Affidavit as to Status of Title of Cecilia Klos Living Trust dated June 1, 1992 2019 North Bissell Chicago, Illinois 60614

P.I.N. 14-32-226-017

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COOK COUNTY RECORDER

David R. Guarino, individually and as Trustee of the Cecilia Klos Living Trust dated June 1, 1992, being first duly sworn upon his oath states as follows:

1. That the CFCILIA KLOS LIVING TRUST DATED JUNE 1, 1992 is the owner and title holder of record of the above named real estate legally described as  $\dot{\cdot}$ 

The North 16-6/12 feet of Lot 31 and the South 4-3/12 feet of Lot 32 in Block 6 in Cushman's Subdivision of Block 4 of Sheffield's Addition in the Southeast 1/4 of the Northeast 1/4 of Section 32, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

2. That,

JOHN GLAW, died September 30, 1951 ROSE GLAW, died December 4, 1946 HILDEGARDE KLOS, died June 5, 1983

copies of Death Certificates are attached as Exhibits 1, 2 and 3.

- 3. That Cecilia Klos is the sole surviving joint tenant having conveyed the above described land to herself as trustee, (copy of deed attached as Exhibit 4).
- 4. That Cecilia Klos was appointed as Trustee.

94627058

- 5. That Cecilia Klos is determined unable to act as described by Article II C of the Trust Agreement. (Exhibit 5)
- 6. That the certifications of determination of inability to act are attached hereto as Exhibits 6,7,8,9 and 10.
- 7. That David Guarino, your affiant, is appointed successor Trustee by Article IX A, (Exhibit 5) and said appointment is accepted in writing. (Exhibit 11)
- 8. That a complete copy of the Trust Agreement will be furnished upon request to:

David R. Guarino, Trustee 2930 N. Sheridan Road #610 Chicago, Illinois 60657



13 2 Joseph 2-119708-C

as may be required to transact business with the Trustee,

That this Affidavit is made for the purpose of spreading of record the aforementioned information as to the authority of David Sand R. Suames; individually

R. Guarino as Trustee of the Trust.

ducties Instee of the y Cecilia Klas Living David R. Guarino Individually and as

Trustee of the Cecilia Klos Living Trust Dated June 1, 1992.

5 dall ( 4565 - 877705 }

Subscribed and Svorn to before me

Notary Public

This document prepared by:

Joseph J. McGinnis Attorney at Law

County Clerk's Office 15 Spinning Wheel Road, Suite 210

Hinsdale, Illinois 60521

STATE OF ILLINOIS County of Cook,

DAVID D. ORR. County Clark NOV 3

I, DAVID D. ORR, County Clark of the Coopity of Cook, in the State aforesald, and Keeper of the Hecords and Files of said County, do hereby curilly that the attached is a true and correct copy of the original Record on file, all of which appears

IN WITHESS WHEREOF, I have hereunto set my head and allixed the Seal of the County of Cook, at my office in the City of Chicago, in said County.

# 348

## UNOFFICIAL COPY

#### INTERCOUNTY TITLE COMPANY OF ILLINOIS

#### AFFIDAVIT RE DECEASED JOINT TENANT

STATE OF ILLINOIS COUNTY OF	COOK	ss	RE: YOU	JR ORDER NO	Philip to the Mark the Control of th	
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Company of Illinois to iss	ve the subject policy resides at 36390	covering the h	pereinalter-descrip	bed land, state:	(20613 , who died on Ner 41	
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				1		
Subscribed and swo	orn to before	<b>18</b> )			ie R. Sunin	ė
this day of	Jovember				(affiant's signature)	~
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LIS	ICIAL SEAL A L ZERBY * IC STATE OF ILLINOIS ON EXP. AUG. 23,1997	5	·			

## UNOFFICIAL

STATE OF ILLINOIS County of Gook.

**County Clerk** DAVID D. ORR.

1. DAVID D. ORR. County Clerk of the County of Cook, in the State aforesaid, and Keeper of the Records and Files of said County, do hereby certify that the attached is a true and correct copy of the original Record on file, all of which appears from the records and files in my c'fice.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seaf of the County of Cook, at my office in the

City of Chicago, in said County.

