

AFFIDAVIT OF HEIRSHIP

Now comes ALAN J. BERNICK, he being duly sworn on his oath, states as follows:

I. That he is the attorney for the Estate of William Kalata, also known as William T. Kalata, a disabled person, and for the Estate of his sibling, i.e., the Estate of Harold J. Kalata, deceased. That he is fully familiar with the family history of William Kalata and Harold J. Kalata.

II. That Harold J. Kalata died intestate, at the age of 71 years, on January 14th, 1997, at Evergreen Park, Illinois, a resident Chicago, Cook County, Illinois, having resided at 3056 West 54th Street, Chicago, Illinois 60632, for his entire life. That probate proceedings concerning his estate were opened in the Circuit Court of Cook County, County Department, Probate Division, on September 16th, 1997, under Cause Number 97 P 8509 as memorialized in Docket Book 044 at Page 525. That upon the filing of the requisite Oath and Bond with Surety, Richard Kealey was appointed Independent Administrator of his estate. (See Death Certificate and Letters of Office attached as Exhibits "A" and "B".)

III. That William Kalata was adjudicated a disabled person on the 7th day of August, 1997, in the Circuit Court of Cook County, County Department, Probate Division, under Cause Number 97 P 5544 as memorialized in Docket Book 263 at Page 403. That upon the filing of his requisite Oath and Bond with Surety, James John Kealey was appointed Plenary Guardian of his estate and person. (See Letters of Office attached as Exhibit "C".)

IV. That the parents of William Kalata and Harold J. Kalata were Stanley P. Kalata, also known as Stanley Kalata, and Emma Kalata, who were each married once and one time only and that time to each other. That the marriage of Stanley P. Kalata and Emma Kalata was terminated by the death of Stanley P. Kalata, intestate, on October 19th, 1975. That subsequent to the death of Stanley P. Kalata, Emma Kalata did not remarry. That Emma Kalata died, intestate, on May 1st, 1977. (See Death Certificates attached as Exhibits "D" and "E".) That during their marriage and their lifetimes, Stanley P. Kalata and Emma Kalata together adopted no children and neither of them individually adopted any children. That during their marriage and their lifetimes, only two children were born to them or either of them, individually, namely:

1. William Kalata, a bachelor, and now an adjudicated disabled person, and
2. Harold J. Kalata, now deceased, who died subsequent to the death of his parents and who never married and never had or adopted any children.

V. That during their lifetimes, Stanley P. Kalata and Emma Kalata did acquire title to certain real property commonly known as 3056 West 54th Street, Chicago, Illinois 60632. That said property was acquired by them, in fee simple, as joint tenants with right of survivorship, and is legally described as follows:

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Property of Cook County Clerk's Office

# UNOFFICIAL COPY

SEE LEGAL DESCRIPTION, COMMON ADDRESS AND TAX INDEX NUMBER ATTACHED.

That as a result of the death of Stanley Kalata on October 19th, 1975, Emma Kalata became the sole owner of the aforesaid property. Upon the death of Emma Kalata on May 1st, 1977, intestate, the Heirs at Law of Emma Kalata, that is, William Kalata and Harold J. Kalata became the sole owners of the aforesaid property by operation of law.

VI. Probate proceedings have not been undertaken and are not contemplated for the Estate of Stanley P. Kalata or the Estate of Emma Kalata. No inheritance or succession taxes are payable by reason of the death of either of them. That neither Stanley P. Kalata nor Emma Kalata were recipients of old age assistance, public welfare assistance or any other form of public assistance other than Federal Social Security.

VII. That Affiant further states that to the best of his knowledge all of the debts, claims, expenses and demands of every kind and nature, including funeral, medical and hospital expenses incurred during the last illness and up to the date of the death of the decedents, Stanley P. Kalata and Emma Kalata, have been paid in full. That Stanley P. Kalata and/or Emma Kalata were in no way bound in any form of lease or any other form of contract or verbal contract or obligation entered into during their lifetimes, and there are no outstanding obligations, debts, claims or liabilities of any kind collectible from the estates of either decedent.

