

# UNOFFICIAL COPY

## POWER OF ATTORNEY FOR PROPERTY

POWER OF ATTORNEY made this 30 day of Dec., 1977.

1. I, MARVIN FISHMAN, a resident of the State of Illinois, hereby appoint my niece, SHERI GOLDEN, ("Sheri"), as my attorney-in-fact (my "agent") to act for me and in my name (in any way I could act in person) with respect to the following powers, which are more fully described on the schedule incorporated herein and made a part hereof:

- CT: T 7834295 10f2
- (a) Real estate transactions.
  - (b) Financial institution transactions.
  - (c) Stock and bond transactions.
  - (d) Tangible personal property transactions.
  - (e) Safe deposit box transactions.
  - (f) Insurance and annuity transactions.
  - (g) Retirement plan transactions.
  - (h) Social Security, employment and military service benefits.
  - (i) Tax matters.
  - (j) Claims and litigation.
  - (k) Commodity and option transactions.
  - (l) Business operations.
  - (m) Borrowing transactions.
  - (n) Estate transactions.
  - (o) Gift transactions.
  - (p) All other property powers and transactions.



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2. This power of attorney shall become effective upon its execution, and shall remain effective until I revoke it. Therefore, it shall be effective while I have capacity to manage my affairs and during any period of my life in which I may be unable to properly manage my affairs.

3. My agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making, other than with respect to the powers set forth in Paragraph (o) of the schedule of powers incorporated herein, to any person or persons whom my agent may select, but such delegation may be amended or revoked in writing by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

4. My agent shall be entitled to reasonable compensation for services rendered as agent under this power of attorney.

6. If a guardian of my estate (my property) is to be appointed, I nominate the agent acting under this power of attorney as such guardian, to serve without bond or security.

7. I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent.

**BOX 333-CTI**

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## SCHEDULE OF POWERS

Explanation of powers. This Schedule defines each category of powers listed in paragraph 1 above and the effect of granting powers to my agent. With respect to each of the following categories, my agent is granted all of my rights, powers and discretions with respect to the types of property and transactions covered, subject to any limitations on the granted powers set forth hereinabove. My agent will have authority to exercise each granted power for and in my name with respect to all of my interests in every type of property or transaction covered by the granted power at the time of exercise, whether my interests are direct or indirect, whole or fractional, legal, equitable or contractual, as a joint tenant or tenant in common or held in any other form; but except as otherwise provided in paragraph (o) below, my agent will not have power to make gifts of my property, to exercise powers to appoint to others or to change any beneficiary whom I have designated to take my interests at death under any will, trust, joint tenancy, beneficiary form or contractual arrangement. My agent will be under no duty to exercise granted powers or to assume control of or responsibility for my property or affairs; but when granted powers are exercised, my agent will be required to use due care to act for my benefit in accordance with the terms of the power of attorney and will be liable for negligent exercise. My agent may act in person or through others reasonably employed by my agent for that purpose and has authority to sign and deliver all instruments, negotiate and enter into all agreements and do all other acts reasonably necessary to implement the exercise of the powers granted to my agent. My agent is authorized to do the following:

(a) Real estate transactions. Buy, sell, exchange, rent and lease real estate (which term includes, without limitation, real estate subject to a land trust and all beneficial interests in and powers of direction under any land trust); collect all rent, sale proceeds and earnings from real estate; convey, assign and accept title to real estate; grant easements, create conditions and release rights of homestead with respect to real estate; create land trusts and exercise all powers under land trusts; hold, possess, maintain, repair, improve, subdivide, manage, operate and insure real estate; pay, contest, protest and compromise real estate taxes and assessments; and, in general, exercise all powers with respect to real estate which I could if present and under no disability.

(b) Financial institution transactions. Open, close, continue and control all accounts and deposits in any type of financial institution (which term includes, without limitation, banks, trust companies, savings and buildings and loan associations, credit unions and brokerage firms); deposit in and withdraw from and write checks on any financial institution account or deposit; and, in general, exercise all powers with respect to financial institution transactions which I could if present and under no disability.

(c) Stock and bond transactions. Buy and sell all types of securities (which term includes, without limitation, stocks, bonds, mutual funds and all other types of investment securities and financial instruments); collect, hold and safekeep all dividends, interest, earnings, proceeds of sale, distributions, shares, certificates and other evidences of ownership paid or distributed with respect to securities; exercise all voting rights with respect to securities in person or by proxy, enter into voting trusts and consent to limitations on the right to vote; and, in general, exercise all powers with respect to securities which I could if present and under no disability.