David D. On County Clerk

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#### INTERCOUNTY TITLE COMPANY OF ILLINOIS

#### AFFIDAVIT RE DECEASED JOINT TENANT

STATE OF ILLINOIS		Ì			
COUNTY OF	COOK	SS RE:	YOUR ORDER NO	ئى ئىسلىنىڭ چېلىرى دۇ چېلىدىنىڭ دېلىرىنىڭ دىروا ئالىكى ئىسىرىكىدىنىڭ ئىلىنىڭ ئىروانىسىرىنى <u>ت ت</u>	والمعالجة والماردة و
Lavid C	2. Surins	/, being du	ily sworn and for the p	urpose of inducing Interco	unty Title
Company of Illinois to	issue the subject policy (	covering the hereinafter-d	escribed land, state:	(4 ) DI	10
1. That he	resides at 3434	n m. Pine	there the . (	#18-E) Chgo f.	H. 60613
2. That de	was acquainted with	Hildegude K	local	, who died on	<u> 2.5, 198:</u>
as evidenced by the at	tached cartified copy of	onath certificate;		•	
		owners of land described:			
72K in the	subject order number;	0-			
☐ in the	following legal description				
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this Adday of	November	93.	•	(affiant's signature)	
- 0	4	•	•		
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STATE OF ILLINOIS County of Cook,

DAVID D. ORR.

58.

**County Clerk** 

I, DAVID D. ORB. County Clerk of the County of Cook, in the State aloresaid, and Keeper of the Records and Files of said County, do hereby certify that the attached is a true and correct copy of the original Record on tile, all of which appears from the records and files in my office.

#### INTERCOUNTY TITLE COMPANY OF ILLINOIS

#### AFFIDAVIT RE DECEASED JOINT TENANT

STATE OF ILLINOIS	
COUNTY OF COOK	SS RE: YOUR ORDER NO.
Rose Guaino.	, being duly sworn and for the purpose of inducing intercounty Tit
Company of Illinois to issue the subject policy co	wering the hereinafter-decorined land state:
1. That Phi resides at 3639	John Glan, who died on 9-30-
2. That she was acquantife with	John Glan 9-30-
as evidenced by the attached certified copy of de	
3. That said decedent was one of the ov	uners of land described:
in the subject order number;	
In the following legal description	
	County Clarks
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4. That said decedent died:	
D leaving no last will and testament	
<ul> <li>leaving a last will and testament, a</li> </ul>	a copy of which is attached;
5. That the total value of the estate of si	aid decadant for State of Illinois inheritance tax and Federal estate tax purposes does
not exceed \$	
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Subscribed and sworn to before	Same R. Summe
me by the sald this XII day of November	affiant (affiant's signature)
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Notary Public	1
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NOTARY PUBLIC STATE OF ILLINOIS

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EXHIBIT Y

L-119708.c/

#### CECILIA KLOS LIVING TRUST

		AGREEMENT,						,			
	June				1992,	Ьy	and be	tween	CEC	ILIA K	Los
o£	Chicago,	Illinois,	as	Grantor	, and	CE	CILIA	KLOS	of	Chica	go,
111	linois, as	Trustee.									

#### WITNESSETH:

WHEREAS, I, CECILIA KLOS, as Grantor, desire to establish in the hands of the Trustee a trust of the property hereinafter described on Schedule A attached hereto and made a part hereof;

NCW, THEREFORE, I do hereby give, assign, convey, transfer and deliver to the Trustee, and the Trustee does hereby accept, the property listed on Schedule A;

TO HAVE AND TO HOLD the same and all other property which the Trustee may pursuant to the provisions of this Trust Agreement hereafter at any time hold or acquire hereunder (all of which proceeds and property being hereinafter referred to collectively as the "Trust Estate")'

IN TRUST, NEVERTHELESS, for the following uses and purposes and subject to the terms and conditions hereinafter set forth.

#### ARTICLE I

#### NAME OF TRUST

The	e Trust	: hereby	created	shall	,be	known	as	the	CECILIA	KLOS
LIVING	TRUST	DATED _	Ju	ف	1	5t			, 1992	?.

EXHIBIT 5

#### ARTICLE II

#### PROVISIONS DURING GRANTOR'S LIFE

A. <u>Income and Principal While Grantor Is Competent</u>. During my lifetime, and so long as I am not under a legal disability or unable to manage my financial affairs, the Trustee shall distribute

a ma.

Proposition of County Clark's Office.

