

# UNOFFICIAL COPY

PREPARED BY:

NAME: LAWRENCE H. LEAVITT  
STREET ADDRESS: 7 S. DEARBORN ST.  
CITY STATE ZIP: CHICAGO IL 60603

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88449834

OR RECORDER'S OFFICE BOX NO. \_\_\_\_\_

(The Above Space for Recorder's Use Only)

M. LEGAL DESCRIPTION: Lot 11 in the Block 8 in Provident Mutual Land Association's Subdivision of Blocks 7 to 12, 28 to 33 and 54 to 59, both inclusive, in the village of Winnetka, being a subdivision of the West Half of the Northeast Quarter of Section 20, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

COOK COUNTY, ILLINOIS  
FILED FOR RECORD

1988 SEP 30 AM W: 16

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STREET ADDRESS: 922 Oak Street, Winnetka, Illinois 60093

PERMANENT TAX INDEX NUMBER 05-20-215-011

THE SPACE ABOVE IS NOT PART OF OFFICIAL STATUTORY FORM. IT IS ONLY FOR THE AGENT'S USE IN RECORDING THIS FORM WHEN NECESSARY FOR REAL ESTATE TRANSACTIONS.

## Section 3-4 of the Illinois Statutory Short Form Power of Attorney for Property Law

**Section 3-4. Explanation of powers granted in the statutory short form power of attorney for property.** This Section defines each category of powers listed in the statutory short form power of attorney for property and the effect of granting powers to an agent. When the title of any of the following categories is retained (not struck out) in a statutory property power form, the effect will be to grant the agent all of the principal's rights, powers and discretions with respect to the types of property and transactions covered by the retained category, subject to any limitations on the granted powers that appear on the face of the form. The agent will have authority to exercise each granted power for and in the name of the principal with respect to all of the principal's interests in every type of property or transaction covered by the granted power at the time of exercise, whether the principal's interests are direct or indirect, whole or fractional, legal, equitable or contractual, as a joint tenant or tenant in common or held in any other form; but the agent will not have power under any of the statutory categories (a) through (c) to make gifts of the principal's property, to exercise powers to appoint to others or to change any beneficiary whom the principal has designated to take the principal's interests at death under any will, trust, joint tenancy, beneficiary form or contractual arrangement. The agent will be under no duty to exercise granted powers or to assume control of or responsibility for the principal's property or affairs; but when granted powers are exercised, the agent will be required to use due care to act for the benefit of the principal in accordance with the terms of the statutory property power and will be liable for negligent exercise. The agent may act in person or through others reasonably employed by the agent for that purpose and will have authority to sign and deliver all instruments, negotiate and enter into all agreements and do all other acts reasonably necessary to implement the exercise of the powers granted to the agent.

(a) **Real estate transactions.** The agent is authorized to buy, sell, exchange, rent and lease real estate (which term includes, without limitation, real estate subject to a land trust and all beneficial interests in and powers of direction under any land trust); collect all rent, sale proceeds and earnings from real estate; convey, assign and accept title to real estate; grant easements, create conditions and release rights of homestead with respect to real estate; create land trusts and exercise all powers under land trusts; hold, possess, maintain, repair, improve, subdivide, manage, operate and insure real estate; pay, contest, protest and compromise real estate taxes and assessments; and, in general, exercise all powers with respect to real estate which the principal could if present and under no disability.

(b) **Financial institution transactions.** The agent is authorized to open, close, continue and control all accounts and deposits in any type of financial institution (which term includes, without limitation, banks, trust companies, savings and building and loan associations, credit unions and brokerage firms); deposit in and withdraw from and write checks on any financial institution account or deposit; and, in general, exercise all powers with respect to financial institution transactions which the principal could if present and under no disability.

(c) **Stock and bond transactions.** The agent is authorized to buy and sell all types of securities (which term includes, without limitation, stocks, bonds, mutual funds and all other types of investment securities and financial instruments); collect, hold and safekeep all dividends, interest, earnings, proceeds of sale, distributions, shares, certificates and other evidences of ownership paid or distributed with respect to securities; exercise all voting rights with respect to securities in person or by proxy; enter into voting

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CHICAGO, IL 1312) 727-1977

(o) **All other property powers and transactions.** The agent is authorized to exercise all possible powers of the principal with respect to all possible types of property and interests in property, except to the extent the principal limits the generality of this category (o) by striking out one or more of categories (a) through (n) or by specifying other limitations in the property power form.

(n) **Estate transactions.** The agent is authorized to: accept, receive, release, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, gift or other property interest or payment due or payable to or for the principal, assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish a revocable trust solely for the benefit of the principal and trustee of the principal could in the future be amended or revoked by the agent; change or make a will and may not revoke or amend a trust established by the principal or under no disability; provide for the benefit of the principal; and, in general, exercise all powers which would otherwise be available to the agent unless specific language in the principal contract or agreement authorizes the agent to do otherwise.

