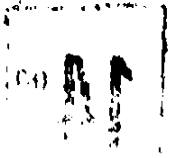


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Property of Cook County Clerk's Office

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CITY OF CHICAGO REAL ESTATE TRANSACTION TAX 89195139

DEPT. OF REVENUE APR 27 '88

\$5,334.25  
00.00

Cancelled

CM

DEED IN TRUST

14<sup>00</sup>

COOK CO. ILL. 018

THE GRANTORS, JOHN H. BANKS and MARY E. BANKS, husband and wife, 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 J. GARY FENCIK, of Chicago, Illinois, as trustee under the provisions of a declaration of trust created by J. Gary Fencik dated the 1st day of July, 1984, and unto any successor or successors in trust under the declaration of trust, the following described real estate in the County of Cook and State of Illinois, to-wit:

Lots 26, 27 and 28 in Lills Subdivision of Out Lot 11 in Lills Subdivision of Blocks 11 and 12 in Canal Trustees' Subdivision of the East 1/2 of Section 29, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Subject to: Covenants, conditions and restrictions of record; private, public and utility easements; roads and highways; party wall rights and agreements; existing leases and tenancies; special taxes or assessments for improvements not yet completed; unconfirmed special taxes or assessments; general real estate taxes for the second installment 1988 and subsequent years.

Including all improvements and fixtures of every kind and nature located thereon and all appurtenances belonging thereto (hereinafter referred to as the "premises"),

TO HAVE AND TO HOLD the premises upon the trusts and for the uses and purposes stated herein and in the aforementioned declaration of trust set forth.

Full power and authority are hereby granted to the trustee to improve, manage, protect and subdivide the premises or any part thereof; to dedicate parks, streets, highways or alleys; to vacate any subdivision or part thereof, and to resubdivide the premises 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 the premises or any part thereof to a successor or successors in trust and to grant to the successor or successors in trust all of the title, estate, powers and authorities vested in the trustee; to donate, to dedicate, to mortgage, pledge or otherwise encumber the premises or any part thereof; to lease the premises or any part thereof from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not

Return to Recorder By 128 (JAB)

STATE OF ILLINOIS REAL ESTATE TRANSFER TAX DEPT. OF REVENUE 355.75

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Cook County REAL ESTATE TRANSACTION TAX 355.75

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exceeding in the case of any single demise the term of 198 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 the premises 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 appurtenance to the premises or any part thereof; and to deal with the premises 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 the trustee in relation to the premises, or to whom the premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by the trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the premises, to see that the terms of the trust hereby created or of the declaration of trust have been complied with or to inquire into the necessity or expediency of any act of the trustee, or be obliged or privileged to inquire into any of the terms of the declaration of trust; and every deed, trust deed, mortgage, lease or other instrument executed by the trustee in relation to the premises shall be conclusive evidence in favor of every person relying upon or claiming under the conveyance, lease or other instrument that (a) at the time of the delivery thereof the trust created by this Deed in Trust and by the declaration of trust was in full force and effect; (b) the conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Deed in Trust and in the declaration of trust or in some amendment thereto and binding upon all beneficiaries thereunder; (c) the 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, the successor or successors in trust shall 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 the premises, and that interest is hereby declared to be personal property, and no beneficiary hereunder

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shall have any title or interest, legal or equitable, in or to the premises as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

Anything herein to the contrary notwithstanding, any successor or successors in trust under the declaration of trust shall upon acceptance of the trusteeship become fully vested with all the title, estate, properties, rights, powers, authorities, trusts, duties and obligations of the trustee thereunder.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is hereby expressly directed not to 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 Grantors 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 Grantors have signed this Deed in Trust on this 25th day of April, 1989.

  
\_\_\_\_\_  
John H. Banks, as Grantor

  
\_\_\_\_\_  
Mary E. Banks, as Grantor

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COOK COUNTY, ILLINOIS  
FILED FOR RECORD

1989 MAY -2 PM 12: 37

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STATE OF ILLINOIS )  
COUNTY OF Cook )

I, Take undersigned, Notary Public, hereby certify that John H. Banks and Mary E. Banks, husband and wife, personally known to me to be the same persons whose names are signed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed the instrument as their free and voluntary act, for the uses and purposes therein set forth, including the waiver and release of the right of homestead.

GIVEN under my hand and notarial seal on this 25th day of April, 1989.

Aura M. Rabelley  
Notary Public

My commission expires 10-8-89

~~80208700~~ - GG

This instrument was prepared by:  
Glenn W. Reed, Esq.  
321 North Clark Street  
Suite 3100  
Chicago, Illinois 60610

Address of property:  
1134 West Schubert  
Chicago, Illinois

Permanent Real Estate  
Index Number:  
14-29-401-018

Grantee's address for  
subsequent tax bills:

J. Gary Fencik, as  
trustee under declara-  
tion of trust created  
by J. Gary Fencik  
dated July 1, 1984  
1134 West Schubert  
Chicago, IL 60614

89195139