Affice. Determination of Inability to Manage Financial Affairs. C. I shall be deemed unable to manage my financial affairs if, and so long as, I am adjudicated incompetent or if my cousins, DAVID GUARINO, ROSE GUARINO, and PATRICIA (GUARINO) GORMAN, doctors familiar with my physical and mental condition certify to the Trustee in writing that I am unable to transact ordinary

business, and that such inability is likely to continue for more than six months, and until there is a like certification to the Trustee that such inability has ended.

D. <u>Guardianship</u>. If I become disabled and need a guardian, I would like DAVID GUARINO, to be my plenary guardian. If he is unable to act as my plenary guardian, then I would like ROSE GUARINO and PATRICIA (GUARINO) GORMAN, to be my plenary guardians.

ARTICLE III

CLAINS, EXPENSES AND TAXES

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Trustee's Decision is Conclusive. Within the scope of C. Trustee's discretion, its judgment shall be final and conclusive upon all parties interested or who may become interested in any trust created hereunder, and upon making any such Further.

Opening Clerk's Office distribution, the Trustee shall be fully released and discharged from all further liability or accountability therefor.

#### ARTICLE IX

#### **TRUSTEES**

Appointment of Successor Trustees. If I shall resign or Α. otherwise fail to act as the Trustee of any trust created hereunder, then I name DAVID GUARINO as successor Trustee. If he

is unable to act as Trustee, then I name ROSE GUARINO and PATRICIA (GUARINO) GORMAN, as Co-Trustees. Such appointment shall become effective upon the written acceptance of said successor trustee. If no successor trustee has been named, then I, if living, shall appoint such individuals or a qualified bank or trust company, or any combination thereof, to fill such vacancy, or if I am not living, the majority in number of the income beneficiaries shall appoint such individuals (other than a beneficiary of any trust created hereunder) or a qualified bank or trust company, or any combination thereof, as Trustee or co-Trustees to fill such vacancy. Any such appointment shall be made by an instrument signed by the person or persons making the appointment, and shall become effective upon the written acceptance thereof by such successor Trustee or co-Trustee. Except as otherwise specifically provided, the decision of a majority of the Trustees shall control. A dissenting Trustee shall have no liability for participating in or carrying out the acts of the controlling Trustees or Trustee.

B. Resignation of Trustees. A Trustee of any trust created hereunder may resign at any time, with or without cause, by executing and delivering to the other Trustees, if any, and to each income beneficiary a written instrument stating its intention to resign and the effective date thereof.

# Property of Collins Clean TRUSTEES' RIGHTS AND DISCRETIONS

Rights and Discretions. Except as otherwise specifically A. provided herein, the Trustee of each trust created in this Trust Agreement shall have the following rights and discretions and, except to the extent they may be inconsistent with the rights and discretions granted herein, all other rights and discretions now or hereafter conferred by law, which may be exercised by the Trustee at any time and from time to time as the Trustee deems advisable, without the necessity of giving prior notice to any person or

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obtaining any court order therefor or in connection therewith:

- 1. Retention of Assets. To retain all or any part of the property belonging to such trust in the form in which the same may be at the time of my death, as long as the Trustee deems advisable, without liability for depreciation or loss occasioned by so doing, even though such property (by reason of its character, amount, proportion to the total property of such trust or otherwise) would not be considered appropriate for an executor apart from this provision;
- Continuation of Businesses. To continue or to permit the continuation of any business, incorporated or unincorporated, which shall be held in such trust for period a my Trustee deems advisable; recapitalize or liquidate the same upon such terms as my Trustee deems advisable; and including without limiting the generality of the foregoing powers, to: (i) invest additional sums in any such business even to the extent that such trust may be invested largely or entirely in any such business without liability for any loss resulting from lack of diversification; (ii) act as or to select others (including any beneficiary hereunder) to act as directors, officers or other employees of such business, and to be compensated therefor without regard to any such person being a Trustee or a beneficiary hereunder; and (iii) make such other arrangements in respect thereof as my Trustee deems advisable;
- Investment of Assets. To invest and reinvest any funds of such trust in, and to purchase or otherwise acquire from any beneficiary or from others any property, real or personal, of any kind or nature, including without limitation any stocks, whether common, preferred or otherwise and including stock of any corporate Trustee, warrants, participations in discretionary common trust funds, money market funds and mutual funds, government bills, notes and bonds, including United States treasury bonds redeemable at par in payment of the federal estate tax, corporate bonds, whether secured or debentures, certificates of deposit, unsecured, mortgages, commercial paper, foreign currencies, gold, silver or other precious metals, real estate, partnership interests in any of the foregoing, even though such investment or purchase (by reason of its character, amount, proportion to such trust or otherwise) would not be considered appropriate for an executor apart from this provision; and in the making and retention of investments and reinvestments, the Trustee shall not be confined to

the character of investments ordinarily known as "Trustee Investment," or to the obligations and securities mentioned in any statute or rule of court for fiduciaries for the investment of trust funds;

