

# UNOFFICIAL COPY

96759991

## WARRANTY DEED IN TRUST

DEPT-01 RECORDING \$27.00  
T#0012 TRAN 2245 10/04/96 14:42:00  
#9189 # ER # -96-759991  
COOK COUNTY RECORDER

The above space is for the recorder's use only

27.00

THIS INDENTURE WITNESSETH, That the Grantor, David S. Wenk and Barbara Zolla Wenk of the County of Cook and State of Illinois, for and in consideration of the sum of Ten and 00/100-----Dollars (\$ 10.00 ), in the hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey and Warrant unto MII WEST TRUST SERVICES, INC., a corporation duly organized and existing as a corporation under the laws of the State of Illinois, and duly authorized to accept and execute trusts with the State of Illinois, as Trustee under the provisions of a certain Trust Agreement, dated the 14th day of August 19 96, and known as Trust Number 96-1-7034 the following described real estate in the County of Cook and State of Illinois, to-wit:

See Exhibit A attached hereto and made a part hereof.

SUBJECT TO

**BOX 333-CTI**

**TO HAVE AND TO HOLD** the said real estate with the appurtenances, upon the trusts, 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 thereof 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 praesenti 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 198 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 thereafter, to contract 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 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 now 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 obliged 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

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Agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (including the Registrar of Titles of said county) 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 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 thereunder, (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 condition that neither The Midwest Trust Services, Inc., individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgement or decree 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 or any amendment thereto, or for injury to person or property happening in or about said real estate, and any 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 irrevocable appointed for such purposes, or at 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 discharged thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice of 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 earning, 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 earning, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said The Midwest Trust Services, Inc. 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 duplicate thereof, or memorial, the words "in trust," or "upon condition," or "with limitations," or words of similar import, in accordance with the statute 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/s David S. Wenk and Barbara Zolla Wenk aforesaid have hereunto set their hands and seal s this 24th day of September 1996  
David S. Wenk (SEAL) Barbara Zolla Wenk (SEAL)

STATE OF ILLINOIS

COUNTY OF COOK

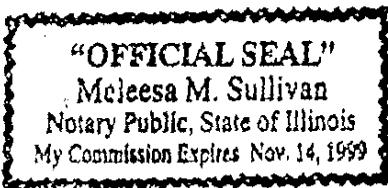
SS

I, Meleesa M. Sullivan a Notary Public in and for said County, in the state aforesaid, do hereby certify that

David S. Wenk and Barbara Zolla Wenk

personally known to me to be the same person s whose name s are they 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 24th day of September 1996

Meleesa M. Sullivan  
Notary Public



MAIL 61

GRANTEE'S ADDRESS:  
MIDWEST TRUST SERVICES, INC.  
1606 N. Harlem Avenue  
Elmwood Park, Illinois 60635

1610 N. Mohawk, Unit #A, Chicago, IL 60614

For information only insert street address of above described property.

# UNOFFICIAL COPY

COOK CO. NO. 255780  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
OCT-4'96 DEPT. OF REVENUE 300.00  
PB.10686

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Cook County  
REAL ESTATE TRANSACTION TAX  
OCT-4'96 DEPT. OF REVENUE 180.00  
PB.11127

★ 051220 CITY OF CHICAGO ★  
★ REAL ESTATE TRANSACTION TAX ★  
★ DEPT. OF REVENUE OCT-4'96 ★  
★ PB.11167 ★ 900.00 ★

★ 051221 CITY OF CHICAGO ★  
★ REAL ESTATE TRANSACTION TAX ★  
★ DEPT. OF REVENUE OCT-4'96 ★  
★ PB.11167 ★ 900.00 ★

★ 051222 CITY OF CHICAGO ★  
★ REAL ESTATE TRANSACTION TAX ★  
★ DEPT. OF REVENUE OCT-4'96 ★  
★ PB.11167 ★ 900.00 ★

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## Exhibit A

UNIT NUMBER 1610-'A' IN LARRABEE COMMONS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

A TRACT OF LAND COMPRISING ALL LOTS AND ALLEYS (INCLUDING ALL LOTS AND PORTIONS OF LOTS FORMERLY TAKEN FOR THE OPENING OF OGDEN AVENUE), IN THE BLOCK BOUNDED ON THE NORTH BY WEST EUGENIE STREET, ON THE SOUTH BY WEST NORTH AVENUE, AS WIDENED PER DOCUMENT 21550017 ON THE EAST BY NORTH MOHAWK STREET, AND ON THE WEST BY NORTH LARRABEE STREET, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS THAT PART OF LOTS 1 THROUGH 11, BOTH INCLUSIVE, AND LOTS 93 THROUGH 117, BOTH INCLUSIVE, AND ADJOINING VACATED ALLEYS, ALL IN C. J. HULL'S SUBDIVISION OF BLOCK 53 OF CANAL TRUSTEES' SUBDIVISION OF THE NORTH 1/2 AND THE NORTH 1/2 OF THE SOUTH EAST 1/4 AND THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF NORTH LARRABEE STREET, AND THE NORTH LINE OF WEST NORTH AVENUE AS WIDENED BY CITY ORDINANCE RECORDED JUNE 4, 1971 AS DOCUMENT NUMBER 21550017; THENCE NORTH ALONG THE EAST LINE OF NORTH LARRABEE STREET, A DISTANCE OF 390.52 FEET, MORE OR LESS, TO A POINT WHICH IS 173.33 FEET SOUTH OF THE SOUTH LINE OF WEST EUGENIE STREET, THENCE EAST PARALLEL WITH THE SOUTH LINE OF WEST EUGENIE STREET 65.50 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF NORTH LARRABEE STREET, 17.33 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF WEST EUGENIE STREET, 19.00 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF NORTH LARRABEE STREET, 21.00 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF WEST EUGENIE STREET, 109.07 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF NORTH MOHAWK STREET, 109.33 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF WEST EUGENIE STREET, 68.50 FEET TO THE WEST LINE OF NORTH MOHAWK STREET; THENCE SOUTH ALONG THE WEST LINE OF NORTH MOHAWK STREET, 242.84 FEET TO THE NORTH LINE OF WEST NORTH AVENUE, AS WIDENED; THENCE WEST ALONG THE NORTH LINE OF WEST NORTH AVENUE, AS WIDENED 262.07 FEET TO THE POINT OF BEGINNING,

WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 88197169, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS

14-33-325-070-1009

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