

UNOFFICIAL COPY

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MEMORANDUM OF AGREEMENT

This Memorandum is executed by EDWARD A. PARKER, JR. and MARIE PARKER, his wife, not as tenants in common but as joint tenants as to an undivided one-half interest and by JOHN SOCKI and ZSUZSANNA SOCKI, his wife, not as tenants in common but as joint tenants as to the remaining undivided one-half interest, as purchasers and MIDWEST BANK AND TRUST COMPANY, not personally but as trustee under trust agreement dated November 30, 1988 and known as trust no. 88-11-5664 and JOHN P. KALAMARIS and MARILYN B. KALAMARIS, his wife, as sellers, and relates to a certain Installment Contract For Deed dated March 29, 1990 executed by the purchasers and sellers and affecting the real estate commonly known as 5939-45 W. 35th Street, Cicero, Illinois.

Provided all the terms, conditions and provisions of that Installment Contract For Deed have been timely performed, the seller pursuant thereto agrees to convey or cause to be conveyed to the purchasers the following described real estate:

Lots 141, 142, 143 and 144 (except the North 7 feet of said Lots) in Austin Boulevard Addition to Boulevard Manor, a Subdivision of the North 18 Acres of the North West 1/4 of the South East 1/4 of Section 32, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois **

Index Nos. 16-32-400-004 (Lot 141)
Index Nos. 16-32-400-003 (Lot 142)
Index Nos. 16-32-400-002 (Lot 143)
Index Nos. 16-32-400-001 (Lot 144)

DEPT-01 RECORDING \$14.25
153335 TRAN 3327 04/02/90 13:50:00
#5627 + * - 90 - 145032
COOK COUNTY RECORDER

This Memorandum is recorded in lieu of the said Installment Contract For Deed containing 12 pages and incorporates all the terms and provisions thereof.

This instrument was prepared by:
Mail to:

Vincent J. Pascucci
35 E. Wacker Drive
Suite 2130
Chicago, Illinois 60601
346-6111

90-145032

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Dated this 29th day of March, 1990.

SELLER:

Midwest Bank and Trust Company, not personally but as Trustee under Trust Agreement dated November 30, 1988 and known as Trust Number 88-11-5664

By *Richard Paul*
Vice President-Trust Officer

Attest: *Angela J. McClain*
Assistant Secretary-Trust Officer

John F. Kalamaris
John F. Kalamaris

Marilyn B. Kalamaris
Marilyn B. Kalamaris

PURCHASER:

Edward A. Parker, Jr.
Edward A. Parker, Jr.

Marie Parker
Marie Parker

John Socki
John Socki

Zsuzsanna Socki
Zsuzsanna Socki

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding that each and all of the warranties, representations, covenants, indemnities, undertakings and agreements herein made on the part of the Midwest Bank and Trust Company while in form purporting to be the warranties, representations, covenants, indemnities, undertakings and agreements of said Midwest Bank and Trust Company are nevertheless each and every one of them made and intended not as personal warranties, representations, covenants, indemnities, undertakings and agreements by the Midwest Bank and Trust Company or for the purpose or with the intention of binding said Midwest Bank and Trust Company personally but are made and intended solely for the purpose of binding that portion of the trust property specifically described herein; and this instrument is executed and delivered by said Midwest Bank and Trust Company not in its own right, but solely in the exercise of the powers conferred upon it by virtue of the land trust agreement; and that no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforceable against the Midwest Bank and Trust Company on account of the instrument or on account of any warranties, representations, indemnities, covenants, undertakings or agreements in the instrument contained, either expressed or implied; all such personal liability, if any, being expressly waived and released by the other parties to this instrument and by all persons claiming by, through, or under said parties. The parties to this instrument hereby acknowledge that the terms of the land trust agreement the Midwest Bank and Trust Company has no obligations or duties in regard to the operation, management and control of the trust premises, nor does it have any possessory interest therein; and that said bank has no right to any of the rents, avails and proceeds from said trust premises. Notwithstanding anything in this instrument contained the Midwest Bank and Trust Company is not the agent for the beneficiary of its trust, and in the event of any conflict between the provisions of this exculpatory paragraph and the body of this instrument, the provisions of this paragraph shall control.

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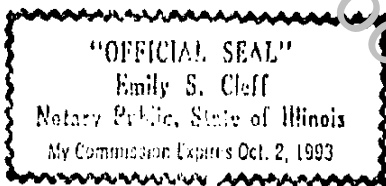
UNOFFICIAL COPY

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STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that the above named Vice President-Trust Officer and Assistant Secretary-Trust Officer of the Midwest Bank and Trust Company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President-Trust Officer and Assistant Secretary-Trust Officer respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth; and said Assistant Secretary-Trust Officer then and there acknowledged that said Assistant Secretary-Trust Officer, as custodian of the corporate seal of said Company, caused the corporate seal of said Company to be affixed to said instrument as said Assistant Secretary-Trust Officer's own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Given under my hand and notarial seal this 29th day of March, 1990.



Emily S. Cluff

Notary Public

My commission expires: Oct. 2, 1993

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

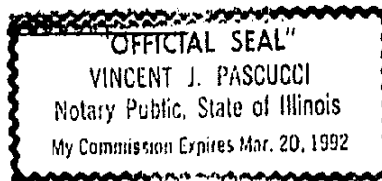
I, the undersigned, a Notary Public in and for said County, in the state aforesaid, do hereby certify that EDWARD A. PARKER, JR. and MARIE PARKER, his wife, JOHN SOCKI and ZSUZSANNA SOCKI, his wife, and JOHN P. KALAMARIS and MARILYN B. KALAMARIS, his wife, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 31st day of March, 1990.

Edward A. Parker, Jr.

Notary Public

My commission expires:



Dsk9Memol.RE

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