- 4. Exercise of Options. To exercise all options, rights and privileges to convert stocks, bonds, notes, mortgages or other property into stocks, bonds, notes, mortgages or other property; to subscribe for additional of other stocks, bonds, notes, mortgages or other property, and to make such conversions and subscriptions and to make payments therefor; and to hold such stocks, bonds, notes, mortgages or other property so acquired as investments of such trust;
- 5. <u>Disposition of Property</u>. To sell, exchange, give options upon, partition or otherwise dispose of any property which may it any time form part of such trust at public or private tale, for such purposes, and upon such terms, including sales on credit, with or without security, in such manner and at such prices as the Trustee deems advisable and to make, execute and deliver any deeds, conveyances, bills of sale and other instruments as the Trustee deems advisable to transfer and give sufficient title thereto;
- 6. <u>Foreclosure of Mortgages</u> To foreclose, as an incident to the collection of any bond or note, and bid in the mortgaged property at such foreclosure sale, or to acquire the property by deed from the mcrigagor without foreclosure; to retain property bid in under foreclosure or taken over without foreclosure for such time as the Trustee deems advisable, or to dispose of such property by sale, exchange or otherwise upon such terms and conditions as the Trustee deems advisable;
- 7. Leasing of Real Property. To lease any real property held by such trust for such term or terms and upon such conditions and rentals and in such manner as the Trustee deems advisable, irrespective of whether the term of any such lease shall exceed the probable period of administration of such trust; and to renew or modify any such lease;
- 8. Repair of Real Property. To make repairs, structural or otherwise, to any real property or to demolish the same in whole or in part;
- 9. Creation of Land Trusts. To convey real estate, or any part thereof, to trustees under trust

agreement relating to real estate (commonly known as "land trusts") under which such trust owns part or all of the beneficial interest in such land trust;

- 10. Borrowing of Funds. To borrow money from itself or others for any purpose connected with the protection, preservation or administration of such trust, including the payment of inheritance, legacy, succession or transfer taxes, and to execute promissory notes or other obligations for amounts so borrowed; and to secure the payments of any amounts so borrowed by deed of trust, mortgage or pledge of any real or personal property which may at any time form part of such trust;
- 11. Legging of Funds. To lend money to any beneficiary or to any other person, upon such terms and with such security, if any, as the Trustee deems advisable, but, except as to loans to any beneficiary, at no less than the prime (or equivalent) rate, or by such corporate Trustee as may be then acting as of the date of any such loan;
- 12. Obligations. To renew or extend the time of payment of any obligation, including taxes, secured or unsecured, payable to or by such trust for as long a period and upon such terms as the Trustee deems advisable; to pay, adjust, settle, compromise, arbitrate or contest any claim or demand, including taxes, in favor of or against such trust, upon such terms as the Trustee deems advisable;
- 13. <u>Depreciation</u>. To establish or not to establish out of income and credit to principal reasonable reserves for rehabilitation, major repairs, replacements and losses in value resulting from wear and tear and obsolescence of tangible property;
- 14. <u>Voting of Securities</u>. To vote in person or by general or limited proxy with respect to any securities held in such trust at all meetings of security holders and to act or to select others (including any beneficiary hereof) to act as directors or officers, or both, and to be compensated therefor without regard to any such person being a Trustee or beneficiary hereunder;
- 15. Consent to Reorganizations. To consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution or liquidation, foreclosure or lease or sale of the property, incorporation or reincorporation, or