That this Affidavit is made to clear the chain of title and induce any title insurance company to issue its title insurance policy insuring the property heretofore described and guaranteeing title to the described property in the Heirs at Law of Emma Kalata as follows:

1. An undivided one-half interest in William Kalata, a disabled person, and
2. An undivided one-half interest in the Heirs at Law of Harold J. Kalata, deceased, subject to the rights of the Independent Administrator under Cause No. 97 P 8509 in the Circuit Court of Cook County, County Department, Probate Division, pursuant to statute as made and provided,

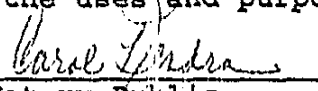
all, however, subject to unpaid real estate taxes if any, building lines and covenants of record, if any, and acts of the parties in interest.

FURTHER THIS Affiant SAYETH NOT.

  
Alan J. Bernick, Affiant

State of Illinois, County of Cook }SS

Alan J. Bernick, being duly sworn, on his oath, did appear before me this 31st day of October, 1997, and did execute the above Affidavit for the uses and purposes as therein set forth.

  
Notary Public

[Affix Notarial Seal here]

This instrument was prepared by:

ALAN J. BERNICK

Attorney at Law

5500 South Sawyer Avenue

Chicago, Illinois 60629

Phone: (773) 434-4500

FAX: (773) 436-8886

Attorney No. 21113



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UNOFFICIAL COPY 97861261

Lot 77 in J. P. Triska's Subdivision of the West 22 acres of the East 33 acres of the South 42-1/2 acres of the West half of the Southwest quarter of Section 12, Township 38 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois

Common Address: 3056 West 54th Street, Chicago, Illinois 60632-2606

Permanent Tax Index Number: 19-12-323-023-0000 Vol. 387

Property of Cook County Clerk's Office

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EXHIBIT "A"

STATE OF ILLINOIS

MEDICAL CERTIFICATE OF DEATH

STATE FILE NUMBER

REGISTRATION DISTRICT NO. 16:33	DECEASED-NAME FIRST MIDDLE LAST Harold J. Kalata	SEX 2 Male	DATE OF DEATH (MONTH, DAY, YEAR) 3 January 14, 1997
REGISTERED NUMBER 51	COURT OF DEATH Cook	AGE-LAST BIRTHDAY (MOS) 5a. 71	DATE OF BIRTH (MONTH, DAY, YEAR) 5d. APRIL 29, 1925
	CITY, TOWN, TWP. OR ROAD DISTRICT NUMBER 6a. Evergreen Park	MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY FOREGOING) 6b. NEVER MARRIED	HOSPITAL OR OTHER INSTITUTION NAME (IF NOT NUMBER 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100) 6c. DOA
	RESIDENCE (STREET AND NUMBER) 10. 319-22-2233	USUAL OCCUPATION 6d. N/A	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	CITY, TOWN, TWP. OR ROAD DISTRICT NO. 11b. N/A	KIND OF BUSINESS OR INDUSTRY 8b. NONE	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	STATE 13. CHICAGO	RACE (WHITE, BLACK, AMERICAN INDIAN, etc.) 14a. WHITE	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	FATHER-NAME FIRST MIDDLE LAST STANLEY PAUL KALATA	RELATIONSHIP 16. EMMA	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	INFORMANT'S NAME (TYPE OR PRINT) WILLIAM T. KALATA	ADDRESS (STREET AND NO. OR P.O. BOX) 17b. BROOKFIELD 3056 W. 54th ST. CHICAGO, IL 60632	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	IMMEDIATE CAUSE (Final disease or condition resulting in death) (a) Acute Coronary Insufficiency	CONDITIONS, IF ANY WHICH GIVE RISE TO IMMEDIATE CAUSE (b) Coronary Arteriosclerosis	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	CAUSE OF DEATH (c) (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)	OTHER CAUSE (Final disease or condition resulting in death) (d) (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)	WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO) 9. YES
	DATE OF OPERATION, IF ANY	MAJOR FINDINGS OF OPERATION	DATE OF DEATH (MONTH, DAY, YEAR) 21c. 6:35 P.M.
	IF (AND) DID NOT ATTEND THE DECEASED AND LAST SAW HIM/HER ALIVE ON	WAS CORONER OR MEDICAL EXAMINER NOTIFIED? (YES/NO) YCS	DATE SIGNED (MONTH, DAY, YEAR) 21d. 2/24/97
	TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED	NAME AND ADDRESS OF CERTIFIER (TYPE OR PRINT) 22a. 3208 W. 55th Street Chicago, Ill. 60632	ILLINOIS LICENSE NUMBER 22b. 091-045157
	NAME AND ADDRESS OF PHYSICIAN (IF OTHER THAN CERTIFIER) (TYPE OR PRINT) 23. A. B. Cooney M.D.	CEMETERY OR CREMATORY - NAME 24a. EVERGREEN CREMATORY	NOTE: IF AN INQUIRY WAS INVOLVED IN THIS DEATH, THE CORONER OR MEDICAL EXAMINER MUST BE NOTIFIED.
	LOCATION: CITY OR TOWN, STATE 24b. EVERGREEN CREMATORY, ILL.	DATE (MONTH, DAY, YEAR) 24c. JAN 17, 1997	
	FUNERAL HOME NAME 25. BECVAR FUNERAL DIRECTORS 5218 S. KEDZIE	CITY OR TOWN, STATE 25c. CHICAGO, ILLINOIS	
	FUNERAL DIRECTOR'S SIGNATURE 25d. [Signature]	FEDERAL DIRECTOR'S LICENSE NUMBER 25e. 034-010865	
	LOCAL REGISTRAR'S SIGNATURE 26a. [Signature]	DATE (MONTH, DAY, YEAR) 26b. JANUARY 16, 1997	

