

# UNOFFICIAL COPY

TRUSTEE'S DEED

95698494

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association, not personally but solely as Trustee pursuant to Trust Agreement dated May 30, 1985, known as Trust No. 6422, having its principal office and place of business at 33 North LaSalle Street, Chicago, Illinois 60690 ("Grantor"), in consideration of the payment of TEN AND NO/100 DOLLARS (\$10.00), the execution of a Settlement Agreement of even date herewith ("Settlement Agreement") among Grantor, DDB PARTNERS, an Illinois general partnership ("Beneficiary"), and THE FIDELITY MUTUAL LIFE INSURANCE COMPANY, (In Rehabilitation), whose address is 250 King of Prussia Road, Radnor, Pennsylvania 19087 ("Grantee"), and the release of Grantor and Beneficiary, to the extent and as provided in the Settlement Agreement, from personal liability, if any, for a money judgment or deficiency judgment under that certain first mortgage note executed on June 10, 1985, in the principal sum of \$1,050,000, as modified on August 23, 1989, in the principal sum of \$1,169,993.87 (said note as modified, collectively "Note"), that certain Mortgage securing said Note bearing even date thereof and recorded on June 11, 1995, as Document No. 85056208 in the Office of the Recorder of Deeds of Cook County, Illinois, as modified on August 23, 1989 and recorded as Document No. 89401961 in the Office of the Recorder of Deeds of Cook County, Illinois (said mortgage as modified, collectively the "Mortgage"), and other "Security Documents" (as defined in the Settlement Agreement), and for other good and valuable consideration in hand paid, the adequacy and sufficiency of which are hereby acknowledged, does hereby sell,

This document was prepared by  
and after recording return to:

McDERMOTT, WILL & EMERY  
c/o Kevin J. Walsh  
227 West Monroe Street  
Suite 3100  
Chicago, IL 60606



Send further tax bills to:

The Fidelity Mutual Life  
Insurance Company  
250 King of Prussia Road  
Radnor, PA 19087

EXEMPT FROM REAL ESTATE  
TRANSFER TAX PURSUANT TO  
35 ILCS 200/31-45(1)

10/10/95 *Pat Brannan*  
Seller, Buyer-Agent

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grant, and convey to Grantee the real property commonly known as 180 Palatine Road and located in the City of Wheeling, County of Cook, State of Illinois, and legally described on Exhibit "A" attached hereto, together with all improvements thereon and easements and appurtenances thereto, subject only to the lien of the Mortgage and other Security Documents (collectively, "Grantee's Loan Documents"), unpaid real estate taxes, easements, restrictions, and other matters of record, matters disclosed by a current survey of the real property and the improvements thereon, and the rights of parties in possession.

This Trustee's Deed is an absolute conveyance and grant of all of Grantor's right, title, and interest in the above-described real property and improvements thereon and easements and appurtenances thereto and is not intended as a mortgage, trust conveyance, or security of any kind, Grantor having sold, granted, and conveyed the above-described real property and all improvements thereon and easements and appurtenances thereto to Grantee for a fair and adequate consideration.

Grantor further declares that (a) this conveyance is freely and fairly made, executed, and delivered pursuant to the terms of the Settlement Agreement and with the advice, or opportunity for advice, of legal counsel of Grantor's selection, (b) that there are no agreements, oral or written, other than this Trustee's Deed and the Settlement Agreement (and all documents referred to therein and executed in connection therewith) with respect to the above-described real property and all improvements thereon and easements and appurtenances thereto described above, and (c) that fair and adequate consideration has been given for Grantor's waiver of all redemption and cure rights permitted by law as more fully set forth in the Settlement Agreement.

Grantor and Grantee state that it is their express intention that the fee interest herein granted in the above-described real property and all improvements thereon and easements and appurtenances thereto conveyed pursuant to this Trustee's Deed shall not merge with or extinguish the lien of Grantee's Loan Documents, or the interests of Grantee or its successors or assigns thereunder, but will be and remain at all times separate and distinct, and that the above-described real property conveyed and all improvements thereon and easements and appurtenances thereto conveyed pursuant hereto shall remain subject to Grantee's Loan Documents, and Grantee's Loan Documents shall remain in full force and effect now and hereafter until and unless the above-described real property and all improvements thereon and easements and appurtenances thereto shall be sold at a foreclosure sale or the lien of Grantee's Loan Documents shall be discharged by Grantee through a recorded written instrument.

