

UNOFFICIAL COPY

95552313

SPECIAL

WARRANTY DEED IN TRUST

DEPT-01 RECORDING \$33.00
T40012 TRAN 5991 08/21/95 14:18:00
45343 JIM *-95-552313
COOK COUNTY RECORDER

1. 10/1/95 11/1/95

The above space for recorder's use only

THIS INDENTURE WITNESSETH, That the Grantor, DIOSYNTELL, INC., a Delaware corporation of the County of _____ and State of _____ for and in consideration of the sum of Ten Dollars (\$ 10.00) in hand paid, and of other good and valuable consideration, receipt of which is hereby duly acknowledged, Convey and Warrant unto COLUMBIA NATIONAL BANK OF CHICAGO, a corporation duly organized and existing as a national banking association under the laws of the United States of America, and duly authorized to accept and execute trusts within the State of Illinois, as Trustee under the provisions of a certain Trust Agreement, dated the 20th day of July 1994 and known as Trust Number 4710 the following described real estate in the County of COOK and State of Illinois, to wit:

SEE EXHIBIT A ATTACHED HERETO

337

SUBJECT TO: SEE EXHIBIT B ATTACHED HERETO

Real Estate Tax # 13-23-405-039-0000 and 13-23-405-055-0000

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trust, and for the uses and purposes herein and in said Trust Agreement set forth. *

Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereon, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide said real estate 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 said real estate 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 real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in present or in 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 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 in 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 exchange said real estate, 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 real estate or any part thereof, and to deal with said real estate 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, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obligated to see to the application of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, 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; and every deed, mortgage, lease or other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be

*and Grantor does hereby bind itself and its successors and assigns to WARRANT and FOREVER DEFEND all and singular the Property unto Trustee, its beneficiaries and their legal representatives, successors and assigns, respectively, against every person lawfully claiming by, through, or under Grantor, but not otherwise, provided that this conveyance and the warranty of Grantor herein contained are subject to those matters set forth in EXHIBIT B attached hereto and made a part hereof.

(OVER)

has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL and CONVEY

95552313

*(CONT) Notwithstanding any provision herein to the contrary, Grantor makes no warranties of any nature of kind, whether affirmative, express or implied with respect to the physical condition of the Property (including, without limitation, any and all improvements located thereon and/or comprising a part thereof), and Trustee and its beneficiaries by their acceptance of this Deed accepts the physical condition of the Property. conclusive evidence in favor of every person (including the Registrar of Titles of said county) relying upon or claiming said Trust Agreement 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 Agreement or in all amendments thereof, if any, and binding upon all beneficiaries hereunder, (c) that said Trustee, or any successor in trust, 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.

This conveyance is made upon the express understanding and conditions that neither Columbia National Bank of Chicago, individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decrees for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or as the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice to this condition from the date of the filing for record of this Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement 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 any 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 or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said Columbia National Bank of Chicago the entire legal and equitable title in fee simple, in and to all of the real estate above described.

If the title to any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or the duplicate in reel, or memorial, the words "in trust," or "upon condition," or "with limitations," or words of similar import, in accordance with the nature in such case made and provided, and said Trustee shall not be required to produce the said Agreement or a copy thereof, or any extracts therefrom, as evidence that any transfer, charge or other dealing involving the registered lands is in accordance with the true intent and meaning of the trust.

And the said grantor 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 grantor _____ aforesaid has _____ and seal this _____ day of _____ 19____

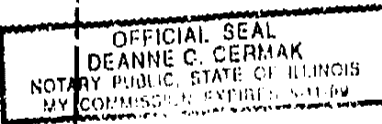
DIOSYNTH, INC., a Delaware corporation
 by: _____ [SEAL]
 CORNELIS R. NEDERVEEN

ATTEST: _____ [SEAL]
 BY: Edward K. Duplaga - [SEAL]
 EDWARD K. DUPLAGA, Its secretary

State of Illinois
 County of Cook

I, Deanne Cermak, a Notary Public in and for said County, in the said aforesaid, do hereby certify that Cornelis R. Nederveen, President Diosynth and Edward Duplaga personally known to me to be the same person whose name subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that _____ signed, sealed and delivered the said instrument as 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 August 11, 1985

95552313



Deanne C. Cermak
 Notary Public

Return to:
 Columbia National Bank of Chicago
 5250 North Harlem Avenue
 Chicago, IL 60656
 Attn: Trust Dept.

