



QUIT CLAIM DEED IN TRUST

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Form 39 P. 1-72

The above space for recorder's use only

THIS INDENTURE WITNESSETH, That the Grantor Harry Q. Rohde, a bachelor 111 W. Washington Street, Chicago, Illinois of the County of Cook and State of Illinois for and in consideration of Ten (10) Dollars, and other good and valuable considerations in hand paid, Convey and Quit Claim unto the CHICAGO TITLE AND TRUST COMPANY, a corporation of Illinois, whose address is 111 West Washington Street, Chicago, Illinois 60602, as Trustee under the provisions of a trust agreement dated the 2nd day of January 19 77, known as Trust Number 1068750 the following described real estate in the County of Cook and State of Illinois, to-wit:

See Exhibit A attached hereto

Subject to: the matters set forth in Exhibit B attached hereto

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TO HAVE AND TO HOLD the said premises 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 premises or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, or to subdivide said property 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 premises or any part thereof to a successor or successors in trust and to grant to such successor or successors the use and enjoyment of the title, estate, powers and authorities vested in said trustee, in default, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by lease to commence in time said property, and upon any terms and for any period or periods of time, not exceeding in the case of any single lease the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof, or 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 fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any title or interest in or about or encumbrance appurtenant to said premises or any part thereof, and to deal with said property 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 always specified, at any time or times hereafter.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the 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 in relation to said real estate shall be valid, in evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the execution thereof the trust created by this indenture 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 indenture and in said trust agreement or in some document thereto and binding upon all beneficiaries thereunder, (c) that said trustee 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 title, estate, rights, powers, authorities, duties and obligations of the title or their predecessors in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, profits and proceeds arising from the sale or 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 or to said real estate as such, but only an interest in the earnings, profits and proceeds thereof as aforesaid.

If the title to any of the above lands 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 hereby expressly waives, releases, and conveys, and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the grantor aforesaid has hereunto set his hand and seal this 3rd day of January 19 77.

(Seal) (Seal) (Seal) (Seal)

This Document Prepared By: Thomas Szymczyk 111 W. Washington Chicago, Illinois 60602

Illinois Rosemary Procopio a Notary Public in and for said County, in Cook County, Illinois do hereby certify that Harry Q. Rohde, a bachelor

personally known to me to be the same person whose name is subscribed in the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead. Given under my hand and notarial seal this 13th day of January 1977.

mail Rosemary Procopio Notary Public

After recording return to: CHICAGO TITLE AND TRUST COMPANY Land Trust Department 111 West Washington Street, Chicago, Ill. 60602 or Box 533 (Cook County only)

For information only insert street address of above described property.

SECTION 7, REAL ESTATE TRANSFER TAX ACT. 2/14/77

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Sealed by Notary Public

2/14/77

This space for affixing Stamps and Revenue Stamps

Notary Office

Document Number

23 790 993

EXHIBIT A

THAT PART OF LOT "B" IN WHITE PLAINES UNIT 7, BEING A SUBDIVISION IN SECTION 8, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT "B" AND RUNNING THENCE NORTH $00^{\circ} 18' 35''$ EAST ALONG THE WEST LINE OF SAID LOT, 273.91 FEET TO A POINT ON AN ARC OF A CIRCLE, SAID WEST LINE OF LOT "B" BEING RADIAL TO THE ARC OF THE CIRCLE HEREIN DESCRIBED; THENCE EASTERLY ALONG AN ARC OF A CIRCLE CONVEX NORTHERLY HAVING A RADIUS OF 330.27 FEET FOR A DISTANCE OF 96.27 FEET TO A POINT OF REVERSE CURVE; THENCE EASTERLY ALONG A CURVE CONVEX SOUTHERLY HAVING A RADIUS OF 260.27 FEET FOR A DISTANCE OF 103.49 FEET TO A LINE 199.28 FEET EAST OF (MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE WEST LINE OF SAID LOT "B"; THENCE NORTH $00^{\circ} 18' 35''$ EAST ALONG SAID PARALLEL LINE 14.00 FEET TO A POINT ON AN ARC OF A CIRCLE, THE AFOREMENTIONED PARALLEL LINE BEING RADIAL TO THE ARC OF THE CIRCLE HEREIN DESCRIBED; THENCE NORTHEASTERLY ALONG AN ARC OF A CIRCLE CONVEX SOUTHEASTERLY HAVING A RADIUS OF 432.51 FEET FOR A DISTANCE OF 189.51 FEET TO A POINT OF TANGENCY; THENCE NORTH $65^{\circ} 20' 16''$ EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED ARC 13.78 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG AN ARC OF A CIRCLE CONVEX SOUTHEASTERLY AND HAVING A RADIUS OF 730.44 FEET FOR A DISTANCE OF 167.59 FEET TO A POINT OF REVERSE CURVE; THENCE NORTHEASTERLY ALONG AN ARC OF A CIRCLE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 737.50 FEET FOR A DISTANCE OF 79.85 FEET TO A POINT; THENCE SOUTH $13^{\circ} 12' 08''$ EAST ALONG A STRAIGHT LINE, 21.52 FEET TO THE PLACE OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE CONTINUING SOUTH $13^{\circ} 12' 08''$ EAST, 47.71 FEET; THENCE NORTH $76^{\circ} 47' 52''$ EAST, 9.21 FEET; THENCE SOUTH $13^{\circ} 12' 08''$ EAST, 12.85 FEET; THENCE NORTH $76^{\circ} 47' 52''$ EAST, 27.47 FEET; THENCE NORTH $13^{\circ} 12' 08''$ WEST, 7.19 FEET; THENCE NORTH $76^{\circ} 47' 52''$ EAST, 48.01 FEET; THENCE NORTH $13^{\circ} 12' 08''$ WEST 9.05 FEET; THENCE NORTH $76^{\circ} 47' 52''$ EAST 16.53 FEET; THENCE NORTH $13^{\circ} 12' 08''$ WEST 13.04 FEET; THENCE NORTH $76^{\circ} 47' 52''$ EAST 8.96 FEET; THENCE NORTH $13^{\circ} 12' 08''$ WEST 47.70 FEET; THENCE SOUTH $76^{\circ} 47' 52''$ WEST 36.47 FEET; THENCE SOUTH $13^{\circ} 12' 08''$ EAST 8.01 FEET; THENCE SOUTH $76^{\circ} 47' 52''$ WEST 23.04 FEET; THENCE SOUTH $13^{\circ} 12' 08''$ EAST 3.50 FEET; THENCE SOUTH $76^{\circ} 47' 52''$ WEST 49.73 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EXHIBIT B