(m) **Borrowing transactions.** The agent is authorized to: borrow money; mortgage or pledge any real estate or tangible personal property as security for such purposes, sign, renew, extend, pay and satisfy any notes or other forms of obligation; and, in general, exercise all powers with respect to secured and unsecured borrowing which the principal could if present and under no disability.

(l) **Business operations.** The agent is authorized to: organize or continue and conduct any business (which term includes, without limitation, any farming, manufacturing, mining, trading or other type of business operation) in any form, whether as a proprietorship, joint venture, partnership, corporation, trust or other legal entity; operate, buy, sell, expand, contract, terminate or liquidate any business; manage or participate in the operation of any business and engage, compensate and discharge business managers, employees, agents, attorneys, accountants and consultants; and, in general, exercise all powers with respect to business interests and operations which the principal could if present and under no disability.

(k) **Commodity and option transactions.** The agent is authorized to: buy, sell, extend, exercise, assign, convey, settle and exercise commodity futures contracts and call and put options on stocks and stock indices traded on a regulated options exchange and collect funds received for all proceeds of any such transactions; establish or continue option accounts for the principal with any securities broker; and, in general, exercise all powers with respect to commodity futures contracts and options which the principal could if present and under no disability.

(j) **Claims and litigation.** The agent is authorized to: institute, prosecute, defend, abandon, compromise, arbitrate, settle and dispose of any claim in favor of or against the principal or any party interested in any action, suit, proceeding, arbitration, appeal, claim or counterclaim, or any other proceeding before any court, tribunal, agency or other authority, including suits on behalf of the principal or the principal's tax returns and records, represent joint interests and demands before any federal, state or local revenue agency or taxing body and sign and deliver all tax liabilities; and, in general, exercise all powers with respect to claims and litigations which the principal could if present and under no disability.

(i) **Tax matters.** The agent is authorized to: sign, verify and file all the principal's federal, state and local claim or application for Social Security, including contributions of estimated tax; pay all taxes claimed, sue for and receive all tax refunds, examine and copy all the principal's tax returns and records, represent joint interests and demands before any federal, state or local revenue agency or taxing body and sign and deliver all tax liabilities; and, in general, exercise all powers with respect to tax matters which the principal could if present and under no disability.

(h) **Social Security, unemployment benefits.** The agent is authorized to: withdraw from and file any claim or application for Social Security, including contributions to any account, credit, accept, and take title to and hold all benefits under any Social Security, unemployment, military service or other state, federal, county or foreign statute or regulation; and, in general, exercise all powers with respect to social security, unemployment or military service benefits, sue for, settle or abandon any claim to any benefit of assistance under any federal, state or local or foreign statute or regulation; and, in general, exercise all powers with respect to retirement plans or individual retirement plans or individual benefit plans, settle and change plan documents which the principal could if present and under no disability.

(g) **Retirement plan transactions.** The agent is authorized to: contribute to, withdraw from and deposit funds in any type of retirement plan (which term includes, without limitation, any tax qualified or nonqualified pension, profit sharing, stock bonus, employee savings and other retirement plan, individual retirement account, deferred compensation plan and any other type of employee benefit plan), settle and change plan documents which the principal could if present and under no disability; and, in general, exercise all powers with respect to retirement plans and retirement plan documents which the principal could if present and under no disability.

(f) **Insurance and annuity transactions.** The agent is authorized to: procure, acquire, continue, renew, terminate or change any type of insurance or annuity contract (which terms include, without limitation, life, accident, health, disability, automobile casualty, property or liability insurance); pay premiums of assessments or surrenders and collect all distributions, proceeds or benefits payable under any insurance or annuity contract; and, in general, exercise all powers with respect to insurance or annuity contracts which the principal could if present and under no disability.

(e) **Safe deposit box transactions.** The agent is authorized to: open, continue and have access to all safe deposit boxes, sign, renew, release or terminate any safe deposit contract, draft or surrender any safe deposit box; and, in general, exercise all powers with respect to safe deposit matters which the principal could if present and under no disability.

(d) **Tangible personal property transactions.** The agent is authorized to: buy and sell, lease, exchange, collect, possess and take title to all tangible personal property, move, store, ship, repair, replace, maintain, manage, preserve, insure and safeguard tangible personal property; and, in general, exercise all powers with respect to tangible personal property which the principal could if present and under no disability.

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LAWRENCE H. LEAVITT, 7 S. Dearborn Street, #1327, Chicago, Illinois 60603

(THE NAME AND ADDRESS OF THE PERSON PREPARING THIS FORM SHOULD BE INSERTED IF THE AGENT WILL HAVE POWER TO CONVEY ANY INTEREST IN REAL ESTATE.)

