

# UNOFFICIAL COPY

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## SPECIAL WARRANTY DEED IN TRUST (Illinois)

THIS INDENTURE, made this 26th day of MARCH, 1987, between CENTRAL HOTEL COMPANY, a corporation created and existing under and by virtue of the laws of the State of Illinois, and duly authorized to transact business in the State of Illinois, and PICK-HARRISON CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Illinois, and duly authorized to transact business in the State of Illinois, collectively the party of the first part, and CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED MARCH 25, 1987 AND KNOWN AS TRUST NUMBER 1089673, 111 West Washington Street, Chicago, Illinois, 60602, trustee and party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and pursuant to authority of the Boards of Directors of said corporations, by these presents do REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its heirs and assigns, FOREVER, all the following described land, situated in the County of Cook and State of Illinois known and described as follows, to wit:

See Exhibit A attached hereto and made a part hereof, subject to the permitted exceptions listed on Exhibit B attached hereto and made a part hereof ("Permitted Exceptions").

Premises: 520 S. Michigan Ave., Chicago, Illinois, 60605

PIN: 17-15-111-009, 010, 011, 012, 013, 014, 015, 016, 017, 018

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the applicable party of the first part, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the applicable party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its heirs and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumbered or charged, except as herein recited and except for the Permitted Exceptions; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND FOREVER DEFEND.

This instrument incorporates the additional provisions set forth on Exhibit C hereto.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Vice President and attested by its ASST Secretary, the day and year first above written.

CENTRAL HOTEL COMPANY, an Illinois corporation

By: [Signature]

PICK-HARRISON CORPORATION, an Illinois corporation

By: [Signature]

Attest: [Signature]

Secretary

Attest: [Signature]

Secretary

CITY OF CHICAGO  
REAL ESTATE TRANSACTION TAX  
\$ 20,000.00  
DEPT. OF REVENUE  
MARCH 27 1987

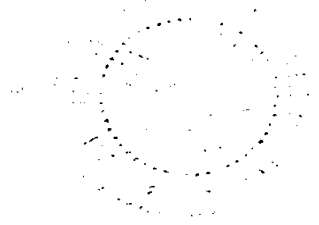
7072471 B2

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2025-01-01



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This instrument was prepared by: After recording return to:

Edward E. Wicks  
Alzheimer & Gray  
333 W. Wacker Drive  
Suite 2600  
Chicago, Illinois 60606

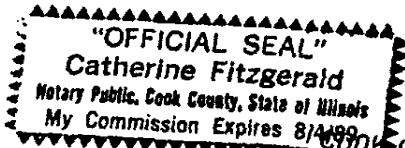
Edward Copeland  
Wood, Lucksinger & Epstein  
333 W. Wacker Drive  
Suite 400  
Chicago, Illinois 60606

BOX 333-HV  
2

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF COOK )

I, Catherine Fitzgerald, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Maurice P. Collins, Jr. personally known to me to be the Vice President of Central Hotel Company, an Illinois corporation, and Robert M. Horwicz, personally known to me to be the Ass't Secretary of said corporation, and 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 severally acknowledged that as such Vice President and Ass't Secretary, they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 26<sup>th</sup> day of March, 1987.



Catherine Fitzgerald  
Notary Public

Commission Expires: 8-4-89

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF COOK )

COOK COUNTY, ILLINOIS  
FILED FOR RECORD

1987 MAR 27 PM 12:00

87162453

I, Catherine Fitzgerald, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Maurice P. Collins, Jr. personally known to me to be the Vice President of Pick-Harrison Corporation, an Illinois corporation, and Robert M. Horwicz, personally known to me to be the Ass't Secretary of said corporation, and 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 severally acknowledged that as such Vice President and Ass't Secretary, they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 26<sup>th</sup> day of March, 1987.



Catherine Fitzgerald  
Notary Public

Commission Expires: 8-4-89

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SEARCHED  
SERIALIZED  
INDEXED  
FILED

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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
MAR27'87 DEPT. OF REVENUE  
999.00  
PB. 11252

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
MAR27'87 DEPT. OF REVENUE  
998.00  
PB. 11252

STATE OF ILLINOIS  
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STATE OF ILLINOIS  
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PB. 11252

Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE STAMP MAR27'87  
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PB. 11427

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REVENUE STAMP MAR27'87  
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REVENUE STAMP MAR27'87  
07.00  
PB. 11427  
Cook County

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EXHIBIT A

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## LEGAL DESCRIPTION OF LAND

(excluding land subject to Ground Lease)

### PARCEL 1:

SUB.LOTS 1, 2, 3, 4 AND 5 IN THE SUBDIVISION OF SUB-LOTS 1 AND 2 IN LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THE NORTH 20 FEET OF SAID SUB.LOTS 1, 4 AND 5), IN COOK COUNTY, ILLINOIS.

