

**TRUSTEE'S DEED  
IN TRUST**

The above space is for the recorder's use only

Midwest Trust Services, Inc. as Successor Trustee to Midwest Bank and Trust Company, a corporation of Illinois, as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said Trustee in pursuance of a trust agreement dated the 1st day of May, 1971, and known as Trust Number 71-05, party of the first part, and First American Bank, as trustee under Trust Agreement dated 580 October 28, 1997 and known as trust no. 1-97-151, party of the second part.

Grantee's Address:

WITNESSETH, that said party of the first part, in consideration of the sum of ten and no/100----- Dollars, and other good and valuable considerations in hand paid, does hereby grant, sell and convey unto said party of the second part, the following described real estate, situated in Cook County, Illinois to-wit:

See legal attached hereto:

Real Estate Transfer Tax \$1000  
Real Estate Transfer Tax \$1000  
Real Estate Transfer Tax \$1000  
Real Estate Transfer Tax \$1000  
Real Estate Transfer Tax \$1000  
Real Estate Transfer Tax \$1000  
Real Estate Transfer Tax \$1000

This conveyance is made pursuant to a Direction authorizing the party of the first part to convey directly to the party of the second part, and/or pursuant to authority granted in the Trust agreement authorizing the party of the first part to convey directly to the party of the second part.

**TO HAVE AND TO HOLD** the real estate with its appurtenances upon the trusts and for the uses and purposes herein and in the trust agreement set forth.

Full power and authority is hereby granted to said trustee to subdivide and resubdivide the real estate or any part thereof; to dedicate parks, streams, highways or alleys and to vacate any subdivision or part thereof; to execute contracts to sell or exchange, or execute grants of options to purchase, to execute contracts to sell on any terms, to convey either with or without consideration; to convey real estate of 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 the trustee; to donate, to dedicate, to mortgage, or otherwise encumber the real estate, or any part thereof; to execute leases of the real estate, or any part thereof, from time to time, in possession or reversion by leases to commence in praesenti or futuro, and upon any terms and for any period or periods of time, and to execute renewals or extensions of leases upon any terms and for any period or periods of time and to execute amendments, changes or modifications of leases and the terms and provisions thereof at any time or times hereafter; to execute contracts to make leases and to execute options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to execute contracts to make the manner of fixing the amount of present or future rentals, to execute grants of easements or charges of any kind; to release, convey or assign any right, title or interest in or about easement appurtenant to the real estate or any part thereof, and to deal with the title to 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 title to the real estate to deal with it, whether similar to or different from the ways above specified and at any time or times hereafter.

11/27 E. Love  
11/27  
First American Title Order # 01142226

# UNOFFICIAL COPY

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In no case shall any party dealing with said trustee in relation to the real estate, or to whom the real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by the trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on the real estate, or be obliged to see that the terms of the trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the trustee, or to be obliged or privileged to inquire into any or the terms of the trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by the trustee in relation to the 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 herein and by the 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 herein and in the trust agreement or in any amendments thereof and bindings upon all beneficiaries, (c) that the trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instruments 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 beneficiary under the trust agreement and of all persons claiming under them or any of them shall be only in possession, earnings, and the avails and proceeds arising from the sale, mortgage or other disposition of the real estate, and such interest is hereby declared to be personal property, and no beneficiary shall have any title or interest, legal or equitable, in or to the real estate as such, but only an interest in the possession, 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," "upon condition," or "with limitations," or words of similar import, in accordance with the statute in such case made and provided.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in Grantor by the terms of said deed or deeds in trust, pursuant to the trust agreement above mentioned. This deed is subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date hereof.

In WITNESS WHEREOF, Grantor has caused its corporate seal to be hereto affixed and has cause its name to be signed to these presents by its Assistant Vice President, and attested by its Trust Administrator this 30th day of October, 1997

Midwest Trust Services, Inc.