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DEATH RECORD OF THE PERSON IN ITEM #1 AND THAT THIS RECORD WAS ESTABLISHED AND FILED IN MY OFFICE IN ACCORDANCE WITH THE PROVISIONS OF THE ILLINOIS STATUTES RELATING TO THE REGISTRATION OF BIRTHS, STILLBIRTHS AND DEATHS.

DATE FEBRUARY 24, 1997  
 AT EVERGREEN PARK, ILLINOIS

REGISTRAR [Signature]  
 DEPUTY REGISTRAR

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LETTERS OF OFFICE- DECEDENT'S ESTATE

(Rev. 4-88) CCP-415

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
County Department, Probate Division

Estate of

HAROLD J. KALATA

No. 97P 08509

Docket 044

Deceased Page 525

LETTERS OF OFFICE-DECEDENT'S ESTATE

RICHARD KEALEY

has been appointed

INDEPENDENT ADMINISTRATOR

of the estate of

HAROLD J. KALATA

deceased,

who died JANUARY 14, 19 97, and is authorized to take possession of and collect the estate of the decedent and to do all acts required by law.

Witness, SEPTEMBER 16, 19 97

LS

AURELIA PUCINSKI

Clerk of court

CERTIFICATE

I certify that this is a copy of the letters of office now in force in this estate.

Witness, SEPTEMBER 17, 19 97

CEA

*Aurelia Pucinski*

Clerk of court

AURELIA PUCINSKI, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

EXHIBIT "B"

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

ESTATE OF

WILLIAM KALATA

A Disabled Person

No. 97 P 5544

Docket 263

Page 403

LETTERS OF OFFICE - PLENARY GUARDIAN OF ESTATE OF A DISABLED PERSON

JAMES JOHN KEALEY has been appointed plenary guardian of the estate and person \* of WILLIAM KALATA a disabled person, and is authorized to have the care, management and investment of the ward's estate and the custody of the ward \* and to do all acts required by law.

LS

WITNESS AUGUST 07, 19 97

AURELIA PUCINSKI Clerk of Court

CERTIFICATE

I certify that this is a copy of the letters of office now in force in this estate.

AUGUST 08, 19 97

Aurelia Pucinski Clerk of Court

SM

\*Strike if not applicable.

AURELIA PUCINSKI, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

EXHIBIT "C"

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October 20, 1975

STATE OF ILLINOIS }  
COUNTY OF COOK } SS  
CITY OF CHICAGO }

I, Murray C. Brown, M.D. Local Registrar of Vital Statistics of the City of Chicago, do hereby certify that I am the keeper of the records of births, stillbirths and deaths of the City of Chicago by virtue of the laws of the State of Illinois and the ordinances of the City of Chicago; that the accompanying certificate on this sheet is a true copy as a record kept by me in pursuance of said laws and ordinances.

This Certified Copy VALID  
Only When Original BLUE  
SEAL And BLUE SIGNATURE  
Are Affixed.



