

# UNOFFICIAL COPY

## WARRANTY DEED IN TRUST

1981 OCT 29 PM 3 40

26042707

(The above space for Recorder's use only)

THIS INDENTURE WITNESSETH, That the Grantor **EDWARD G. GARDNER and BETTY GARDNER, his wife** **OCT-29-81 5 5 1 7 1 0 26042707** of the County of **Cook** and State of **Illinois** for and in consideration of **Ten** Dollars, and other good and valuable considerations in hand paid, Conveys and warrants unto the **BEVERLY BANK, an Illinois corporation, of Chicago, Illinois, as Trustee** under the provisions of a trust agreement dated the **29th** day of **January**, 19**73**, known as Trust Number **8-4346**, the following described real estate in the County of **Cook** and State of **Illinois**, to-wit:

The real property more particularly described in Exhibit A attached hereto and hereby made part hereof.

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**SUBJECT** to all liens, encumbrances, covenants, easements and restrictions of record; and to all unpaid special assessments and general taxes and all zoning and building ordinances and restrictions.

Grantee's Address: **1357 W. 103RD STREET, CHICAGO, ILLINOIS 60643**

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 portion or part thereof, and to resubdivide 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 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 property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, to commence in present or future, 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, to amend, change 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 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 in any kind, to release, convey or assign any right, title or interest in or about or appertaining 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 above 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 it 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 conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (b) that at the time of the delivery thereof the trust created by this indenture and by said trust agreement was in full force and effect, (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 its, his or their predecessor 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, avails 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, avails 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 S, hereby expressly waive and release any 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 S aforesaid have hereunto set their hand and seal as of this 30th day of June 1981.

Betty Gardner (Seal) Edward G. Gardner (Seal)  
Betty Gardner (Seal) Edward G. Gardner (Seal)

State of Illinois )  
County of Cook ) ss. DARLENE KEATING a Notary Public in and for said County, in the state aforesaid, do hereby certify that Edward G. Gardner and Betty Gardner

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 and waiver of the right of homestead.

Given under my hand and notarial seal this 30th day of June 1981

Darlene Keating  
Notary Public

**Beverly Bank**  
BOX 90

**1000 East 87th Street, Chicago, IL**  
For information, only insert street address of above described property.

Received by  
Roi Delmonico  
69 W. Washington  
Chicago, Illinois 60603

Stamp: RECEIVED  
Date: 10/29/81  
Signature: Mark B. Pugh

Document Number: 26042707

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## EXHIBIT A

WARRANTY DEED IN TRUST DATED as of June 30, 1981  
BY EDWARD G. GARDNER AND BETTY GARDNER, HIS WIFE,  
TO BEVERLY BANK, AS TRUSTEE, UNDER TRUST  
AGREEMENT DATED JANUARY 29, 1973, AND  
KNOWN AS TRUST NUMBER 8-4346

### PARCEL 1:

A parcel of land located in the Southwest Quarter of Section 35, Township 38 North, Range 14 East of the Third Principal Meridian in Chicago, Cook County, Illinois, more particularly described as follows:

Commencing at a point on a line that lies parallel to and 33 feet North of the South line of said Southwest Quarter of Section 35 and 1187.05 feet West of the East line of said Southwest Quarter of Section 35, being the Southwest corner of that real estate conveyed by the Illinois Central Railroad Company to Volta Battery Corporation by deed dated December 27, 1945; thence northerly, along a line forming an angle of 100 degrees 48 minutes in the northwesterly quadrant of its intersection with said parallel line, being along the West property line of said Volta Battery Corporation, 409.10 feet to the Northwest corner of said Volta Battery Corporation, being the point of beginning; thence continuing northerly, along the prolongation of the last described course, 206 feet; thence westerly, at a right angle to the last described course, 80.00 feet to a point that is 148.5 feet, more or less, easterly from the centerline of Grantor's Southbound Main Track as measured at a right angle thereto; thence southerly, at a right angle to the last described course, 206 feet; thence easterly, at a right angle to the last described course, 80 feet to the point of beginning.

### PARCEL 2:

A parcel of land located in the Southwest Quarter of Section 35, Township 38 North, Range 14 East of the Third Principal Meridian in Chicago, Cook County, Illinois, more particularly described as follows:

Beginning at a point on a line that lies parallel to and 33 feet North of the South line of said Southwest Quarter of Section 35 and 1187.05 feet West of the East line of said Southwest Quarter of Section 35, being the Southwest corner of that real estate conveyed by the Illinois Central Railroad Company to Volta Battery Corporation by deed dated December 27, 1945; thence northerly, along a line forming an angle of 100 degrees 48 minutes in the northwesterly quadrant of its intersection with said parallel line, being along the West property line of said Volta Battery Corporation, 409.10 feet to the Northwest corner of said Volta Battery Corporation; thence westerly, at a right angle to the last described course, 80.00 feet to a point that is 148.5 feet, more or less, easterly from the centerline of Grantor's Southbound Main Track as measured at a right angle thereto; thence southerly, at a right angle to the last described course, 411.64 feet to a point on a line that lies parallel to and 45.50 feet North of said South line of the Southwest Quarter of Section 35; thence easterly, along the last said parallel line, 10.00 feet to a point; thence southerly, at a right angle to the last described course, 12.50 feet to a point on said line that lies parallel to and 33 feet North of said South line of the Southwest Quarter of Section 35; thence East, along the last said parallel line, 69.00 feet to the Point of Beginning.

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**END OF RECORDED DOCUMENT**