

# UNOFFICIAL COPY

## TRUSTEE'S DEED IN TRUST

97036917

DEPT-01 RECORDING \$31.50  
74010 TRAN 7010 01/16/97 15:00:00  
37036917 41947 + CJ \*-97-036917  
COOK COUNTY RECORDER

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 17th day of September 1970 and known as Trust Number 70-09-464 party of the first part, and Parkway Bank and Trust Company, as Trustee under Trust NO. 11523 dated December 9, 1996 party of the second part. Grantee's Address: 4800 North Harlem Avenue, Harwood Heights, IL 60656 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:

The East 10 feet of Lot 2, all of Lot 3, and Lot 4 (except the East 10 feet thereof) in Pacific Industrial Subdivision being a resubdivision of Lots 14, 15 and part of 16 in Syracuse Industrial Subdivision in the North East fractional quarter and the North West fractional quarter of Section 34, Township 40 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 12-34-211-019

Section 7-105-4 A of the Franklin Park Village Code governing recording of documents  
12-20-96



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, or 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 presenti 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.

PROPERTY OF COOK COUNTY RECORDER'S OFFICE

Handwritten initials and numbers

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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," or "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 17th day of December, 19 96.

Midwest Trust Services, Inc.

As Trustee as Aforesaid.

Grantor

By: Kimberly A. Muich

Attest: Margaret M. Truschke

STATE OF ILLINOIS

COUNTY OF COOK } SS

On December 17, 19 96, the foregoing instrument was acknowledged before me by Kimberly A. Muich, Assistant 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, Ill. 60125

[Signature], Notary Public

My Commission Expires:

November 2, 1999

9132-36 Belden, Franklin Park, IL

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

Send subsequent Tax Bills to:

NAME Fred Otto

STREET 3 S. Prospect

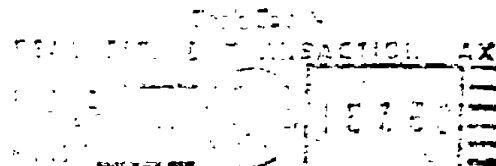
CITY Park Ridge

BOX: ORJ

Form #157 Reorder from Iltana Finat

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DELIVERY



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## 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 Trusts 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 recitals 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.

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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.

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

## FORMER TRUSTEE:

MIDWEST BANK AND TRUST COMPANY, AN  
ILLINOIS BANKING CORPORATION

By: Brad W. Luecke  
Its President

Attest:

By: Joseph Parrillo  
Its Assistant Secretary

## SUCCESSOR TRUSTEE:

MIDWEST TRUST SERVICES, INC.,  
AN ILLINOIS CORPORATION

By: William J. [Signature]  
Its President

Attest:

By: Kenneth A. Mueck  
Its Secretary

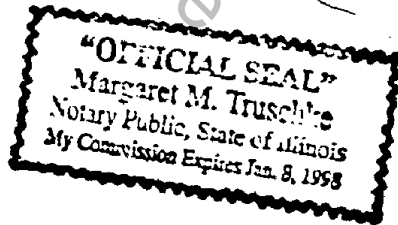
STATE OF ILLINOIS

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 Assist. 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 Assist. Secretary, they signed and delivered the said instrument and caused the corporate 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 17<sup>th</sup> day of December, 1996

Margaret M. Truschke  
Notary Public

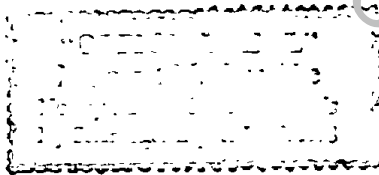


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STATE OF ILLINOIS            )  
  )SS  
COUNTY OF COOK            )

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that 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 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 corporate 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 17th day of December, 1996.



*Kimberly A. Muich*  
Notary Public

Cook County Clerk's Office

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