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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 09/08/2022 11:29 AM PG: 1 OF 7

Mail To:

(Acquest Title Services, LLC)

2800 W. Higgins Road

Suite 180

Hoffman Estates, IL 60169

Acquest Title Services, LLC

2022070011

1072

RECORDING COVER PAGE

Permanent Parcel Number:

02-15-303-056-1034

Property Address:

455 West Wood Street, Unit 406

Palatine, IL 60067

Prepared By: Linda Bell, 2800 W. Higgins Rd., #180, Hoffman Estates, IL 60169

Name

Address

City, State & Zip Code

*Please note – This cover page has been attached to the document for recording purpose. It is a permanent part of the document and has been included in the page count.

S Y
P 7
S 1
SC Y
INT 6

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DURABLE POWER OF ATTORNEY

I, **Martha E. Kersey**, of Muncie, Indiana, hereby create a durable Power of Attorney, "Power," and appoint individuals named herein as my Attorney-in-Fact with power to act for me according to Indiana Code 30-5-5, as it now exists or as it may be amended in the future:

1. **Appointment of Attorneys-in-Fact:**

I appoint **Alan R. Kersey** to serve as my Attorney-in-Fact. If Alan R. Kersey fails to serve, resigns or is removed after beginning to serve, or wishes to appoint a substitute attorney-in-fact to exercise any power herein, then I appoint **Cynthia Padrick** as Successor Attorney-in-Fact.

2. **Powers:**

I give my Attorneys-in-Fact, including any Successor Attorneys-in-Fact, the powers contained in this Power. These powers are granted upon the condition they will be used for my benefit and on my behalf and will be exercised only in a fiduciary capacity.

- a. **REAL PROPERTY.** Authority with respect to real property transactions pursuant to IC 30-5-5-2.
- b. **TANGIBLE PERSONAL PROPERTY.** Authority with respect to tangible personal property transactions pursuant to IC 30-5-5-3.
- c. **BOND, SHARE AND COMMODITY.** Authority with respect to bond, share and commodity transactions pursuant to IC 30-5-5-4.
- d. **RETIREMENT PLANS.** Authority with respect to retirement plans pursuant to IC 30-5-5-4.5.
- e. **BANKING.** Authority with respect to banking transactions pursuant to IC 30-5-5-5, including but not limited to, the authority to have access to any and all safety deposit boxes in my name, and to open, inspect, inventory, place items in or remove items from and close any safety deposit boxes.
- f. **BUSINESS.** Authority with respect to business operating transactions pursuant to IC 30-5-5-6.
- g. **INSURANCE.** Authority with respect to insurance transactions pursuant to IC 30-5-5-7. This authority shall include full power to apply for and otherwise deal with Medicare and Medicaid benefits.
- h. **TRANSFER ON DEATH TRANSFERS.** Authority with respect to transfer on death transfers pursuant to IC 30-5-5-7.5; provided, however, my attorney-in-fact shall only establish such accounts (a) after consulting with the attorney who has prepared my current estate planning documents, and (b) to the extent the transfer on death transfers follow the estate plan established by me and do not significantly alter the method by which I have chosen to distribute my estate at my death.
- i. **BENEFICIARY.** Authority with respect to beneficiary transactions pursuant to IC 30-5-5-8.
- j. **GIFTS.** Authority with respect to gift transactions pursuant to IC 30-5-5-9; however, my attorney-in-fact is authorized to make gifts to people to whom I have previously made gifts whether or not the donees are my children, descendants or charitable organizations, and the amount of these gifts are not limited by the restriction described in subparagraph (a)(2) of IC 30-5-5-9. Further, my attorney-in-fact may perform any act necessary or desirable, including making gifts to one or more of those who would

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receive a portion of my estate, even if one of those persons is serving as my attorney-in-fact, in order for me or my spouse to qualify for and receive all type of government benefits, including Medicare, Medicaid, Social Security, Veterans' and Workers' Compensation benefits. However, gifts should be made in a manner best suited to protect my interests and my estate plan as recommended in writing by legal counsel.