- 26. Accumulations of Income. To exercise all rights, powers and discretions conferred upon the Trustee in this Trust Agreement with respect to all accumulations of income held in such trust;
- 27. Termination of Trusts. To exercise all rights, powers and discretions conferred upon the Trustee in this Trust Agreement, after the termination of such trust and until the same is fully distributed;
- 28. Execution and Delivery of Instruments. To execute and deliver agreements, assignments, bills of sale, ecotracts, deeds, notes, powers of attorney, receipts and other instruments in writing which the Trustee deems advisable for the advantageous management, investment and discharge of such trust or for the exercise of any right, powers or discretion conferred upon it in this Will,
- 29. Determination of Income and Principal. To determine in accordance with applicable statutes or rules of law the manner of ascertainment of income and principal of all receipts and disbursements, and whenever there is reasonable doubt or uncertainty as to the applicable statutes or rules of law, to reasonably determine which receipts and disbursements should be credited to or charged against income or principal;
- 30. Appointment of Special Trustee. To appoint or remove from time to time by written instrument any individual or qualified corporation, wherever located, as special trustee as to part or all of the property of such trust, including property as to which the Trustee does not act, and such special trustee, except as specially limited or provided by this or the appointing instrument, shall have all of the rights, titles, duties, discretions and immunities of the Trustee; and
- 31. All Necessary Acts. To perform all other acts which the Trustee deems advisable for the advantageous management, investment and distribution of such trust.
- B. <u>Prudent Exercise of Rights and Discretions</u>. The rights and discretions herein granted to the Trustee may be exercised in whole or in part at any time and from time to time and shall include all rights and discretions necessary to carry the same into

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#### ARTICLE XIV

#### MISCELLANEOUS TROVISIONS

I (or elly other person with the A. Additions to Trust. To Office consent of the Trustee) may from time to time transfer additional

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property to the Trustee or make additional policies of insurance or other death benefits payable to the Trustee, said property and proceeds to be held and administered under the terms of this Trust Agreement.

in accordance to the Lars of the tate of [1] Reiv.

The headings in this Trust Agreement have been inserted solely for convenient reference and shall be ignored in its construction.

IN WITNESS WHEREOF, the parties hereto have executed this

32

DOOR TO OK COL Trust Agreement on the day and year first hereinabove written.

Grantor

CECILIA KLOS, Crustee

Subscribed and Sworn to before me by CECILIA KLOS as Grantor and Trustee, this

1992.

Notary Public

94637053

I, Saint R. Juanino, hereby your notice. to Cecilin Klas, truster of the Cecilin Klas Draing Trust dated 6-1-92, that she is unable to manage her financial reffered due to the seriously impaired mental and physical condition. Since she is unable to transact ordinary business and her condition is likely to continue for more than say months, I assume the appaintment as her Successor Truster under the territor of the Grack. Klas Living Trust dated 6-1-93. 55

516-NED, 65 Sania C. Janiano 17-6-94.

EXHIBIT 6

Acrety give notice to Cecilia Has; trustee of the Cecilia Hos Living; Trust dated 6-1-92, that she she is seriously implained mental and physical condition. Since she is unable to transact ordinary business and her condition is likely to continue for more than Six months, I acknowledge David Revision the terms of the cecilia Has Kiving trustee.

Datricia Charina Stormai

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Rose Surareno

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EXHIDIT 8



## HealthFirst COMPREHENSIVE QUALITY CARE

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Sulle 2110 Chicago, IL 60603			,
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Superior Street and Faithanks Court Chicago, Illinois 60611 312-908-2000

May 20, 1093

RB: Cocelia Klos

Ms. Klos was seer by us on 5/14/90. She presented in a somewhat disheveled state with poor body hygiene. She was found to be demented with a Folstein score of 19, and even more worrisome, was the fact that she failed the parables and demonstrates very impaired judgment and insight. Her gait is somewhat impaired as well, and she demonstrated decreased range of motion of back and lower extremities. Her carotids and neurological examination were not remarkable and she appears to have a dementia of the Alzheimer's type with particular impairment of memory and judgement.

In view of her findings on our examination, we consider her to be incompetent to handle her affairs and therefore believe that the power-of-attorney for health care and finances, as outlined in her previous trust, should be initiated at this time.

Simperaly,

James R. Webster, M.D.

Many ROULLIND

Mary R. /Oefelein/ M.D.

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A, Lavie Q. Buarine, do hearly accept the appointment as processed Trustee of the Cecclin Klad Luing Trust dated 6-1-92. May actions as Successor Trustic are subject to the terms and conditioned set forth in the aforementioned at the Novement.

SIGNED,

Lawrence Durring

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