My commission expires December 19, 1988

This document was prepared by:

(SEAL)

The undersigned, a notary public in and for the above county and state, certifies that FRANK V. SALERNO and delivering the instrument as the law and voluntary act of the principal, for the uses and purposes herein set forth, (and certified to the correctness of the signature(s) of the agent(s)).

County of Alachua County | SS.

(THIS POWER OF ATTORNEY WILL NOT BE EFFECTIVE UNLESS IT IS NOTARIZED, USING THE FORM BELOW.)

(Principals) \_\_\_\_\_ (Successor agent) \_\_\_\_\_

(Principals) \_\_\_\_\_ (Successor agent) \_\_\_\_\_

(Principals) \_\_\_\_\_ (Successor agent) \_\_\_\_\_

I certify that the signatures of my agent (and successors) are correct.

SIGNATURES IN THIS POWER OF ATTORNEY, YOU MUST COMPLETE THE CERTIFICATION OPPOSITE THE SIGNATURES OF THE AGENTS. (YOU MAY, BUT ARE NOT REQUIRED TO, REQUEST YOUR AGENT AND SUCCESSOR AGENTS TO PROVIDE SPECIMEN SIGNATURES BELOW, IF YOU INCLUDE SPECIMEN

signed FRANK V. SALERNO (Principal)

11. I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent.

(Name, name and address of named guardian of the estate)

10. If a guardian of my estate (my property) is to be appointed, I nominate the following to serve as such guardian:

(Name, name and address of named guardian of the person)

9. If a guardian of my person is to be appointed, I nominate the following to serve as such guardian:

If YOU WISH TO NAME A GUARDIAN OF YOUR PERSON OR A GUARDIAN OF YOUR ESTATE, OR BOTH, IN THE EVENT A COURT DECIDES THAT ONE SHOULD BE APPOINTED, YOU MAY, BUT ARE NOT REQUIRED TO, DO SO BY INSERTING THE NAME(S) OF SUCH GUARDIAN(S) IN THE FOLLOWING PARAGRAPHS. THE COURT WILL APPOINT THE PERSON NAMED BY YOU IF THE COURT FINDS THAT SUCH APPOINTMENT WILL SERVE YOUR BEST INTERESTS AND WELFARE. YOU MAY, BUT ARE NOT REQUIRED TO, NOMINATE AS YOUR GUARDIAN(S) THE SAME PERSON NAMED IN THIS FORM AS YOUR AGENT. (YOU MAY, BUT ARE NOT REQUIRED TO, REVOKED BY YOU AT ANY TIME AND IN ANY MANNER. ABSENT AMENDMENT OR REVOCATION, THE AUTHORITY

as successor(s) to such agent;

8. If any agent named by me shall die, become legally disabled, resign or refuse to act, I name the following (each to act alone and successively, in the order named)

(If you wish to name successor agents, insert the name(s) and address(es) of such agents in the space provided.)

7. ( ) This power of attorney shall terminate on March 1, 1989 (insert a future date or event during your lifetime, such as court determination of your disability, when you want this power to terminate prior to your death)

(insert a future date or event during your lifetime, such as court determination of your disability, when you want this power to terminate after)

6. ( ) This power of attorney shall become effective on September 1, 1988

ON THE BEGINNING DATE OR DURATION IS MADE BY INITIATING AND COMPLETING EITHER (OR BOTH) OF THE FOLLOWING:  
GRANTING IN THIS POWER OF ATTORNEY WILL BECOME EFFECTIVE AT THE TIME THIS POWER IS SIGNED AND WILL CONTINUE UNTIL YOUR DEATH UNLESS A LIMITATION  
(THIS POWER OF ATTORNEY MAY BE AMENDED OR REVOKED BY YOU AT ANY TIME AND IN ANY MANNER. ABSENT AMENDMENT OR REVOCATION, THE AUTHORITY

5. My agent shall be entitled to reasonable compensation for services rendered as agent under this power of attorney.

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## ILLINOIS STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY

