

UNOFFICIAL COPY

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DEPT-01 RECORDING \$25.00
 10012 TRAN 2295 02/06/95 15:56:00
 45068 KB *-95-089106
 COOK COUNTY RECORDER

Property of Cook County Clerk's Office

TRUST DEED

January 31, 1995

FOR VALUE RECEIVED, the undersigned "Mortgagor" hereby mortgages and warrants to ROBERT MORRIS, 250 Park Avenue, Glencoe, Illinois 60022, as "trustee", his successors and assigns, to secure the payment of a promissory note ("Note") of even date herewith in the principal sum of \$690,000.00, \$590,000.00 of which is payable in monthly installments representing principal and interest of \$11,827.39 and the remainder of which is payable in a lump sum on maturity, each portion with interest separately calculated at the Base Interest Rate therein defined, payable to the order of Bearer and delivered to trustee, and due, if not sooner paid, on January 15, A.D. 2000, the following described real estate situated in the County of Cook, State of Illinois (the "Real Estate"), to-wit:

250

The Southeasterly 16 feet of Lot 2, all of Lot 3 and Lot 4 (except the Southerly 15 feet of Lot 4); the Westerly 10 feet of Lots 5, 6 and 7, and the Easterly 20 feet of Lots 8, 9, 10 and 11, all in Block 32 in Glencoe, a Subdivision of Sections 5, 6, 7 and 8 in the West Half (1/2) of the Northeast Quarter of Section 7, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois;

having common addresses at 672-82 Vernon Avenue, Glencoe, Illinois; and having Permanent Tax Identification Number(s) as follows:
 05-07-205-014, -015, -016 and 0028;

hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Illinois.

1. The trustee shall have no duty to examine the title, location, existence, or condition of the premises, nor shall the trustee be obligated to record this trust deed or to exercise any power herein or by law unless expressly authorized by the legal holder of the Note, nor be liable for any acts or omissions hereunder except in case of its own gross negligence or misconduct or that of its agents, employees and servants, and the trustee may require indemnities satisfactory to it from the legal holder before exercising any power herein given. All affirmative rights and

4-91-014 PL KF (2)

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BOX 333-CTI

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powers of the trustee are reposed and reserved to the legal holder of the Note. The trustee may resign by instrument in writing filed in the office of the Recorder of Cook County, Illinois and by giving notice as provided to all parties in interest under the Note. In case of the resignation, inability or refusal to act of the trustee, then the legal holder of the note by like notice and recording shall have the right to appoint a successor trustee hereunder. Any successor trustee under this instrument shall have the same powers and authority as are given to the trustee.

2. The trustee shall execute and deliver, without charge, to the Undersigned or its successors and assigns, a recordable deed of release of this Trust Deed, prepared by and in form and substance satisfactory to the Undersigned, upon the soonest to occur of: (a) presentation to the trustee of the original Note marked "Paid in full and Cancelled" (also bearing the date of such markings and the legible signature of the legal holder of the Note), (b) the destruction of the improvements currently located on the Real Estate by fire or casualty loss, or (c) the Real Estate or any substantial portion of it is taken through the power of eminent domain (or is conveyed in lieu thereof); provided, however, that in the event that this Trust Deed is released as a result of the occurrence of the conditions contained in subphrase (b) or (c), the obligations of the Undersigned under the Note shall remain in full force and effect and unimpaired, but unsecured.

3. The Undersigned has the right to grant a lien in the Real Estate in the nature of a second (junior) mortgage and first (primary) assignment of rents to Harris Bank Glencoe-Northbrook, N.A. ("Harris Bank Glencoe") together with such other and further assurances, liens and encumbrances as Harris Bank Glencoe may permit and determine in its sole discretion, to secure an indebtedness made by the Undersigned in favor of Harris Bank Glencoe and underlying the same.

4. The trustee is advised that the Undersigned and the Bank are granted certain rights of prepayment of and offset against the indebtedness evidenced thereby.

5. Harris Bank Glencoe shall have the right of redemption in foreclosure.

6. The Undersigned, if an Illinois land trustee, shall have the right to exculpate itself from personal liability under this instrument, by attachment of its standard exculpatory rider to this instrument.

In witness whereof the Mortgagor has caused this instrument to be signed and sealed by its authorized officers as of the date and year first above written, at Glencoe, Illinois.

HARRIS BANK GLENCOE-NORTHBROOK, N.A., not personally but solely as trustee under trust agreement dated January 1, 1995 and known as Trust No. L- 580.

By: _____
Its _____
Attest By: _____
Its _____

THE PROVISIONS APPEARING ON THE ATTACHED PAGE ARE INCORPORATED HEREIN BY REFERENCE AND ARE HEREBY MADE A PART OF THIS DOCUMENT.

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, being a notary public in and for the State and County aforesaid, DO HEREBY CERTIFY THAT _____ being the _____ of HARRIS BANK GLENCOE-NORTHBROOK, N.A. and _____ being the _____ of HARRIS BANK GLENCOE-NORTHBROOK, N.A. personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (t)he(y) signed, sealed and delivered the said instrument as (t)h(eir) free and voluntary act and as the free and voluntary act of HARRIS BANK GLENCOE-NORTHBROOK, N.A. as trustee aforesaid, for the uses and purposes set forth in said instrument.

Given under my hand and official notarial seal this _____ day of January, 1995.

Notary Public

95089106

PROPERTY OF COOK COUNTY
ALL PROVISIONS APPEARING ON THE ATTACHED INSTRUMENTS ARE INCORPORATED HEREIN AND ARE HEREBY MADE A PART OF THIS INSTRUMENT.

This document is made by Harris Bank Glencoe-Northbrook National Association (hereinafter referred to as the Bank), as Trustee, and accepted upon the express understanding that the Bank enters into the same not personally but as Trustee and that no personal liability is assumed by nor shall be asserted or enforced against the Bank because of, or on account of, the making or executing this document or of anything therein contained, all such liability, if any being expressly waived, nor shall the Bank be held personally liable upon or in consequence of any of the covenants of this document, either expressed or implied.

IN WITNESS WHEREOF, Harris Bank Glencoe-Northbrook N.A. not personally but as Trustee as aforesaid, has caused these presents to be signed by its Trust Officer and its corporate seal to be hereunto affixed and attested by its _____

HARRIS BANK GLENCOE-NORTHBROOK N.A.

Not personally, but as Trustee under Trust No. L-580

By Mary A. Snyder Trust Officer

(CORPORATE SEAL)

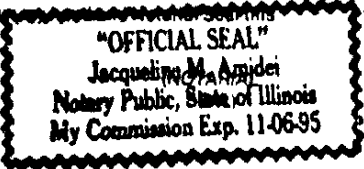
ATTEST Heidi Ober

STATE OF ILLINOIS)
COUNTY OF COOK)

I, _____ a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Mary A. Snyder of HARRIS BANK GLENCOE-NORTHBROOK NATIONAL ASSOCIATION and Heidi Ober of said national banking association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust Officer and Commercial Banking Officer, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said national banking association, as Trustee, for the uses and purposes therein set forth, and the said Commercial Banking Officer

did also and there acknowledge that he, as custodian, of the corporate seal of said national banking association to said instrument as his own free and voluntary act, and as the free and voluntary act of said national banking association, as Trustee, for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____ 1995



day of February 19 95
Jacqueline M. Amidei
My commission expires 11-06-95

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PROPERTY OF COOK COUNTY CLERK'S OFFICE

Mail to
Kent Yowell
921 Woodbine
Northbrook IL 60062