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**ESTOPPEL AFFIDAVIT**

THIS AFFIDAVIT, made this 27th day of May, 1998, by **HERMAN R. TANKERSLEY** and **KELLY S. WAGNER, Ika KELLY S. TANKERSLEY**, hereinafter referred to as Grantors,

**WITNESSETH:**

That the Grantors did, on the 9th day of February, 1996, execute and deliver a certain Promissory Note in the principal sum of Sixty-nine Thousand Seven Hundred Dollars (\$69,700.00) and secured by a Mortgage dated February 9, 1996, and duly recorded in the Recorder's Office of Cook County, State of Illinois, as Document No. 96128157 covering the real estate located at 3324 Enterprise Park South, Chicago Heights, Cook County, Illinois, and more particularly described as follows:

**LEGAL DESCRIPTION:**

Lot 19 in Block 1 in Sauk Trail Manor 3rd Addition of Lot 4 in the Circuit Court Partition of the Northeast 1/4 of Section 32 and the West 1/2 of the Northwest 1/4 of Section 33, Township 35 North, Range 14 East of the Third Principal Meridian, according to the Plat thereof recorded May 5, 1900 in book 79 of Plats Page 9 as Document No. 2956680 in Cook County, Illinois. Situated in Cook County, Illinois.

PERMANENT INDEX NUMBER: 32-32-225-031

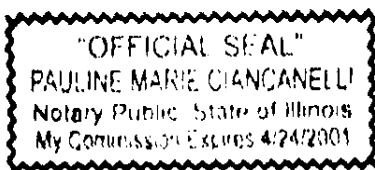
The Grantors have defaulted in the payments due on said Note upon which the principal amount of Sixty-nine Thousand One Hundred Thirty Dollars and Two Cents (\$69,130.02), plus interest from October 1, 1997 and necessary advancements is at present due and outstanding and is unable to meet the obligations of said Note and Mortgage according to the terms thereof.

That the said Grantors have made, executed and delivered that certain Deed to **Bankers Trust Company of California, N.A. as Custodian or Trustee** dated the 27th day of May, 1998, conveying the above described property. The said Grantors hereby acknowledge, agree and certify that the aforesaid deed was an absolute conveyance of the Grantors' rights, title and interest in and to said real estate, together with all buildings thereon and appurtenances thereunto belonging and appertaining,

and with release of all dower and homestead rights in and to said real estate, and also conveys, transfers and assigns the Grantors' rights of possession, rentals and equity of redemption in and to said premises. The value of said real estate is not in excess of the amount of said indebtedness outstanding and in consideration of the premises hereof and in consideration of such conveyance, the Grantors have received a full and complete release of personal liability on said Note together with the cancellation of record by said Grantee of the Note secured by said Mortgage.

Said Deed was given voluntarily by the Grantors to the Grantee, in good faith on the part of Grantors and Grantee, without any fraud, misrepresentation, duress, or undue influence whatsoever, or any misunderstanding on the part of the Grantors or Grantee and was not given as a preference against any other creditors of said Grantors. Said Deed of conveyance shall not restrict the right of the Grantee to institute foreclosure proceedings if the Grantee desires, but the conveyance by said Deed shall be and is hereby intended and understood to be an absolute conveyance and an unconditional sale, with full extinguishment of Grantors' equity of redemption, and with full release of all Grantors' rights, title and interest of every character in and to said property. Grantors hereby assign to Grantee the hazard insurance policy now in effect on said property and further assigns to Grantee the right to receive payment of any claim payable under the terms of said policy including any premium refund now or hereafter payable.

This Affidavit has been made for the protection and benefit of the aforesaid Grantee in said Deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.



*Herman R. Tankersley*  
HERMAN R. TANKERSLEY  
*Kelly S. Wagner*  
KELLY S. WAGNER (fka Kelly S. Tankersley)

Subscribed and sworn to before me this 21th day of May, 1998.

*Pauline Marie Ciancanelli*  
NOTARY PUBLIC

PREPARED BY AND RETURN TO:

RICHARD L. HEAVNER  
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