(NOTICE: THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, WHICH MAY INCLUDE POWERS TO PLEDGE, SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU. THIS FORM DOES NOT IMPOSE A DUTY ON YOUR AGENT TO EXERCISE GRANTED POWERS; BUT WHEN A POWER IS EXERCISED, YOUR AGENT WILL HAVE TO USE DUE CARE TO ACT FOR YOUR BENEFIT AND IN ACCORDANCE WITH THIS FORM. A COURT CAN TAKE AWAY THE POWERS OF YOUR AGENT IF IT FINDS THE AGENT IS NOT ACTING PROPERLY. YOU MAY NAME SUCCESSOR AGENTS UNDER THIS FORM BUT NOT CO-AGENTS. UNLESS YOU EXPRESSLY LIMIT THE DURATION OF THIS POWER IN THE MANNER PROVIDED BELOW, UNTIL YOU REVOKE THIS POWER OR A COURT ACTING ON YOUR BEHALF TERMINATES IT, YOUR AGENT MAY EXERCISE THE POWERS GIVEN HERE THROUGHOUT YOUR LIFETIME, EVEN AFTER YOU BECOME DISABLED. THE POWERS YOU GIVE YOUR AGENT ARE EXPLAINED MORE FULLY IN SECTION 3-4 OF THE ILLINOIS "STATUTORY SHORT FORM POWER OF ATTORNEY FOR PROPERTY LAW" OF WHICH THIS FORM IS A PART (SEE THE BACK OF THIS FORM). THAT LAW EXPRESSLY PERMITS THE USE OF ANY DIFFERENT FORM OF POWER OF ATTORNEY YOU MAY DESIRE. IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU.)

Power of Attorney made this 1st day of September 1988

(month)

(year)

I, FRANK V. SALERNO, Frank V. Salerno, 96815-024, Montgomery Unit First Floor,  
(insert name and address of principal)

F.P.C. Maxwell A.F.B. Montgomery, Alabama 36112

hereby appoint: MARION A. SALERNO, 922 Oak Street, Winnetka, Illinois 60093  
(insert name and address of agent)

as my attorney-in-fact (my "agent") to act for me and in my name (in any way I could act in person) with respect to the following powers, as defined in Section 3-4 of the "Statutory Short Form Power of Attorney for Property Law" (including all amendments), but subject to any limitations on or additions to the specified powers inserted in paragraph 2 or 3 below:

(YOU MUST STRIKE OUT ANY ONE OR MORE OF THE FOLLOWING CATEGORIES OF POWERS YOU DO NOT WANT YOUR AGENT TO HAVE. FAILURE TO STRIKE THE TITLE OF ANY CATEGORY WILL CAUSE THE POWERS DESCRIBED IN THAT CATEGORY TO BE GRANTED TO THE AGENT. TO STRIKE OUT A CATEGORY YOU MUST DRAW A LINE THROUGH THE TITLE OF THAT CATEGORY.)

- (a) Real estate transactions.
- (b) Financial institution transactions.
- (c) Stock and bond transactions.
- (d) Tangible personal property transactions.
- (e) Safe deposit box transactions.
- (f) Insurance and annuity transactions.
- (g) Retirement plan transactions.
- (h) Social Security, employment and military service benefits.
- (i) Tax matters.
- (j) Claims and litigation.
- (k) Commodity and option transactions.
- (l) Business operations.
- (m) Borrowing transactions.
- (n) Estate transactions.
- (o) All other property powers and transactions.

(LIMITATIONS ON AND ADDITIONS TO THE AGENT'S POWERS MAY BE INCLUDED IN THIS POWER OF ATTORNEY IF THEY ARE SPECIFICALLY DESCRIBED BELOW.)

2. The powers granted above shall not include the following powers or shall be modified or limited in the following particulars (here you may include any specific limitations you deem appropriate, such as a prohibition or conditions on the sale of particular stock or real estate or specific rules on borrowing by the agent):  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. In addition to the powers granted above, I grant my agent the following powers (here you may add any other delegable powers including, without limitation, power to make gifts, exercise powers of appointment, name or change beneficiaries or joint tenants or revoke or amend any trust specifically referred to below):  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(YOUR AGENT WILL HAVE AUTHORITY TO EMPLOY OTHER PERSONS AS NECESSARY TO ENABLE THE AGENT TO PROPERLY EXERCISE THE POWERS GRANTED IN THIS FORM, BUT YOUR AGENT WILL HAVE TO MAKE ALL DISCRETIONARY DECISIONS. IF YOU WANT TO GIVE YOUR AGENT THE RIGHT TO DELEGATE DISCRETIONARY DECISION-MAKING POWERS TO OTHERS, YOU SHOULD KEEP THE NEXT SENTENCE, OTHERWISE IT SHOULD BE STRUCK OUT.)

4. My agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making to any person or persons whom my agent may select, but such delegation may be amended or revoked by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

(YOUR AGENT WILL BE ENTITLED TO REIMBURSEMENT FOR ALL REASONABLE EXPENSES INCURRED IN ACTING UNDER THIS POWER OF ATTORNEY. STRIKE OUT THE NEXT SENTENCE IF YOU DO NOT WANT YOUR AGENT TO ALSO BE ENTITLED TO REASONABLE COMPENSATION FOR SERVICES AS AGENT.)