The Property described on Exhibit A is subject to:

1. Taxes for the year 1976 and subsequent years.
2. The lien of additional taxes which may be assessed for 1975 by reason of the construction of new or additional improvements during that year and extended for collection on the 1976 or subsequent Collector's Warrant.
3. MORTGAGE DATED JULY 26, 1972 AND RECORDED AUGUST 3, 1972 AS DOCUMENT 22001250, AS MODIFIED AND SUPPLEMENTED FROM TIME TO TIME, MADE BY CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 26, 1959 AND KNOWN AS TRUST NUMBER 40920 TO CONTINENTAL ILLINOIS REALTY TO SECURE A NOTE FOR \$5,512,800.00.
4. ASSIGNMENT OF RENTS AND SECURITY AGREEMENT RECORDED AUGUST 3, 1972 AS DOCUMENT 22001250 AS AMENDED FROM TIME TO TIME.
5. FINANCING STATEMENT RECORDED SEPTEMBER 7, 1972 AS DOCUMENT 72U50479 FROM ELECTRONIC HOMES, INC., TO CONTINENTAL ILLINOIS REALTY, DISCLOSING A SECURITY INTEREST IN CERTAIN DESCRIBED CHATTELS LOCATED ON THE LAND AND OTHER PROPERTY.
NOTE: AMENDED BY DOCUMENT 75U43014, RECORDED SEPTEMBER 19, 1975.
6. COVENANTS AND RESTRICTIONS CONTAINED IN ORDER OF CIRCUIT COURT OF COOK COUNTY, ILLINOIS, IN CASE NUMBER 66L4778 ORDERED ON STIPULATION OF PARTIES THAT:
 - (1) THE DEVELOPMENT ON THE 30 ACRES WHICH ARE THE SUBJECT MATTER OF THE ABOVE LAWSUIT SHALL NOT EXCEED 400 DWELLING UNITS.
 - (2) NO BUILDING ON SAID 30 ACRES SHALL EXCEED 3 STORIES IN HEIGHT.
 - (3) THE KINDS AND SIZE OF THE APARTMENTS ON THE SAID 30 ACRES SHALL BE AS FOLLOWS:
 - (A) 27 PER CENT ONE BEDROOM UNITS OF 800 SQUARE FEET MINIMUM 1000 SQUARE FEET MAXIMUM.
 - (B) 50 PER CENT TWO BEDROOM UNITS OF 1050 SQUARE FEET MINIMUM AND 1250 SQUARE FEET MAXIMUM.
 - (C) 23 PER CENT THREE BEDROOM UNITS OF 1500 SQUARE FEET MINIMUM AND 1700 SQUARE FEET MAXIMUM.

THE NUMBER OF THREE BEDROOM UNITS MAY BE REDUCED AND THEREBY INCREASE THE NUMBER OF TWO BEDROOM UNITS OR ONE BEDROOM UNITS. THE NUMBER OF TWO BEDROOM UNITS MAY BE REDUCED AND THEREBY INCREASE THE NUMBER OF ONE BEDROOM UNITS. THERE WILL BE NO INCREASE IN THE NUMBER OF THREE BEDROOM UNITS. THE TOTAL NUMBER OF DWELLING UNITS SHALL NOT EXCEED 400 AS SET OUT IN ABOVE.
 - (4) PLAINTIFF, ELECTRONIC HOMES, INC., IS TO SHARE IN THE COST OF THE NEW CHITALL STORM SEWER FOR THE CONCRETE ROAD WATER SHED ON THE BASIS OF THE PROPORTION OF THE TOTAL LAND AREA OWNED BY THE DEVELOPER (INCLUDING COMMERCIAL AREA) TO THE TOTAL BENEFITED AREA.

