

DEED IN TRUST

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Form 191 Rev. 11-71

(The above space for recorder's use only)

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THIS INSTRUMENT WITNESSETH, THAT THE GRANTOR, ELMER W. SMITH and DIANE LYNN SMITH of the County of COOK and State of ILLINOIS, for and in consideration of the sum of ten Dollars (\$10.00), in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey and Warrant unto 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 21st day of June 19 79, and known as Trust Number 46915, the following described real estate in the County of COOK and State of Illinois, to wit:

That part of Lot 1 in Kenroy's Huntington, being a Subdivision of part of the East half of Section 14, Township 43 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Lot 1; thence S 88° 59' 01" W 673.17 feet along the South line of said lot, being also the North line of the Commonwealth Edison Company right-of-way; thence S 79° 30' 45" W 308.89 feet along the Southeasterly line of said Lot 1 to a point on the East line of the Southwest quarter of the Southeast quarter of said Section 14; thence S 79° 31' 04" W along the said Southeasterly line of said Lot 1, a distance of 425.958 feet to the point of beginning; thence N 10° 28' 56" W along a line drawn perpendicularly to the said Southeasterly line of said Lot 1, a distance of 110.00 feet; thence N 79° 31' 04" E, a distance of 10.00 feet; thence N 10° 28' 56" W, a distance of 19.00 feet; thence N 29° 25' 12.9" W, a distance of 183.07 feet to an intersection with the South line of the easement recorded in Document No. 21401332 and LR 2543.67; thence Southwesterly 175.622 feet along the said South line, said South line being an arc of a circle of 1,153.838 feet in radius, convex to the Northwest, and whose chord bears S 64° 39' 46.9" W, for a chord length of 175.452 feet; thence N 29° 41' 50.5" W, a distance of 2.00 feet along a radial line extended Northwesterly; thence Southwesterly 171.11 feet along the said South line, said South line being the arc of a circle of 406.507 feet in radius, convex to the Southeast, and whose chord bears S 72° 21' 41" W; thence South along the lot line of said Lot 1 and the Northerly extension thereof, a distance of 241.95 feet to the most Southerly corner of said Lot 1; thence N 79° 31' 04" E, along the Southeasterly line of said Lot 1, a distance of 432.204 feet to the point of beginning, and containing 105,793.5 square feet, all in Cook County, Illinois.

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Recorder's Office

# UNOFFICIAL COPY

INFORMED UNDER PROVISIONS OF ESTATES ACT  
REAL ESTATE TRANSFER TAX ACT

6/28/75  
Celia R. Lentner  
25 029 488

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 to create any subdivision or part thereof, and to redivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms and 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, to purchase or to sell, to lease, to subdivide, to improve, to extend, to alter, to amend, to change or modify lease 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 premises, to contract respecting the manner of having 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, convey or assign any title, title or interest in or about or 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 otherwise disposed of by said Trustee, or any successor in trust, be obliged to see to the application 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 claiming the benefit of Title of said county relying upon or claiming under any such mortgage, lease or other instrument, (a) that at the time of the delivery thereof the said Trustee, or any successor in trust, was in full force and effect, (b) that such mortgage or other instrument was executed in compliance with the trusts, conditions and limitations contained in this Instrument and in said Trust Agreement or to all amendments thereof, if any, and (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 title, estate, 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 its successors or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything it or they or its or 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. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then 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 not individually (and the Trustee shall have the usual whatever 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 and 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 person claiming under them or any of them shall be only in the earnings, profits 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 or to said real estate as such, but only an interest in earnings, profits 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 to 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 hereby expressly waives, and releases, and all right or benefit under and by virtue of any and all statutes of the State of Illinois, prohibiting the exemption of homesteads from sale or execution of judgments.

In Witness Whereof, the grantor aforesaid has hereunto set his hand and seal this 28th day of June 1975.

ELMER W. SMITH (SEAL) DIANE LYNN SMITH (SEAL)

STATE OF ILLINOIS, I, Loretta R. Lentner, a Notary Public in and for said County of COOK, County, in the State aforesaid, do hereby certify that ELMER W. SMITH and DIANE LYNN SMITH

personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, read and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, with full release and waiver of the right of homestead. GIVEN under my hand and seal this 28th day of June 1975. Loretta R. Lentner, Notary Public. My commission expires 8/12/81.

American National Bank and Trust Company of Chicago  
Box 221

Unit 302  
725 Huntington Commons, Mt. Prospect  
For information only insert street address of above described property.



END OF RECORDED DOCUMENT