For information only insert sheet address of above property

BOX 333-CTI

PROPERTY "AS IS, WITH ALL FAULTS"

UNOFFICIAL COPY

310
341032

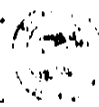


STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX

AUG 21 '95
DEPT. OF REVENUE
410.00

COOK COUNTY
REAL ESTATE TRANSACTION TAX

REVENUE
STAMP
No. 116-4



205

Property of Cook County Clerk's Office

310
341032

CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX

DEPT. OF REVENUE
AUG 21 '95
378.00

310
341032

CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX

DEPT. OF REVENUE
AUG 21 '95
999.00

CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX

DEPT. OF REVENUE
AUG 21 '95
999.00

310
341032

CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX

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AUG 21 '95
999.00

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EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED ON THE NORTH EAST BY THE SOUTHWESTERLY LINE OF NORTH AVONDALE AVENUE; ON THE EAST BY THE WEST LINE OF NORTH KIMBALL AVENUE; ON THE SOUTH BY THE NORTH LINE OF WEST HENDERSON STREET; AND ON THE WEST BY A LINE EXTENDING FROM SAID SOUTHWESTERLY LINE OF NORTH AVONDALE AVENUE TO SAID NORTH LINE OF WEST HENDERSON STREET, AT A DISTANCE OF 589.49 FEET EAST OF AND PARALLEL TO THE EAST LINE OF NORTH DRAKE AVENUE IN THE CITY OF CHICAGO; COMPRISING ALL OF THE LOTS IN BLOCK 1 IN THE SUBDIVISION (BY DADA AND OTHERS) OF PART OF THE SAID WEST 1/2 OF THE SOUTH EAST 1/4 ACCORDING TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT NO. 1185671; ALSO COMPRISING THAT PART OF LOTS 2 TO 13 INCLUSIVE (TAKEN AS A TRACT) WHICH LIES SOUTHERLY OF SAID SOUTHWESTERLY LINE OF NORTH AVONDALE AVENUE TOGETHER WITH THE EAST 1/2 OF THAT PART OF THE VACATED ALLEY LYING SOUTHERLY OF SAID SOUTHWESTERLY STREET LINE WHICH LIES WEST OF SAID LOTS 2 TO 13 INCLUSIVE IN HALLS SUBDIVISION OF LOT 10 IN ASSESSOR'S DIVISION OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF RECORDED IN RECORDER'S OFFICE SEPTEMBER 10, 1869 AS DOCUMENT NO. 25138 TOGETHER WITH SO MUCH OF THE VACATED STREET LYING WEST OF SAID BLOCK 1 AND EAST OF SAID HALL'S SUBDIVISION AS LIES SOUTH OF SAID SOUTHWESTERLY LINE OF NORTH AVONDALE AVENUE, EXCEPT THAT PART OF LOTS 2 TO 7 INCLUSIVE, IN BLOCK 1 IN SUBDIVISION (BY DADA AND OTHERS) ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 1185671 OF PART OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF AVONDALE AVENUE AND THE WEST LINE OF NORTH KIMBALL AVENUE; RUNNING THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID AVONDALE AVENUE, 184.43 FEET, THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF AVONDALE 15.05 FEET, THENCE SOUTHERLY 26.11 FEET TO A LINE WHICH IS 38 FEET SOUTHWESTERLY AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID AVONDALE AVENUE, THENCE SOUTHEASTERLY ALONG LAST MENTIONED LINE 99.15 FEET TO A LINE WHICH IS 80 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF NORTH KIMBALL AVENUE; THENCE SOUTH ALONG LAST MENTIONED LINE 24.17 FEET TO THE NORTH LINE OF THE WEST HENDERSON STREET, THENCE EAST ALONG THE NORTH LINE OF SAID WEST HENDERSON STREET 80 FEET TO THE WEST LINE OF NORTH KIMBALL AVENUE, THENCE NORTH ALONG THE WEST LINE OF SAID NORTH KIMBALL AVENUE 9.60 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PIN: 13-23-405-039-0000, 13-23-405-055-0000