Murray C. Brown  
LOCAL REGISTRAR

STATE FILE NUMBER  
625033

MEDICAL CERTIFICATE OF DEATH

REGISTRATION DISTRICT NO. 1610  
REGISTERED NUMBER

DECEASED—NAME: **Stanley P. Kalata** SEX: **MALE** DATE OF DEATH: **October 19, 1975**

AGE: **52** UNDER 1 YEAR: **1** DATE OF BIRTH: **6 MAY 3 1892** PLACE OF BIRTH: **COOK COUNTY**

RACE: **WHITE** HOSPITAL OR OTHER INSTITUTION NAME: **3056 W. 54<sup>th</sup> ST**

CITIZENSHIP: **U.S.A.** MARRIED: **NEVER MARRIED** NAME OF SURVIVING SPOUSE: **EMMA MAZUREK**

USUAL OCCUPATION: **MACHINIST** U.S. WAR VETERAN: **NO** WAR OR DATES OF SERVICE: **NO**

RESIDENCE: **ILLINOIS** CITY: **CHICAGO** STREET AND NUMBER: **140 PHICAGO 140 YES 140 3056 W 54<sup>th</sup> ST**

FATHER—NAME: **Joseph Kalata** MOTHER—MAIDEN NAME: **Anna Drozdek**

INFORMANT'S SIGNATURE: **Phaedra Kalata** RELATIONSHIP: **SON** MAILING ADDRESS: **CHICAGO ILL 60632**

DEATH WAS CAUSED BY: **ARTERIO-SCLEROSIS HEART DISEASE**

DEATH CAUSE: **ARTERIO-SCLEROSIS HEART DISEASE**

CONDITIONS, IF ANY, WHICH GIVE RISE TO IMMEDIATE CAUSE (a) STATING THE UNDERLYING CAUSE LAST: **GENERALIZED ARTERIO SCLEROSIS**

OTHER SIGNIFICANT CONDITIONS, CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN (b) (c): **NO**

AUTOPSY (YES/NO): **NO**

DATE OF OPERATION, IF ANY: **1-2-74 to 10-19-75** MAJOR FINDINGS OF OPERATION: **NO**

DATE ATTENDED THE DECEASED FROM: **10-19-75** HOUR OF DEATH: **2:30 P.M.**

CERTIFIER SIGNATURE: **Frank P. [Signature]** DATE SIGNED: **10-19-75** ILLINOIS LICENSE NUMBER: **20297**

MAILING ADDRESS—CERTIFIER: **5201 So. Hezic Ave Chicago IL 60632**

BURIAL CREMATION: **BORIAL** CEMETERY OR CREMATORY: **Justice** LOCATION: **ILL** CITY OR TOWN: **CHICAGO** STATE: **ILL** DATE: **10-22-75**

FUNERAL HOME: **Soltes Funeral Home** STREET AND NUMBER OR R. F. D.: **2746 W. 51<sup>st</sup> St Chicago IL 60632**

FUNERAL DIRECTOR'S SIGNATURE: **John Adreola** FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER: **4031**

LOCAL REGISTRAR'S SIGNATURE: **Murray C. Brown** DATE REC'D. BY LOCAL REGISTRAR: **OCT 20 1975**

VR 200 (1971) Illinois Department of Public Health - Office of Vital Records

EXHIBIT "D"

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MEDICAL CERTIFICATE OF DEATH

STATE FILE NUMBER 609812

May 2, 1977

STATE OF ILLINOIS  
COUNTY OF COOK  
CITY OF CHICAGO

I, Murray C. Brown, M.D. Local Registrar of Vital Statistics of the City of Chicago, do hereby certify that I am the keeper of the records of births, stillbirths and deaths of the City of Chicago by virtue of the laws of the State of Illinois and the ordinances of the City of Chicago; that the accompanying certificate on this sheet is a true copy as a record kept by me in pursuance of said laws and ordinances.

This Certified Copy VALID  
Only When Original BLUE  
SEAL And BLUE SIGNATURE  
Are Affixed.



