PRESENTS, that Joseph A. O'Brien, an unmarried person, whose mailing address is **2645 West 9th Street, Evergreen Park, IL 60805**, hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto Secretary of Housing and Urban Development, whose tax mailing address is **451 Seventh Street, S.W. Washington, DC 20410**, 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:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

Property Address: 2645 West 96th Street, Evergreen Park, IL 60805

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SEE EXHIBIT "B" ATTACHED HERETO AS ESTOPPEL AFFIDAVIT

COMMONLY known as: 2645 West 96th Street, Evergreen Park, IL 60805

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 **Secretary of Housing and Urban Development** 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;

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

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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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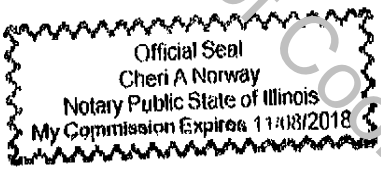
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WITNESS the hand of said Grantor this 10 day of May, 201~~7~~⁸ *CAA*

Joseph A. O'Brien
Joseph A. O'Brien *JA O'Brien*

STATE OF IL
COUNTY OF COOK

The foregoing instrument was acknowledged before me on 10 May, 201~~7~~⁸ *CAA* by Joseph A. O'Brien who is personally known to me or has produced State ID as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.



Cheri A Norway
Notary Public *Cheri A Norway*

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MUNICIPAL TRANSFER STAMP
(If Required)

COUNTY/ILLINOIS TRANSFER STAMP
(If Required)

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

Date: 5/5/2011

Da Pm
Buyer, Seller or Representative

Property of Cook County Clerk's Office

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EXHIBIT "B" ESTOPPEL AFFIDAVIT

STATE OF IL
COUNTY OF Cook

Joseph A. O'Brien, 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 **Secretary of Housing and Urban Development**, 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 **Secretary of Housing and Urban Development**, 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 **Secretary of Housing and Urban Development**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **Secretary of Housing and Urban Development**;

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 **Secretary of Housing and Urban Development**, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have no 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.

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That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by Secretary of Housing and Urban Development, 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 Secretary of Housing and Urban Development, 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 the Grantee and/or Secretary of Housing and Urban Development, 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: 10 May 2017

Joseph A. O'Brien

Joseph A. O'Brien

STATE OF IL
COUNTY OF COOK

The foregoing instrument was acknowledged before me on 10 May 1, 2017 by Joseph A. O'Brien who is personally known to me or has produced State ID as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

JA O'Brien

Cheri A Norway
Notary Public



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EXHIBIT A (LEGAL DESCRIPTION)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF COOK, STATE OF ILLINOIS AND IS DESCRIBED AS FOLLOWS: The following described real estate, situated in Cook County, Illinois, to wit: Lot 15 and East Half of Lot 16 in Frank Delugach's Western Avenue View Subdivision of Block 6 and the Resubdivision of Block 7 in Harry H. Honore, Jr Subdivision in the North East Quarter of Section 12, Township 37 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois. SUBJECT TO ANY AND ALL RESTRICTIONS, EXCEPTIONS, RESERVATIONS, STIPULATIONS, CONDITIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD. Being the same property as conveyed to Joseph A. O'Brien from Chicago Title Land Trust Company, a corporation of Illinois, as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said company in pursuance of a trust agreement dated the 5th day of December, 2008 and known as Trust Number 8002352209, dated April 8, 2015, recorded April 10, 2015 in Document 1510046032 of Cook county records For informational purposes only: 2645 West 96th Street, Evergreen Park, IL, 60805. Tax ID# 24-12-207-062-0000

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

Mortgage Executed by Joseph A. O'Brien to Financial Freedom Senior Funding Corporation, a Subsidiary of IndyMac Bank, F.S.B in the original principal amount of \$270,000.00, dated May 31, 2005 recorded on July 12, 2005 in Doc# 0519315130; as assigned to Mortgage Electronic Registration Systems, Inc. ("MERS") A Delaware Corporation, its successors or assigns, as nominee for Financial Freedom Acquisition, LLC recorded on October 16, 2009 in Doc# 0928919066; as assigned to Secretary of Housing and Urban Development recorded on January 24, 2014 in Doc#1402429130

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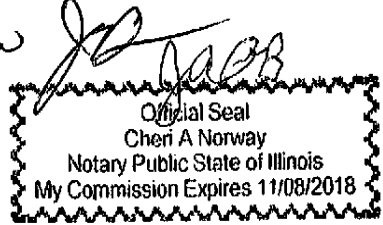
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STATEMENT BY GRANTOR AND GRANTEE

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 10 May, 2018 ^{aw}

Joseph A O'Brien
Signature of Grantor or Agent



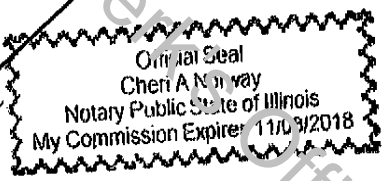
Subscribed and sworn to before
Me by the said Joseph A O'Brien
this 10 day of May,
2018 ^{aw}

NOTARY PUBLIC Cheri A Norway

~~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 10 May, 2018 ^{aw}~~

~~Joseph A O'Brien
Signature of Grantee or Agent~~



~~Subscribed and sworn to before
Me by the said Joseph A O'Brien
This 10 day of May,
2018~~

~~NOTARY PUBLIC Cheri A Norway~~

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 _____

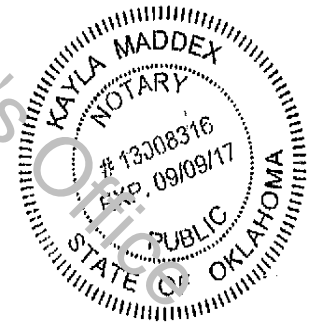
The Grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois a 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 May 10, _____, 2016

George Odsei
Signature of Grantee or Agent

Subscribed and sworn to before
Me by the said George Odsei
This 10 day of May,
2016.

NOTARY PUBLIC Kayla Madde



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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