- k. **FIDUCIARY.** Authority with respect to fiduciary transactions pursuant to IC 30-5-5-10.
- l. **CLAIMS AND LITIGATION.** Authority with respect to claims and litigation pursuant to IC 30-5-5-11.
- m. **FAMILY MAINTENANCE.** Authority with respect to family maintenance pursuant to IC 30-5-5-12.
- n. **MILITARY SERVICE.** Authority with respect to benefits from military service pursuant to IC 30-5-5-13.
- o. **RECORDS, REPORTS AND STATEMENTS.** Authority with respect to records, reports and statements pursuant to IC 30-5-5-14, including the power to execute on my behalf any specific power of attorney required by any taxing authority to allow my Attorney-in-Fact to act on my behalf before that taxing authority on any return or issue.
- p. **ESTATE TRANSACTIONS.** Authority with respect to estate transactions pursuant to IC 30-5-5-15.
- q. **DELEGATE.** Authority with respect to delegating authority pursuant to IC 30-5-5-18.
- r. **ALL OTHER MATTERS.** Authority with respect to all other matters pursuant to IC 30-5-5-19.

3. Effective Date:

This Power of Attorney shall not be affected by my subsequent disability or incapacity, or lapse of time, and shall be effective upon execution.

4. Revocation of Prior Powers of Attorney:

I hereby revoke any and all Powers of Attorney that I may have executed previously.

5. Reliance by Third Parties:

To induce third parties to act in accordance with the powers granted to my Attorneys-in-Fact in this Power, I represent and warrant that:

a. If this document is revoked or amended for any reason, I, my estate, my heirs, successors, and assigns will hold any third party harmless from any loss suffered or liability incurred by the third party in acting in accordance with this document before the third party's receipt of written notice of termination or amendment.

b. The powers conferred on my Attorneys-in-Fact may be exercised alone; my Attorneys-in-Fact's signatures or actions under the authority granted in this Power may be accepted by third parties as

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fully authorized by me and with the same force and effect as if I were personally present, competent and acting on my own behalf.

c. No person who acts in reliance upon any representation of my Attorney-in-Fact as to the scope of my Attorney-in-Fact's authority granted under this document shall incur any liability to me, my estate, my heirs, successors, or assigns for permitting my Attorney-in-Fact to exercise any such power, nor shall any person who deals with my Attorney-in-Fact be responsible to determine or ensure the proper application of funds or property.

6. Termination:

I retain the right to revoke or amend this Power and to substitute another Attorneys-in-Fact in place of any of those named in this Power. This Power shall continue in full force and effect until I, personally, have signed a written document specifically revoking this Power. Amendments to this Power shall be made in writing by me personally. Any revocation or amendment of this Power must be recorded in the same County or Counties as the original, if the original is recorded.

7. Authority of Successor Attorney-in-Fact:

a. Any Attorney-in-Fact named in this Power shall be considered to fail or cease to serve when:

- (1) The Attorney-in-Fact dies, resigns, is judged to be incapacitated by a Court, cannot be located upon reasonable inquiry; or
- (2) A physician familiar with the condition of the current Attorney-in-Fact certifies in writing to the immediate successor Attorney-in-Fact, that the current Attorney-in-Fact is unable to transact a significant part of the business required under this Power of Attorney.

b. The resignation of any Attorney-in-Fact hereunder may be established by a written document bearing the Attorney-in-Fact's notarized signature to that effect; however, this is not intended to be the exclusive means for establishing the resignation of any Attorney-in-Fact named in this Power.

8. Guardianship:

If a proceeding is brought to establish a guardianship for me, I appoint the individual (or individuals if more than one) then acting, or eligible to act, as my Attorney-in-Fact under this Power, to serve as guardian or guardians, and to have responsibility for the care, custody, management, and supervision of my property and physical person.

9. General Provisions:

a. Persons dealing with my Attorney-in-Fact may rely fully on a photostatic copy of this Power.

b. If any of the provisions of this Power are found to be invalid for any reason, this invalidity shall not affect any of the other provisions of this Power, and all invalid provisions shall be wholly disregarded.

c. All questions pertaining to validity, interpretation, and administration of this Power shall be determined in accordance with the laws of Indiana.

