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**UNOFFICIAL COPY**

**DEED IN TRUST**

**THIS INDENTURE WITNESSETH**, That the Grantors, **MARTIN C. O'MALLEY** and **JOAN H. O'MALLEY**, husband and wife, of the Village of Wilmette, County of Cook and State of Illinois, for and in consideration of TEN and NO/100 (\$10.00) Dollars and other good and valuable considerations in hand paid, Quit Claim and Release unto **MARTIN C. O'MALLEY**, as trustee of the **MARTIN C. O'MALLEY TRUST DATED SEPTEMBER 15, 1993**, as to a one-half interest, and **JOAN H. O'MALLEY**, as trustee of the **JOAN H. O'MALLEY TRUST DATED SEPTEMBER 15, 1993**, as to a one-half interest, whose address is 2014 Thornwood, Village of Wilmette, State of Illinois, the following described real estate in the County of Cook and State of Illinois, to-wit:

THAT PART OF LOT 88 IN MANUS LAKE SHORE HIGHLAND, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EASTERLY OF A LINE DRAWN FROM THE CENTER OF THE NORTH LINE TO THE CENTER OF THE SOUTH LINE OF SAID LOT, IN COOK COUNTY, ILLINOIS.

Permanent Index No.: 05-28-306-002

**TO HAVE AND TO HOLD** the said premises with all hereditaments and appurtenances thereunto belonging or in anywise appertaining upon the trusts and for the uses and purposes herein and in said trust instrument referred to above.

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and 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 said property, 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 about or easement appurtenant to said premises or any part thereof, and to deal with said property 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 said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed 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, and every deed, trust deed, mortgage, lease or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture and by said trust declaration was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust declaration or in some amendment

THIS COPIED INSTRUMENT IS SUBJECT UNDER THE PROVISIONS OF PARAGRAPH 5, SECTION 4 OF THE REAL ESTATE TRANSFER ACT

*[Signature]*  
(GRANTOR/GRANTEE OR AGENT)

93799942

DATE: 9/16/93

VILLAGE OF WILMETTE  
REAL ESTATE TRANSFER TAX  
EXEMPT

EXEMPT-2475  
ISSUE DATE  
SEP 23 1993

*[Handwritten initials]*

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thereof and binding upon all beneficiaries thereunder, (c) that said 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 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 its, his or their predecessor in trust.

The intent 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 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 and to said real estate as such, but only an interest in the earnings avails and proceeds thereof as aforesaid.

And the said 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 aforesaid have hereunto set their hands and seals this 15th day of September, 1993.

Martin C. O'Malley (SEAL) Joan H. O'Malley (SEAL)  
MARTIN C. O'MALLEY JOAN H. O'MALLEY

STATE OF ILLINOIS )  
                                      ) SS.  
COUNTY OF COOK         )

I, a Notary Public in and for said County, in the State aforesaid, do hereby certify that **MARTIN C. O'MALLEY** and **JOAN H. O'MALLEY**, husband and 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, including the release and waiver of the right of homestead.

GIVEN under my hand and notarial seal this 15th of September, 1993.



Donald L. Padgitt  
Notary Public

AFTER RECORDING, RETURN TO:

STREET ADDRESS OF THE ABOVE:

Donald L. Padgitt  
D. L. Padgitt & Associates Ltd.  
860 Green Bay Road, Suite 100  
Winnetka, Illinois 60093

2014 Thornwood  
Wilmette, IL 60091

This document was prepared by: Donald L. Padgitt of D. L. Padgitt & Associates Ltd., 860 Green Bay Road, Suite 100, Winnetka, IL 60093.

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

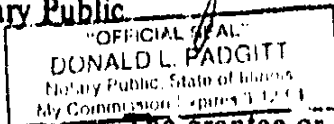
DATED: September 15, 1993.

Charles J. O'Malley  
Grantor or Agent

Subscribed and sworn to before me by the said JOAN M. O'MALLEY this 15 day of SEPTEMBER, 1993.

Donald L. Padgett

Notary Public



The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

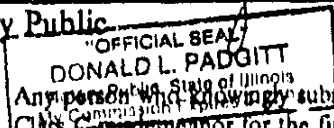
DATED: September 15, 1993.

Martin C. O'Malley  
Grantee or Agent

Subscribed and sworn to before me by the said MARTIN C. O'MALLEY this 15<sup>th</sup> day of SEPTEMBER, 1993.

Donald L. Padgett

Notary Public



NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real estate Transfer Tax Act.)

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Property of Cook County Clerk's Office

DEPT-01 RECORDING \$25.00  
T#3888 TRAN 4167 10/06/93 09:33:00  
#0168 # \* -93-799942  
COOK COUNTY RECORDER

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