ALSO,

### PARCEL 2:

LOTS 3, 4, 5, 7, 8 AND 9 IN ORRINGTON LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO,

### PARCEL 3:

THE SOUTH 20 FEET OF LOT 4 AND ALL OF LOT 5 (EXCEPT THE WEST 8 FEET THEREOF TAKEN AND USED FOR ALLEY AND EXCEPT THE SOUTH 41 FEET OF SAID LOT 5), ALSO THE NORTH 52 FEET OF LOT 8 (EXCEPT THE WEST 8 FEET THEREOF TAKEN AND USED FOR ALLEY), IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

### PARCEL 4:

THE NORTH 25 3/12THS FEET OF THE SOUTH 50 3/12THS FEET OF THE EAST 132 FEET OF LOT 9 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

### PARCEL 5:

A TRACT OF PARCEL OF LAND DESCRIBED AS 'PRIVATE ALLEY FOR USE OF THE PROPERTY' AS SHOWN ON THE PLAT OF ORRINGTON LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF ORIGINAL LOT 4

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IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, RECORDED APRIL 25, 1855 IN BOOK 85 OF MAPS, PAGE 112, AS DOCUMENT 58647, LYING SOUTH OF AND ADJOINING THE WEST 12 FEET OF LOT 1 OF SAID SUBDIVISION WEST OF LOTS 2, 3, 4 AND PART OF LOT 5, NORTH OF PART OF LOT 5, AND OF LOTS 7, 8 AND 9; AND SOUTH OF AND ADJOINING LOT 6 IN SAID LUNT'S SUBDIVISION (EXCEPT THE NORTH 1/2 OF THAT PART OF SAID ALLEY LYING SOUTH OF AND ADJOINING THE WEST 17 FEET OF LOT 6 IN LUNT'S SUBDIVISION AFORESAID), IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 6:

THE SOUTH 41 FEET OF LOT 5 (EXCEPT THE WEST 8 FEET THEREOF TAKEN OR USED FOR ALLEY), IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 7:

THE RIGHTS AND EASEMENTS AS TO THE NORTH 20 FEET OF SUB. LOTS 1, 4 AND 5 IN THE SUBDIVISION OF LOTS 1 AND 2 IN LUNT'S SUBDIVISION FOR THE BENEFIT OF PARCELS 1 TO 6 INCLUSIVE AND OTHER PROPERTY, RESERVED IN THAT CERTAIN QUIT CLAIM DEED DATED JULY 16, 1952 FROM THE CENTRAL HOTEL COMPANY AND OTHERS TO THE CITY OF CHICAGO, WHICH DEED WAS RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT 15466793, IN BOOK 48584 ON PAGE 265, WHICH RIGHTS AND EASEMENTS ARE MORE FULLY SET FORTH IN THE JUDGMENT ORDER ENTERED JULY 10, 1952 IN CASE 4905321 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 8:

[PURPOSELY OMITTED]

ALSO,

PARCEL 9:

THE SOUTH 28 FEET OF LOT 8 AND THE NORTH 24 FEET OF LOT 9 (EXCEPT THE WEST 8 FEET THEREOF TAKEN OR USED FOR ALLEY), ALL IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

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PARCEL 10:

THE WEST 17 FEET FRONT AND REAR' OF SUB LOT 6 (EXCEPTING THEREFROM THE NORTH 20 FEET THEREOF) IN LUNT S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING THE LAND KNOWN AS NUMBER 13 EAST CONGRESS STREET IN CHICAGO, OTHERWISE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF THE 16 FOOT ALLEY RUNNING NORTH AND SOUTH AS SHOWN ON THE PLAT OF SAID SUBDIVISION RECORDED ON APRIL 25, 1855, WHERE THE SOUTH LINE OF CONGRESS STREET (FORMERLY TYLER STREET) INTERSECTS WITH THE SAME, RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID CONGRESS STREET, 17 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID 16 FOOT ALLEY, 100 FEET TO THE NORTH LINE OF THE 20 FOOT ALLEY SHOWN ON SAID PLAT AND DESIGNATED 'PRIVATE ALLEY FOR THE USE OF PROPERTY'; THENCE WEST ALONG THE NORTH LINE OF SAID ALLEY, 17 FEET TO A POINT WHERE THE SAME INTERSECTS WITH THE 16 FOOT ALLEY ABOVE MENTIONED; THENCE NORTH ALONG THE EAST LINE OF SAID 16 FOOT ALLEY, 100 FEET TO THE POINT OF BEGINNING AND THE NORTH 1/2 OF THAT PART OF SAID PRIVATE ALLEY LYING SOUTH OF AND ADJOINING THE WEST 17 FEET OF SAID LOT 6, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 11:

THE SOUTH 50 FEET OF LOT 9 (EXCEPT THE WEST 8 FEET TAKEN FOR PUBLIC ALLEY AND EXCEPT THE NORTH 19 FEET OF THE EAST 132 FEET OF THE SAID SOUTH 50 FEET OF SAID LOT 9), IN BLOCK 12 IN FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 12:

THE RIGHTS AND EASEMENTS AS TO THE NORTH 20 FEET OF THE WEST 17 FEET FRONT AND REAR OF SUB. LOT 6 IN LUNT S SUBDIVISION FOR THE BENEFIT OF PARCEL 10 AFORESAID AND OTHER PROPERTY, RESERVED IN THE CERTAIN QUIT CLAIM DEED DATED JULY 16, 1952 FROM THE CENTRAL HOTEL COMPANY AND OTHERS TO THE CITY OF CHICAGO, WHICH DEED WAS RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT 15466793, IN BOOK 48584, PAGE 265, WHICH RIGHTS AND EASEMENTS ARE MORE FULLY SET FORTH IN THE JUDGMENT ORDER ENTERED ON JULY 10, 1952 IN CASE 49C5321, IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, ALL IN COOK COUNTY, ILLINOIS.