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d. My Attorney-in-Fact shall not be liable to me or any of my successors in interest for any action taken or not taken in good faith, but shall be liable for any willful misconduct or gross negligence.

I have reviewed these powers and am incorporating by reference herein those which comply with my wishes. I have executed this instrument on the 29th day of January, 2021.

Martha E. Kersey
Martha E. Kersey

STATE OF INDIANA, DELAWARE COUNTY, SS:

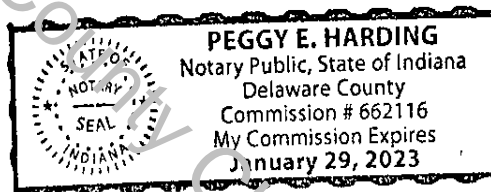
The undersigned notary public in and for the above county and state, certifies and witnesses that the above signed, personally known to me to be the same person whose name is subscribed to this instrument, appeared before me in person, executed the document in my presence and delivered the instrument as a free and voluntary act, for the uses and purposes named in the instrument.

Date: January 29, 2021

Peggy E. Harding
Peggy E. Harding, Notary Public
A resident of Delaware County, IN

My Commission Expires:


January 29, 2023



PROPERTY OF COOK COUNTY Clerk's Office

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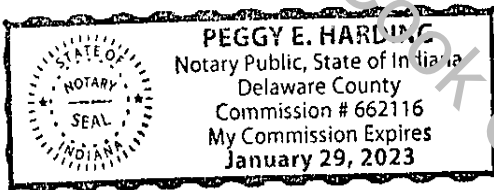
EXECUTED AND DELIVERED in my presence:

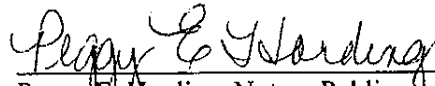

Witness: Nicholas M. Tokar

STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said County and State, personally appeared Nicholas M. Tokar, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by Martha E. Kersey in the above-named subscribing witness's presence, and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Witness my hand and Notarial Seal this 29th day of January 2021.




Peggy E. Harding, Notary Public
A Resident of Delaware County, Indiana
My Commission Expires: January 29, 2023

THIS INSTRUMENT WAS PREPARED BY NICHOLAS M. TOKAR
OF DEFUR VORAN LLP
Muncie Office: 400 S. Walnut St., Suite 200, Muncie, IN 47305
Telephone: (765) 288-3651 Facsimile: (765) 288-7063
New Castle Office: 1484 South Memorial Drive, Suite 102, New Castle, IN 47362
(765) 521-0656 Facsimile (765) 521-3796
Fishers Office: 8409 Fishers Centre Drive, Fishers, IN 46038
Telephone: (317) 585-8085 Facsimile: (317) 585-8858

I affirm under the penalties for perjury, that I have taken all reasonable care to redact each Social Security Number in this document unless required by law. NICHOLAS M. TOKAR

UNOFFICIAL COPY**EXHIBIT A**

The Land referred to in this Commitment is described as follows:

Parcel 1: Unit 406 in the Preserve of Palatine Condominiums in Section 15, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois, as delineated on a Survey attached as Exhibit "C" to the Declaration of Condominium recorded June 5, 2006, as document number 0615634000, and Amendment No. 1 recorded November 9, 2006, as document number 0631316011, and re-recorded December 12, 2006, as document number 0634615002, and as further amended from time to time with its undivided percentage interest in the common elements, in Cook County, Illinois.

Parcel 2: The exclusive right of use of limited common elements known as Garage Space G-4 and Storage Space S-4.

PIN: 02-15-303-056-1034

FOR INFORMATION PURPOSES ONLY:
THE SUBJECT LAND IS COMMONLY KNOWN AS:
455 West Wood Street, Unit 406
Palatine, IL 60067

Property of Cook County Clerk's Office