COMMON ADDRESS: 3432 West Henderson Street
Chicago, Illinois

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EXHIBIT B Permitted Exceptions

1. GENERAL REAL ESTATE TAXES FOR THE YEAR 1994 AND SUBSEQUENT YEARS.
2. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.
3. PARTY WALL RIGHTS OF THE OWNERS OF THE PROPERTY SOUTHEASTERLY AND ADJOINING, AS DISCLOSED BY THE SURVEY DATED JUNE 23, 1995 AND NUMBERED 93-589 BY JOHN D. MCTIGUE, AND ANY AND ALL POSSIBLE RIGHTS AND OBLIGATIONS RELATING THERETO.
4. ENCROACHMENT OF THE FENCE LOCATED MAINLY ON THE LAND ONTO THE NORTHEASTERLY AND ADJOINING BY APPROXIMATELY 0.75 FEET, AS SHOWN ON THE PLAT OF SURVEY NUMBER 93-589 PREPARED BY JOHN MCTIGUE DATED JUNE 23, 1995.

NOTE: THE RECORDING INFORMATION SET FORTH ABOVE RELATES TO DOCUMENTS RECORDED WITH THE RECORDER OF COOK COUNTY, ILLINOIS.

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CHANGE OF INFORMATION FORM

SCANABLE DOCUMENT - READ THE FOLLOWING RULES

- 1. Changes must be kept in the space limitations shown
- 2. DO NOT use punctuation
- 3. Print in CAPITAL LETTERS with BLACK PEN ONLY
- 4. Allow only one space between name, numbers and addresses

SPECIAL NOTE:

If a TRUST number is involved, it must be put with the NAME, leave one space between the name and number

If you do not have enough room for your full name, just your last name will be adequate

Property index numbers (PIN #) MUST BE INCLUDED ON EVERY FORM

PIN:

13 - 22 - 405 - 039 - 0000

NAME:

C O L U M B I A B K U T A # 4 7 1 0

MAILING ADDRESS:

STREET NUMBER STREET NAME - APT or UNIT

5250 N HARLEM AVE

CITY

C A I C A G O

STATE:

I L

ZIP:

60656 -

PROPERTY ADDRESS:

STREET NUMBER STREET NAME - APT or UNIT

3432 W HENRI DICKSON

CITY

C A I C A G O

STATE:

I L

ZIP:

60618 -

95552313

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CHANGE OF INFORMATION FORM

SCANABLE DOCUMENT - READ THE FOLLOWING RULES

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Property index numbers (PIN #) MUST BE INCLUDED ON EVERY FORM

PIN:

13 - 231 - 405 - 055 - 0000

NAME

C O L U M B I A B K U T A # 4 7 1 0

MAILING ADDRESS:

STREET NUMBER STREET NAME - APT or UNIT

5 2 5 0 N H A R L E M A V E

CITY

C H I C A G O

STATE:

I L

ZIP:

6 0 6 5 6 -

PROPERTY ADDRESS:

STREET NUMBER STREET NAME - APT or UNIT

3 4 3 2 W H E N D E R S O N

CITY

C H I C A G O

STATE:

I L

ZIP:

6 0 6 1 8 -

95552313