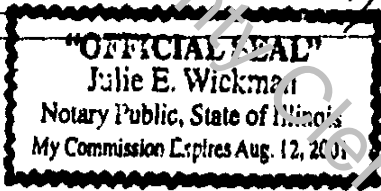
As Trustee as Aforesaid,

Grantor

By: *Kimberly A. Mulch*

Attest: *Margaret M. Truschke*

STATE OF ILLINOIS }  
COUNTY OF COOK } SS



On October 30, 1997 the foregoing instrument was acknowledged before me by Kimberly A. Mulch Vice President of Midwest Trust Services, Inc., an Illinois corporation and by Margaret M. Truschke, Land Trust Administrator of said corporation, who affixed the seal of said corporation, all on behalf of said corporation.

This instrument was prepared by:

Margaret Truschke

MIDWEST TRUST SERVICES, INC.

1606 N. Harlem Avenue  
Elmwood Park, Illinois 60635

*Julie E. Wickman* Notary Public  
My Commission Expires:  
August 12, 2001



DELIVERY

NAME

STREET

CITY

BOX:

*First American Trust*  
*3215 S. 59th Ave.*  
*Cicero, IL 60804*

OR

3215 S. 59th Ave., Cicero, IL

For information only. Insert street, address of above described property.

Send subsequent Tax Bills to:

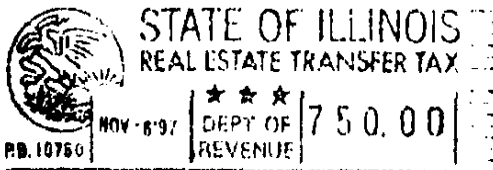
Name

Address

This rider is attached to and made part of a certain trustee's deed dated October 30, 1997 and prepared by Midwest Trust Services, Inc. as successor trustee to Midwest Bank and Trust Company as trustee under trust no. 71-05-580.

That part of the East half of the West half of the Northeast quarter of Section 32, Township 39 North, Range 13, East of the Third Principal Meridian, described as follows: Beginning at a point of intersection of the East line of the said West half of the Northeast quarter with the Northerly line of the Illinois Central Railroad (Chicago-Madison and Northern Railway); thence North on said East line 221.25 feet to a point; thence West at right angles a distance of 236 feet to a point in the East rail of a switch track, for the point of beginning of this tract of land; thence Southeasterly along said Rail, convex to the Southwest having a radius of 634.93 feet and chord distance of 221.17 feet to point in said Northerly Railroad right of way said point being 164.25 feet North Westerly of the intersection of said railroad line with the said East line of the West half of the Northeast quarter of Section 32; thence Northwesterly along said line 536.41 feet to the West line of said East half of the West half of the Northeast quarter thence North on said line 173.86 feet to a point that is 225.41 feet South of the Intersection of said West line with the Southeasterly line of Odgen Avenue (50.0 feet Southeasterly of the center line of same) thence East at right angles 220.57 feet thence South at right angles 123.95 feet to a point in a line that is 40 feet North of and parallel to the aforesaid right angle line whose length was 296.0 feet thence East on said line 101.47 feet thence Southeasterly 53.15 feet to the aforesaid right angle line thence East on said line 15.0 feet to the point of beginning (except the West 33 feet for South 59th Avenue) in Cook County, Illinois.

PIN: 16-32-203-024



## DECLARATION OF APPOINTMENT OF SUCCESSOR IN TRUST

*Section 1. Parties; Date.* This Declaration of Appointment of Successor in Trust (the "Appointment") is made as of June 1, 1994, by and between Midwest Bank and Trust Company, an Illinois banking Corporation, as Trustee (the "Former Trustee") under the Land Trusts, as defined in Section 2 of this Appointment, and Midwest Trust Services, Inc., an Illinois corporation, as Successor Trustee (the "Successor Trustee") under the Land Trusts.

*Section 2. Definitions.* The following capitalized terms have the respective meanings defined in this Section 2.

"Act" means the Corporate Fiduciary Act, 205 ILCS 620.

"Agreement" means the Agreement of Succession of Trust Business and Assignment of Accounts dated as of June 1, 1994, between First Midwest Corporation of Delaware, an Illinois Corporation, the holding company owning all of the issued and outstanding shares of Former Trustee, and the Successor Trustee, with respect to the trust business of the Former Trustee, including its trusteeship under the Land Trusts.

"Appointment" means this Declaration of Appointment of Successor in Trust.

