

UNOFFICIAL COPY

THIS DOCUMENT PREPARED BY:

89005962

WARRANTY DEED IN TRUST

Barry W. Koller
6204 W. Irving Park Road
Chicago, IL 60634

THIS INDENTURE WITNESSETH, That the Grantor, Barry W. Koller married to Jo Ann F. Koller of the County of Cook and State of Illinois, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey s and Warrant s unto MIDWEST BANK AND TRUST COMPANY, a banking corporation duly organized and existing as a banking corporation under the laws of the State of Illinois, and duly authorized to accept and execute trusts with the State of Illinois, as Trustee under the provisions of a certain Trust Agreement, dated the 18th day of December 19 87, the following described real estate in the County of Cook, to-wit:

Lot 39 in Block 6 of Winslow, Jacobson and Talman's Subdivision of the North East 1/4 of the North East 1/4 of Section 1, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N. #16-01-211-009

THIS IS NOT HOMESTEAD PROPERTY.

VACANT LOT

SUBJECT TO

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, and to do all such things as may be necessary or proper for the said real estate as often as desired, to contract to sell, to grant options to purchase, to lease, to convey, to convey with or without consideration, to convey said real estate or any part thereof to a successor or successors in interest, to execute and record all instruments necessary to carry out the trusts, powers and authorities vested in said Trustee, to do any and all things which may be necessary or proper to carry out the trusts, powers and authorities vested in said Trustee, to lease and subdivide, to grant options to lease and options to purchase the whole or any part of the real estate and to do all things which may be necessary or proper to carry out the trusts, powers and authorities vested in said Trustee, to grant easements or changes of title, to resign, convey or assign any right, title or interest in or to the said real estate or any part thereof, and to do all things which may be necessary or proper to carry out the trusts, powers and authorities vested in said Trustee, and to deal with said real estate and every part thereof in any manner which may be considered as if it would be lawful for any person owning the same to deal with the same, whether a holder in fee simple or otherwise, at any time or times hereafter.

In no case shall any party dealing with said Trustee or any successor in interest in said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in interest, be obliged to see to the application of any purchase money, rent or money lawfully received or to be received by said Trustee, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into any of the terms of said Trust Agreement, and every such person, in mortgage, lease or other instrument executed by said Trustee, or any successor in interest, in relation to said real estate, shall be deemed to have notice of the contents of every instrument (including the Registrar of Titles of said county) relating to or affecting any such real estate, or other instrument, as if the same were a part of the instrument, and 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, and that such conveyance or other instrument was executed in accordance with the trusts, conditions and covenants contained in this Indenture and in said Trust Agreement or in all amendments thereof, if any, and that the grantor, the Trustee, and the Registrar of Titles, or any successor in interest, was duly authorized and empowered to execute and deliver every such deed, trust deed, mortgage, lease or other instrument, and that if the conveyance is made to a successor or successors in interest, that such successor or successors in interest have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of the holder of the property or interest therein.

This conveyance is made upon the express understanding and condition that neither the Trustee, nor the Registrar of Titles, nor any successor or successor in interest shall be liable for any claim, judgment or decree for anything if or they or its or their agents or attorneys may do or omit to do in or about the said real estate or any part thereof under the provisions of this Deed or said Trust Agreement or any amendment thereof, or for injury to person or property, or for any claim or demand against said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or liability incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the Trustee, or by its agents or attorneys, or by the Trustee 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 no obligation whatsoever with respect to any such contract, obligation or liability, and shall be released 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 whomsoever 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 persons claiming under them or any of them shall be only in the earnings, avails 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 the earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said Trustee, Midwest Bank and Trust Company, 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 said Trustee shall not be required to produce said Agreement or a copy thereof, or any extracts therefrom, as evidence that any transfer, charge or other dealing involving the registered lands is in accordance with the true intent and meaning of the trust.

And the said grantor hereby expressly waives and releases 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 Barry W. Koller hereunto set his hand and seal this 30th day of December 19 88

(SEAL) Barry W. Koller (SEAL)
(SEAL) (SEAL)

State of Illinois)
County of Cook) SS I, Gloria T. Raidart a Notary Public in and for said County, in the state aforesaid, do hereby certify that Barry W. Koller married to Jo Ann F. Koller

personally known to me to be the same person, whose name is subscribed to 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 30th day of December 19 88
Gloria T. Raidart
Notary Public

Midwest Bank and Trust Company
1606 N. Harlem Avenue
Elmwood Park, Illinois 60635

1435 N. Maplewood; Chicago, Illinois 60622
For information only insert street address of above described property.

89005962

12-30-88
Date
Super. Koller, as Representative
Cook County Recorder
DEPT. OF RECORDS
10222 TRAN 045703/85
11489 * B * 89
\$12.25
14:08:00
89005962

Document Number
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