

# UNOFFICIAL COPY

This Instrument Was Prepared By:

The Name and Address of the Grantee of This Deed is GARY WHEATON BANK, Not Individually But As Trustee of the Trust described in the body of the Deed 218 East Wesley, Wheaton, Illinois 60187

1804 11/26/91 PM 3:48

01637093

For Use By The Recorder

## DEED IN TRUST

GRANTOR, Portillo's Hot Dogs, Inc. of the County of DuPage and State of Illinois Convey § and Warrant § unto the Gary-Wheaton Bank, a corporation of Illinois, having its principal office in WHEATON, ILLINOIS, as Trustee under the provisions of a Trust Agreement dated the 26 day of NOVEMBER, 19 91, known as Trust No. 8559, the following described real estate in the County of COOK and State of Illinois, to wit:

Lot 2 in Portillo's Subdivision of the North 450 feet of the West 500 feet of the Northeast 1/4 of the Northwest 1/4, lying South of the State Route 58 (Golf Road) in Section 14, Township 41 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded October 31, 1989 as Document 89516453, in Cook County, Illinois.

#22928  
COOK COUNTY ILLINOIS  
11/26/91  
PM 3:48  
01637093

PROPERTY ADDRESS: 1611 W. ...  
...

TO HAVE AND TO HOLD that real estate, with the appurtenances upon the trusts and for the uses and purposes herein and in such Trust Agreement set forth.

Full power and authority is hereby granted to said Trustee to deal with all or any part of the property and the title thereto in any fashion or form whatsoever, without restriction or qualification of any kind.

In no case shall any party dealing with the Trustee in relation to said 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 lent 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.

Every deed, trust deed, mortgage, lease or other document (collectively "document") executed by said Trustee in relation to said real estate shall be conclusive evidence in favor of every person relying thereon that (a) at the time of the delivery thereof the trust created by this Deed in Trust and by said Trust Agreement was in full force and effect, (b) such document was executed in accordance with the trusts, conditions and limitations contained herein and in said Trust Agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) the Trustee was duly authorized and empowered to execute and deliver such document 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 any predecessor in trust.

The interest of any beneficiary from time to time hereunder shall be only in the earnings, avails or proceeds of sale of the real estate. Such interest is hereby declared to be personal property. 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 consideration for this conveyance is TEN (\$10.00) DOLLARS and other good and valuable consideration.

The Grantor release and waive all rights in said real estate which he may have under the homestead exemption laws of Illinois.

Date: NOVEMBER 26, 1991

By: Richard J. Portillo  
Richard J. Portillo, President  
By: Sharon Portillo  
Sharon Portillo, Secretary

Attest:

01637093

# UNOFFICIAL COPY

COOK COUNTY

41637093

STATE OF ILLINOIS, DEC 4 PM 3:48  
COUNTY OF DePaul ) SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Mr. Richard J. Portillo, personally known to me to be the President of Portillo's Hot Dogs, Inc., and Mrs. Sharon Portillo, personally known to me to be the 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 President and Secretary, they signed and delivered the said instrument as President and Secretary of said corporation 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 26th day of November 1991.

*Christine S. Torkelson*

My Commission Expires: June 2, 1994

Notary Public  
"OFFICIAL SEAL"  
CONSTANCE S. TORKELSON  
NOTARY PUBLIC, STATE OF ILLINOIS  
COMMISSION EXPIRES 3/7/94

Mail Recorded Deed to:  
GARY-WHEATON BANK  
Batavia Office  
18 E. Wilson Street  
Batavia, IL 60510  
(708) 879-5200

COOK  
91637093  
COUNTY CLERK

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT OF REVENUE  
575.00

COOK  
COUNTY CLERK

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT OF REVENUE  
575.00

COOK COUNTY  
REAL ESTATE TRANSACTION TAX  
REVENUE HAMP  
575.00

COOK 333-1

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014-42XC.ST.A.0425

## EXHIBIT 'A'

This conveyance is expressly subject to the following agreements, covenants, and restrictions, which agreements, covenants, and restrictions, run with the land and shall be binding upon Grantee, its successors, and assigns, and all future owners. The restrictions are expressly declared to be conditions subsequent, on breach of which title to the property as to which the breach exists shall revert to and be vested in Grantor, its successors or assigns, to whom a right of re-entry is expressly reserved:

The parcel of any part thereof shall not be used for the sale of food or beverages, whether at retail or wholesale; this restriction shall include, but not be limited to: a supermarket, grocery store, food store or convenience food store, the sale of fresh produce (i.e. fresh fruits or vegetables or both) or fresh meats, a restaurant, regardless of whether meals are prepared for on or off-site consumption, provided, however, that this restrictive covenant shall not be deemed violated if food and/or beverages are served during the course of business promotions and social gatherings for "House of Brides", so long as there is no monetary charge for the food and/or beverages.

Subject to: General real estate taxes for 1990 and subsequent years, building line and use or occupancy restrictions, conditions and covenants of record, zoning laws and ordinances, easements for utilities, public road and highways and easements pertaining thereto, act done or suffered by Buyer or anyone claiming by, through or under Buyer.

Cook County Clerk's Office  
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