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(5) OFF-STREET PARKING OF THREE AUTOS FOR EVERY TWO APARTMENTS UNIT IS TO BE PROVIDED. ENCLOSED WITHIN A BUILDING THERE IS TO BE PROVIDED SPACE TO ACCOMMODATE A NUMBER OF VEHICLES EQUAL TO 25 PERCENT OF THE NUMBER OF UNITS CONSTRUCTED.

(6) NO BUILDING ERECTED ON THE SOUTHERN BOUNDARY OF THE ABOVE MENTIONED 30 ACRES SHALL EXCEED TWO STORIES.

(7) BUILDINGS ALONG THE SOUTH END OF THE PROPERTY ARE TO BE NOT LESS THAN 75 FEET FROM THE PROPERTY LINE.

(8) BUILDINGS ALONG THE WEST SIDE OF THE PROPERTY ARE TO BE NOT LESS THAN 75 FEET FROM THE PROPERTY LINE.

(9) THERE WILL BE NO INGRESS OR EGRESS FOR VEHICULAR TRAFFIC FROM THE SOUTHERN BOUNDARY OF THE ABOVE MENTIONED 30 ACRES.

(10) UNDERGROUND UTILITIES ARE TO BE PROVIDED THROUGHOUT THE ENTIRE PROJECT.

(11) A FIVE FOOT STOCKADE OR LATTICE FENCE IS TO BE ERECTED ALONG THE SOUTH END OF THE PROPERTY.

7. EASEMENT FOR CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RENEWAL, RELOCATION AND REMOVAL FROM TIME TO TIME, OF WIRES, CABLES, CONDUITS, MANHOLES AND OTHER FACILITIES USED IN THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, GAS, WATER, SEWAGE, TOGETHER WITH RIGHT OF ACCESS TO THE SAME AND THE RIGHT, FROM TIME TO TIME, TO TRIM OR REMOVE TREES, BUSHES AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUB-SURFACE AS MAY REASONABLY BE REQUIRED, AS SET FORTH IN THE DECLARATION OF EASEMENTS MADE BY CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 26, 1959 AND KNOWN AS TRUST NUMBER 40220, DATED MARCH 5, 1974 AND RECORDED MARCH 8, 1974 AS DOCUMENT 22648909 OVER THAT PART OF THE LAND DESCRIBED IN AND ATTACHED AS EXHIBIT 'B' TO SAID DOCUMENT.

8. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE PHEASANT CREEK ASSOCIATION DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS BY CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 26, 1959 AND KNOWN AS TRUST NUMBER 40220 DATED MARCH 5, 1974 AND RECORDED MARCH 8, 1974 AS DOCUMENT 22648909 RELATING TO MEMBERSHIP IN THE PHEASANT CREEK ASSOCIATION, AN ILLINOIS NOT-FOR-PROFIT CORPORATION; CLASSES OF MEMBERSHIP AND VOTING RIGHTS OF MEMBERS IN THE ASSOCIATION; USES AND DESIGNATION OF THE COMMON PROPERTIES; PROPERTY RIGHTS OF MEMBERS IN THE COMMON PROPERTIES; COVENANT BY EACH OWNER TO MAINTAIN THE EXTERIOR OF HIS STRUCTURE AND UPON THE FAILURE OF ANY OWNER TO DO SO, THAT THE ASSOCIATION SHALL HAVE THE RIGHT TO CAUSE SUCH MAINTENANCE TO BE PERFORMED.

NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION.

9. EASEMENT FOR PUBLIC UTILITY PURPOSES TO INSTALL ELECTRIC FACILITIES IN AND UPON THE LAND, TOGETHER WITH RIGHT OF ACCESS THERETO, AS CREATED BY THE GRANT FROM CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 26, 1959 AND KNOWN AS TRUST NUMBER 40220 TO THE COMMONWEALTH EDISON COMPANY RECORDED MAY 9, 1974 AS DOCUMENT 22711633.

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10. SECURITY INTEREST OF CONTINENTAL ILLINOIS REALTY, SECURED PARTY, IN CERTAIN DESCRIBED CHATTLES ON THE LAND, AS DISCLOSED BY FINANCING STATEMENT EXECUTED BY PHEASANT CREEK ASSOCIATES, DEBTOR, AND FILED ON AUGUST 19, 1974 AS DOCUMENT 74U38391 AND AS AMENDED BY 75U43013 RECORDED SEPTEMBER 19, 1975.

Property of Cook County Clerk's Office

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Shirley R. Wilson
1977 JAN 17 PM 2 52
JAN-17-77 313182 • 23790993 - A - Rec

RECORDER OF DEEDS
COOK COUNTY ILL. 60601

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END OF RECORDED DOCUMENT