

SPECIAL WARRANTY DEED (ILL.)

UNOFFICIAL COPY

97405023

(Individual/Corp/Part)

TRUSTEE'S DEED

76578364 ml

THE GRANTOR, DONVEN HOMES, INC., a corporation created and existing under and by virtue of the laws of the state of Illinois, for and in consideration of the sum of TEN & 00/100 (\$10.00) DOLLARS and other good and valuable considerations in hand paid, and pursuant to the authority given by the Board of directors of said corporation, CONVEY and

DEPT-01 RECORDING \$27.00  
T#0012 TRAN 5429 06/06/97 13:05:00  
#1234 # CG \*-97-405023  
COOK COUNTY RECORDER

(The Above Space for Recorder's Use Only)

WARRANTS to Rose H. Albaugh trust dated March 1, 1993

the following described Real Estate situated in the County of Cook, in the State of Illinois, to wit: see attached for trust powers

(See Exhibit "A" attached hereto and made a part hereof)

And the Grantor, for itself and its successors, does convey, promise and agree to and with the Grantee and its successors that it has not done or suffered to be done, anything whereby the said Real Estate is, or may be, in any manner encumbered or charged, except as herein recited (the "Special Warranties") and that IT WILL WARRANT AND DEFEND said Real Estate against all persons lawfully claiming a breach of the Special Warranties subject to the "Permitted Exceptions" as set forth on the reverse side hereof.

Permanent Real Estate Index Number (s) : 18-17-302-003

Address (es) of Real Estate: 11151 Edgebrook Lane  
Indian Head Park, Illinois 60525

In witness Whereof, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its \_\_\_\_\_ President, and attested by its \_\_\_\_\_ Secretary, this 1st day of April, 1997.

MAIL TO:

LAWRENCE POSTAUS  
316 S. Park Blvd  
Glen Ellyn, IL 60137

DONVEN HOMES, INC.

BY: Donald A. Stevens  
DONALD A STEVENS, President

ATTEST: JO ANN T. STEVENS  
JO ANN T. STEVENS, Secretary

2700

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## PERMITTED EXCEPTIONS:

General taxes for the year 1997 and subsequent years; Declaration for Ashbrook Townhomes recorded as Document No. 96159611; terms, provisions and conditions contained in Annexation Agreement recorded as Document No. 95811176; terms, provisions and conditions relating to easement described as parcel 2 and rights of adjoining owners to the concurrent use of said easement; zoning and building laws and ordinances.

STATE OF ILLINOIS )

) S.S.

COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that DONALD A STEVENS, personally known to me to be the President of DOWNEN HOMES, INC., an Illinois corporation, and JO ANN T. STEVENS, personally known to me to be the Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument and caused the corporation seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 1st day of April, 1997.

*Valija A. Galenieks*  
Notary Public

Commission Expires: ---

"OFFICIAL SEAL"  
VALIJA A. GALENIEKS  
Notary Public, State of Illinois  
My Commission Expires 5-22-2000

MAIL SUBSEQUENT BILLS TO:

THIS INSTRUMENT PREPARED BY:

THOMAS P. RUSSIAN  
GOLDSTINE, SKRODZKI, RUSSIAN,  
NEMEC AND HOFF, LTD.  
7660 West 62nd Place  
Summit, Illinois 60501  
PHONE: (708) 458-1253

97A05023

11750  
REAL ESTATE TRANSFER TAX  
Cook County

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT OF REVENUE  
235.00  
JUN 1 1997

265533  
CO. NO. 318

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TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth

Full power and authority are hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof; to dedicate parks, streets, highways or alleys; to vacate any subdivision or part thereof, and to resubdivide said property 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 premises 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 property, or any part thereof; to lease said property, 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 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 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 property, 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 premises or any part thereof; and to deal with said property 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 in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the 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, trust deed, mortgage, lease or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person 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 some amendment thereof and binding upon all beneficiaries thereunder; (c) that said trustee 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.

The interest of each and every beneficiary hereunder 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 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.

If the title to any of the above lands 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.

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EXHIBIT "A"

UNIT 5-11151

THAT PART OF LOT 5 IN AMERBROOK SUBDIVISION, BEING A SUBDIVISION IN PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 96159610, DESCRIBED AS FOLLOWS, COMMENCING AT THE SOUTHWEST CORNER OF SAID 5 AND RUNNING THENCE SOUTH 90°-00'-00" EAST, ALONG THE SOUTH LINE OF SAID LOT, 40.59 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 0°-00'-00" EAST, 111.81 FEET, TO THE SOUTH LINE OF EDGEMOOK LAKE; THENCE EASTERLY, ALONG SAID SOUTH LINE ON A NON-TANGENT CURVE WHOSE CENTER LIES NORTHERLY AND HAS A RADIUS OF 2030.00 FEET, 28.19 FEET, ABC, (CHORD BEARING NORTH 89°-10'-43" EAST, 28.19 FEET, CHORD); THENCE SOUTH 0°-00'-00" WEST, 112.21 FEET, TO THE SOUTH LINE OF SAID LOT 5; THENCE NORTH 90°-00'-00" WEST, ALONG SAID SOUTH LINE 28.19 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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