

UNOFFICIAL COPY

DEED IN TRUST

23 778 047

Form 101 Rev. 11-71

The above space for recorder's use only

THIS INSTRUMENT WITNESSETH, THAT THE GRANTOR, **S. MICHAEL J. MALANIK, a widow** and **not since remarried** and **MICHAEL HARTNETT and DONNA HARTNETT,** of the County of **Cook** and State of **Illinois**, for and in consideration of the sum of *****TEN AND NO/100***** Dollars (\$ **10.00**),

in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey— and Warrant— to **AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO**, a national banking association whose address is **33 No. LaSalle Street, Chicago, Illinois**, as Trustee under the provisions of a certain Trust Agreement, dated the **3rd** day of **December** 1976, and known as Trust Number **39734**, the following described real estate in the County of **Cook** and State of **Illinois**, to wit:

Lot 18 in Block 5 in Subdivision of Lot 1 of a Subdivision of the North East 1/4 of the South East 1/4 of Section 15, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Instrument prepared by:
G. C. Heldrich, Jr., Atty.
33 N. LaSalle St.
Chicago, Illinois 60602

10.00

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trusts, and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alleys in vacant any subdivisions or part thereof, and to resubdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time in possession or reversion, by leases to commence in present or in future, and upon any terms and for any period or periods of time, or expiring in the case of any single demise for term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, to give or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of filing the amount of present or future rentals to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, modify or assign any right, title or interest in or about or easement appurtenant to said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to, or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to execute an affidavit of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (including the Registrar of Titles of said county) relying upon or claiming under a deed, mortgage, lease or other instrument (a) that at the time of the delivery thereof the trust created by this instrument and by said Trust Agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this instrument and in said Trust Agreement or in all amendments thereto, if any, and binding upon all beneficiaries hereunder, (c) that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

This conveyance is made upon the express understanding and conditions that neither American National Bank and Trust Company of Chicago, individually or as Trustee, nor the successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything in or to them or to their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, and all such liability being hereby expressly waived and released. No contract, obligation or indebtedness incurred or related to by the Trustee in connection with said real estate may be entered into by it in the name of the beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in its own name as Trustee of an express trust, and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof. All persons and corporations whatsoever shall be charged with notice of this condition from the date of the filing for record of this deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in said real estate, but only an interest in earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said American National Bank and Trust Company of Chicago the entire legal and equitable title in fee simple, in and to all of the real estate above described.

If the title in any of the above real estate is now or hereafter registered, the Registrar of Titles, is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust," or upon condition, or "with limitations," or words of similar import, in accordance with the statute in such case made and provided.

And the said grantor **S** hereby expressly waives and releases any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for exemption or homesteads from sale on execution or otherwise.

In Witness Whereof, the grantor **S** aforesaid have hereunto set their hand **S** and

seal **S** this 7th day of December, 1976.
Michael J. Malanik (SEAL) *Donna Hartnett* (SEAL)
Michael Hartnett (SEAL)

STATE OF ILLINOIS) I, the undersigned, a Notary Public in and for said
COUNTY OF COOK) County, in the State aforesaid, do hereby certify that MICHAEL J. MALANIK
a widow and not since remarried, and MICHAEL HARTNETT and DONNA
HARTNETT, his wife

personally known to me to be the same person **S** whose name **S** are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that **they** signed, sealed and delivered the said instrument as **their** free and voluntary act, for the uses and purposes therein set forth, including the release of the right of homestead.

Witness my hand and seal this 7 day of January, A.D. 1977
G. C. Heldrich, Jr. Notary Public

10-29-81
American National Bank and Trust Company of Chicago
Box 771

For information only insert street address of above described property.

65-08-168 H

13-15-403-019

Exempt under provisions of Paragraph E, Section 4 Real Estate Transfer Act.

This space for adding Ritters and Revenue Stamps

Edward Hillman 11/2/77

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Box 771

1-21300-11
Cowan, Nest. Records

STATE OF ILLINOIS
DEPARTMENT OF RECORDS
JAN 12 3 02 PM '77

Richard R. Wilson
RECORDER OF DEEDS
*23778047

Property of Cook County Clerk's Office

END OF RECORDED DOCUMENT