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Cook County Recorder

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## **SHARED EQUITY AGREEMENT**

This Agreement is made and entered into this 2nd day of June 1998, by and between ROY KOWNACKI JR., of Streamwood, Illinois and TINA KALETA, of Streamwood, Illinois, both of whom are referred to in this Agreement as "the undersigned"

- The parties to this Agreement (and Owners) are in the process of purchasing that certain real estate located in the County of Cook. State of Illinois and more particularly described as follows: 1411 Eliot Trail, Elgin, Cook County, Illinois 60120.
- 2 Such real property is commonly known as 1411 Eliot Trail, Elgin, Cook County, Illinois, is improved with a single family residence.
- 3. The undersigned desire, intend, and agree to complete the purchase of the subject property and own. Excupy, use, enjoy and dispose of the subject property pursuant to the terms, conditions, restrictions and covenants set forth herein. Therefore, with reference to the above-cited facts, and consideration of the mutual covenants, conditions and promises later set forth herein, and other good and sufficient consideration, the receipt of which is acknowledged, the undersigned agree to the terms and conditions contained herein:
  - Sale of Interest. In the event either party wishes to self or trensfer his or her interest in the property, or in the event of the death of TINA KALETA, or in the event of the divorce of the parties, the property shall be sold at a fair market price to be agreed upon by the parties. From the proceeds of the sale, the first \$25,000.00 which represents the initial down payment paid by TINA KALETA, shall be distributed to herself individually, or in the event of her death, to the designated representative of her estate.

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B. Waiver of Homestead. ROY KOWNACKI JR., the intended husband of TINA KALETA, by

signing this agreement, does hereby waive any and all homestead interest he may have in the first

\$25,000.00 of proceeds in the event of a dissolution of the parties' marriage or sale of the property.

C. Upon the \$25,000.00 repayment to TINA KALETA by the sale of the subject property or

otherwise, then any equity ownership amount remaining in said property shall be divided equally

between TINA KALETA and ROY KOWNACKLIR.

D. Assignment. Neither party will assign his or her rights or interest under this agreement

without the para written consent of the other. If a party violates a provision, the other party may treat

the violation as an effer to sell the violating party's interest in the property by giving written notice

to the violating party. In that event, the provisions in respect to the sale of the parties' interest shall

become operative.

E. Entire Agreement. This agreement contains the entire agreement of the parties with respect

to the subject matter. This agreement cannot be modified except by written agreement signed by both

parties.

F. Binding upon Successors The terms and conditions contained herein shall be binding upon

the respective parties' heirs, successors and assigns.

G. This contract shall be interpreted and construed under the laws of the State of Illinois.

The parties have executed this Agreement on the day and year first written above

TINA KALETA

SUBSCRIBED and sworn to before me

this 2 Kit day of the

une 1998

SUBSCRIBLD and sworn to before me

RQY KOWNACKIJR.

this 2 rul day of

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1998.

Notary Public

Notary Public

"OFFICIAL SEAL"
PATRICIAF, CUNDARI
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/14/98

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NOTARY PUBLIC, STATE OF ILLINOIS
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## **EXHIBIT "A"**

Legal Description

Lot 136 in Country Trails Unit 3, being a Subdivision of part of the Northwest Quarter of Section 17, Township 41 North, Range 9 East of the Third Principal Meridian, according to the Plat thereof recorded April 6, 1992 as Document 92230087 and corrected by Certificate of Correction dated March 11, 1993 as Document 93-183363, in Cook County, Illinois.

Permanent Real Estate Tax Index Number: 06-17-112-011-0000

This instrument prepared by

John R. Bush, F.sq.

Kaiser, Bush & Aranda

Frand Avenue

6010&