"Former Trustee" means Midwest Bank and Trust Company, an Illinois banking corporation, as Trustee under the Land Trusts.

"Land Trusts" means those Illinois Land Trust as such are defined in the Illinois Land Trust Recordation and Transfer Act, 765 ILCS 420/2, identified by Trust Number and/or Recording Document Number of the Deed(s) in Trust attached hereto as Exhibit A, and incorporated herein, pursuant to which the Former Trustee held title to the real estate described in Exhibit A.

"Successor Trustee" means Midwest Trust Services, Inc. an Illinois corporation, as Successor Trustee under the Land Trusts.

*Section 3. Recitals.* The following recital of fact are a material part of this Appointment:

- a. Pursuant to the Agreement, the Former Trustee has appointed the Successor Trustee as Trustee, in place of the Former Trustee, of the Land Trusts, as of the Date of this Appointment.
- b. Pursuant to Section 3-3 of the Act, title under the respective Land Trusts to the real estate held by the Former Trustee was vested by law in the Successor Trustee as of the date of this Appointment.
- c. None of the Land Trusts contain provisions which would have prohibited the Successor Trustee from being so vested, pursuant to Section 3-3 of the Act, in the Former Trustee's title to the real estate with full power to act as Trustee under the Land Trusts.
- d. This Appointment is executed, acknowledged and recorded to give notice to all persons that all power to act as Trustee and all right, title and interest of the Former Trustee to the real estate in the Land Trusts is now vested in the Successor Trustee.

*Section 4. Appointment of Successor Trustee.* The Former Trustee:

a. Hereby confirms the appointment of the Successor Trustee as Trustee under each of the Land Trusts and the vesting of all right, title and interest of the Former Trustee to the Land Trusts' real estate in the Successor Trustee by law pursuant to Act; and

b. Hereby declares the Successor Trustee appointed as Trustee under each of the Land Trusts, with all the powers to deal with title to the real estate set forth in the respective Deeds in Trust to the Former Trustee, as Trustee under the Land Trusts. All instruments executed by the Former Trustee prior to June 1, 1994 in respect to any real estate described on Exhibit A to this Appointment are hereby confirmed and ratified.

Section 5. Acceptance of Appointment by Successor Trustee. The Successor Trustee hereby confirms its acceptance as of the date of this Appointment, of all duties and powers as Trustee under the Trusts created by each of the Land Trusts.

IN WITNESS WHEREOF, the Former Trustee and the Successor Trustee have executed this Appointment as of the date stated in Section 1.

FORMER TRUSTEE:

SUCCESSOR TRUSTEE:

MIDWEST BANK AND TRUST COMPANY, AN ILLINOIS BANKING CORPORATION

MIDWEST TRUST SERVICES, INC., AN ILLINOIS CORPORATION

By: Brad B. Luecke  
Its President

By: [Signature]  
Its President

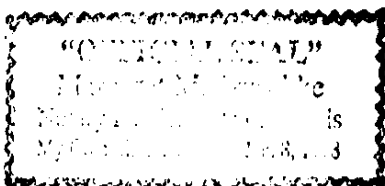
Attest: [Signature]  
By: Joseph Parrillo  
Its Assistant Secretary

Attest: [Signature]  
By: Kimberly A. Muich  
Its Secretary

STATE OF ILLINOIS )  
  )SS  
COUNTY OF COOK        )

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that Brad Luecke, personally known to me to be the President of Midwest Bank and Trust Company, a Corporation, and Joseph Parrillo, personally known to me to be the Assistant Secretary of said Corporation, and David Augustyn, personally known to me to be the President of Midwest Trust Services, Inc., a Corporation, and Kimberly A. Muich, personally known to me to be the Secretary of said Corporation, and all personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in persons and severally acknowledged that as President and Assistant Secretary of Midwest Bank and Trust Company and as President and Secretary of Midwest Trust Services, Inc., they signed and delivered the said instrument and caused each corporate seal of said corporations to be affixed thereto, pursuant to authority, give by the Board of Directors of both said corporations as their free and voluntary act, and as the free and voluntary act and deed of said corporations, for the uses and purposes therein set forth.

Given under my hand and official seal this 30<sup>th</sup> day of Oct, 1997



[Signature]  
Notary Public