Murray C. Brown  
LOCAL REGISTRAR

REGISTRATION DISTRICT NO. 16.10	STATE OF ILLINOIS	DECEASED--NAME EMMA KALATA	LAST FIRST MIDDLE KALATA	SEX FEMALE	DATE OF DEATH (MONTH, DAY, YEAR) MAY 1 1977
REGISTERED NUMBER 50.78	CHICAGO	AGE--LAST UNDER 1 YEAR UNDER 1 DAY UNDER 1 HOUR UNDER 1 MIN. 78	DATE OF BIRTH (MONTH, DAY, YEAR) AUGUST 8, 1898	PLACE OF DEATH (CITY, TOWN, TWP. OR ROAD DISTRICT NO.) CHICAGO	COUNTY Cook
CITIZEN OF WHAT COUNTRY USA		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED, SEPARATED, UNMARRIED		NAME OF SURVIVING SPOUSE (MARRIED NAME, IF WIDOWED) HOLY CROSS HOSPITAL DOA	
SOCIAL SECURITY NUMBER 12340-20-2647	USUAL OCCUPATION Housewife	INDUSTRY	U.S. WAR VETERAN (YES/NO) NO	WAR OR DATES OF SERVICE (YEAR/MO)	194
RESIDENCE ILLINOIS	CITY, TOWN, TWP. OR ROAD DISTRICT NO. CHICAGO	INSIDE CITY (YES/NO) YES	STREET AND NUMBER 146-3056 W. 54th ST	MIDDLE	146-3056 W. 54th ST
FATHER--NAME THOMAS MAZUREK	MOTHER--MAIDEN NAME KATHERINE KENZAK	RELATIONSHIP 16. SON	MAILING ADDRESS 172-3056 W. 54th CHICAGO ILL 60632	APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	2 year
INFORMANT'S SIGNATURE Emma Kalata	DEATH WAS CAUSED BY: (a) Arteriosclerotic heart disease (b) Cerebral thrombosis due to cerebral arteriosclerosis (c) pneumonia	CONDITIONS, IF ANY, WHICH GAVE RISE TO IMMEDIATE CAUSE (a) (b) (c) CHANGES IN THE USUAL LISTED CAUSE LAST.	AUTOPSY (YES/NO) NO	IF YES, WITH PERTINENT COMMENTS	7 Mo
PART II. OTHER SIGNIFICANT CONDITIONS, CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE OF DEATH.					
DATE OF OPERATION, IF ANY	MAJOR FINDINGS OF OPERATION	DATE OF OPERATION (MONTH, DAY, YEAR) 5.1.1977	AND LAST 24 HOURS (MONTH, DAY, YEAR) 4.30.1977	HOUR OF DEATH	21d 8:54 AM
I ATTENDED THE DECEASED FROM 10.6.1976 TO 5.1.1977					
I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THIS DEATH OCCURRED ON THE DATE, AT THE TIME AND PLACE, AND FROM THE CAUSE(S) STATED. NOTE: IF AN INJURY WAS INVOLVED IN THIS DEATH, THE CORONER MUST BE NOTIFIED.					
SIGNATURE	DATE SIGNED	ILLINOIS LICENSE NUMBER			
5.1.1977	5.2.1977	22c. 3631674			
MAILING ADDRESS--CERTIFIER 142 W. 24th St. Chicago, Ill.	CITY OR TOWN CHICAGO	STATE ILL	DATE (MONTH, DAY, YEAR) MAY 4, 1977	ZIP 60632	
BURIAL CREMATION, REMOVAL (SPECIFY)	CEMETERY OR CREMATORY	CITY OR TOWN	STATE	DATE (MONTH, DAY, YEAR)	
24b. BURIAL	RESURRECTION	CHICAGO	ILL	MAY 4, 1977	
FUNERAL HOME	STREET AND NUMBER OR R. F. D.	CITY OR TOWN	STATE	ZIP	
24c. GATES FUNERAL HOME	2746 W. 51st	CHICAGO	ILL	60632	
FUNERAL DIRECTOR'S SIGNATURE	FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER				
Murray C. Brown	4031				
CHICAGO BOARD OF HEALTH: DATE REC'D. BY LOCAL REGISTRAR (MONTH, DAY, YEAR) MAY 2 1977					
Chicago Civic Center, Room 105 Concourse Level, Chicago 60602-2655					
Illinois Department of Public Health, Office of Vital Records 13-200 (1977)					

EXHIBIT 16

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