The execution and delivery of this Trustee's Deed is and shall be construed as Grantee's release of Grantor and Beneficiary from

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any personal liability to the extent and as provided in the Settlement Agreement; provided, however, that the acceptance by Grantee of this Trustee's Deed shall not prejudice, limit, restrict, or affect Grantee's or its successors' and assigns' claims of priority under Grantee's Loan Documents over any other liens, charges, claims, or encumbrances of any kind whatsoever, or the validity and enforceability of Grantee's Loan Documents except as set forth herein.

This Trustee's Deed is executed by Grantor, as Trustee, as aforesaid, pursuant to and in the exercise of the power and authority granted to and vested in it by the terms of a Deed or Deeds in Trust and the provisions of said Trust Agreement above mentioned and of every other power and authority thereunto enabling deeds and/or mortgages upon said real estate, if any, recorded or registered in said county.

IN WITNESS WHEREOF, Grantor has caused this Trustee's Deed to be executed by its duly authorized officers as of the 14<sup>th</sup> day of October, 1995.

ATTEST:

GRANTOR

AMERICAN NATIONAL BANK AND TRUST  
COMPANY OF CHICAGO,  
not personally but solely as  
Trustee aforesaid

Title: 1567 127-1

By: [Signature]  
Name: P. J. HANSEN  
Title: TRUSTEE

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STATE OF IL.  
COUNTY OF Rock

The undersigned, a Notary Public in and for said County, in the State aforesaid, DOES HEREBY CERTIFY that P. JOHNSON, <sup>2ND</sup> President, and G. KISERZKY, <sup>ASST</sup> Secretary, of AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO (Grantor), personally known to me to be the same persons whose names are subscribed to the foregoing instrument as 2ND VP and ASST S. M. T., 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 Grantor, for the uses and purposes herein set forth; and the said ASST S. M. T. did also then and there acknowledge that as custodian of the corporate seal of Grantor, (s)he did affix the said corporate seal thereof to said instrument as (his) (her) own free and voluntary act, and as the free and voluntary act of Grantor, for the uses and purposes therein set forth.

Given under my hand and official seal, this 6TH day of OCT, 1995.

[Signature]  
Notary Public

My Commission Expires:  
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## EXHIBIT "A"

### PARCEL 1:

LOT 30 IN FIRST ADDITION TO PALATINE EXPRESSWAY INDUSTRIAL PARK, BEING A SUBDIVISION IN THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR STORM SEWER APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 OVER, UNDER AND UPON THE PROPERTY, DESCRIBED AS FOLLOWS: THE NORTH 15 FEET OF LOT 31, TOGETHER WITH THE WEST 20 FEET OF THE NORTH 290 FEET OF LOT 31 IN FIRST ADDITIONAL TO PALATINE EXPRESSWAY INDUSTRIAL PARK, BEING A SUBDIVISION IN THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 21057505 AND FILED AS NUMBER LR2493375, IN COOK COUNTY, ILLINOIS; AS CREATED BY EASEMENT AGREEMENT DATED FEBRUARY 12, 1980 AND FILED MARCH 12, 1980 AS DOCUMENT NUMBER LR3150036, IN COOK COUNTY, ILLINOIS.

P.I.N. 03-14-203-014-000

Common Address: 380 Palatine Road  
Evanston, Illinois 60090

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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 Oct 15, 1995

Signature: [Signature]

Grantor or Agent

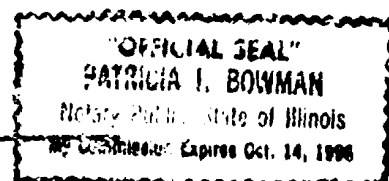
Subscribed and sworn to before

me by the said Grant

this 15th day of October

1995

Notary Public Patricia L. Bowman



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 Oct 15, 1995

Signature: [Signature]

Grantee or Agent

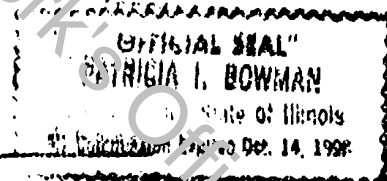
Subscribed and sworn to before

me by the said Grant

this 15th day of October

1995

Notary Public Patricia L. Bowman



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 ASI 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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