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ALSO,

PARCEL 13:

THAT PART OF LOT 9 LYING NORTH OF THE NORTH LINE OF THE SOUTH 50.0 FEET, LYING SOUTH OF THE SOUTH LINE OF THE NORTH 24.0 FEET, LYING EAST OF THE EAST LINE OF THE WEST 8.0 FEET AND LYING WEST OF THE WEST LINE OF THE EAST 132.0 FEET THEREOF, IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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## EXHIBIT B

### PERMITTED EXCEPTIONS

- A. All liens for real estate taxes, personal property taxes, assessments, levies, water charges and sewer charges and rents not yet payable and any taxes or special assessments that are not shown as existing liens by the public records.
- B. Questions of survey (including, but not limited to, discrepancies, conflicts, encroachments, boundary line disputes, overlappings or shortages) and matters which are disclosed by that certain Survey, dated June 9, 1986 of Greeley, Howard, Norlin and Smith, a copy of which has been delivered to Purchaser.
- C. All terms and conditions of all Space Leases, the unpaid utility charges (which do not constitute liens on the Premises) of Space Lessees (which Purchaser shall look solely to such Space Lessees for payment) and all present and future laws of all governmental and quasi-governmental authorities relating to the rights and obligations of Space Lessees under their Space Leases and the permissible rents to be charged to them; also, rights of parties in possession.
- D. All present and future laws, statutes, ordinances, codes, restrictions, rules and regulations of all governmental and quasi-governmental authorities, including, but not limited to, zoning, building, fire, health, safety, sanitation, environmental, business, innkeepers, food service, and liquor laws, statutes, ordinances, codes, restrictions, rules and regulations, including any violations thereof.
- E. Building, building line (including setback line) and ownership, use or occupancy restrictions, reservations, declarations, provisions (including prior deed provisions), conditions, agreements and covenants of record, including any violations thereof.
- F. Streets, roads and rights-of-way, and rights of the public to any underground vault space, including but not limited to sidewalk vaults and any right of any governmental authority to require permits and/or payments therefor.
- G. Easements and licenses which do not materially interfere with the continuing present use and operation of the Hotel.
- H. Condition and state of repair of the Property, the Premises and the Building Service Equipment.
- I. The rights of the parties under and all terms and conditions of the Hotel Contracts, including any UCC filings.
- J. The rights of lessors under and all terms and conditions of the Equipment Leases, including any UCC filings.
- K. Rights, claims and charges against, and acts done or suffered by Purchaser and parties claiming by, through or under Purchaser.
- L. Exceptions, defects or objections over which the title insurance company shall afford title insurance at Seller's expense as described in Section 7.1 of the Agreement as hereinafter defined.
- M. Exceptions, defects or objections accepted by Purchaser as described in Section 7.1 of the Agreement as hereinafter defined.

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- N. The rights of landlords under and all terms and conditions of the Ground Lease.
- O. 1. Terms, provisions and conditions relating to certain rights and easements as set forth in the Judgment Order entered July 16, 1952 in case No. 49 C 5321, Circuit Court of Cook County, Illinois.
2. Survey No. 22896 by Greeley-Howard-Norlin and Smith depicts the following: (a) bay window encroachments of 4.7 feet along the west line of Parcels 1, 2 and 3; (b) encroachment of the building located mainly on Parcel 9 onto the land south and adjoining by 0.35 of a foot and 0.256 of a foot; and (c) encroachment of the building located on Parcel 11 onto the land south and adjoining by 0.13 of a foot.
3. Proceeding pending in case No. 85 1404590 on a Complaint filed August 13, 1985 for building violations against Central Hotel Company and the Congress Hotel.
- P. Any other matters which do not materially interfere with the continuing present use and operation of the Hotel.

Capitalized terms used herein shall have the meaning set forth in that certain Purchase and Sale Agreement entered into as of July 31, 1986, as it may be amended, by and between Central Hotel Company, an Illinois corporation, Pick-Harrison Corporation, an Illinois corporation, as Seller, and Sholom Drizin, as Purchaser.

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EXHIBIT 8 7 1 6 2 4 5 3

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, 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, by leases to commence in present or futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise 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 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 of any kind, to release, convey or assign any right, title or interest in or about or 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 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 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 conclusive 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 delivery 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 amendment thereof and binding upon all beneficiaries hereunder, (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.

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