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- (d) Tangible personal property transactions. Buy and sell, lease, exchange, collect, possess and take title to all tangible personal property; move, store, ship, restore, maintain, repair, improve, manage, preserve, insure and safekeep tangible personal property; and, in general, exercise all powers with respect to tangible personal property which I could if present and under no disability.
- (e) Safe deposit box transactions. Open, continue and have access to all safe deposit boxes; sign, renew, release or terminate any safe deposit contract; drill or surrender any safe deposit box; and, in general, exercise all powers with respect to safe deposit matters which I could if present and under no disability.
- (f) Insurance and annuity transactions. Procure, acquire, continue, renew, terminate or otherwise deal with any type of insurance or annuity contract (which terms include, without limitation, life, accident, health, disability, automobile casualty, property or liability insurance); pay premiums or assessments on or surrender and collect all distributions, proceeds or benefits payable under any insurance or annuity contract; and, in general, exercise all powers with respect to insurance and annuity contracts which I could if present and under no disability.
- (g) Retirement plan transactions. Continue to, withdraw from and deposit funds in any type of retirement plan (which term includes, without limitation, any tax qualified or nonqualified pension, profit sharing, stock bonus, employee savings and other retirement plan, individual retirement account, deferred compensation plan and any other type of employee benefit plan); select and change payment options for me under any retirement plan; make rollover contributions from any retirement plan to other retirement plans or individual retirement accounts; exercise all investment powers available under any type of self-directed retirement plan; and, in general, exercise all powers with respect to retirement plans and retirement plan account balances which I could if present and under no disability.
- (h) Social Security, unemployment and military service benefits. Prepare, sign and file any claim or application for Social Security, unemployment or military service benefits; sue for, settle or abandon any claims to any benefit or assistance under any federal, state, local or foreign statute or regulation; control, deposit to any account, collect, receipt for, and take title to and hold all benefits under any Social Security, unemployment, military service or other state, federal, local or foreign statute or regulation; and in general, exercise all powers with respect to Social Security, unemployment, military service and governmental benefits which I could if present and under no disability.
- (i) Tax matters. Sign, verify and file all my federal, state and local income, gift, estate, property and other tax returns, including joint returns and declarations of estimated tax; pay all taxes; claim, sue for and receive all tax refunds; examine and copy all my tax returns and records; represent me before any federal, state or local revenue agency or taxing body and sign and deliver all tax powers of attorney on my behalf as required to settle, pay and determine all tax liabilities; and, in general, exercise all powers with respect to tax matters which I could if present and under no disability.

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(j) Claims and litigation. Institute, prosecute, defend, abandon, compromise, arbitrate, settle and dispose of any claim in favor of or against me or any of my property interests; collect and receipt for any claim or settlement proceeds and waive or release all my rights; employ attorneys and others and enter into contingency agreements and other contracts as necessary in connection with litigation; and, in general, exercise all powers with respect to claims and litigation which I could if present and under no disability.

(k) Commodity and option transactions. Buy, sell, exchange, assign, convey, settle and exercise commodities futures contracts and call and put options on stocks and stock indices trades on a regulated options exchange and collect and receipt for all proceeds of any such transactions; establish or continue option accounts for me with any securities or futures broker; and, in general, exercise all powers with respect to commodities and options which I could if present and under no disability.

(l) Business operations. Organize or continue and conduct any business (which term includes, without limitation, any farming, manufacturing, service, mining, retailing or other type of business operation) in any form, whether as a proprietorship, joint venture, partnership, corporation, trust or other legal entity; operate, buy, sell, expand, contract, terminate or liquidate any business; direct, control, supervise, manage or participate in the operation of any business and engage, compensate and discharge business managers, employees, agents, attorneys, accountants and consultants; and, in general, exercise all powers with respect to business interests and operations which I could if present and under no disability.

(m) Borrowing transactions. Borrow money; mortgage or pledge any real estate or tangible or intangible personal property as security for such purposes; sign, renew, extend, pay and satisfy any notes or other forms of obligation; and, in general, exercise all powers with respect to secured and unsecured borrowing which I could if present and under no disability.

(n) Estate transactions. Accept, receipt for, exercise, release, reject, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, devise, gift or other property interest or payment due or payable to or for me; assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish a revocable trust solely for my benefit that terminates at my death and is then distributable to the legal representative of my estate; and, in general, exercise all powers with respect to estates and trusts which I could if present and under no disability; provided, however, that my agent may not make or change a will and may not revoke or amend a trust revocable or amendable by me (other than as may incidentally occur as a result of the powers granted in (o) with respect to annual exclusion gifts) or require the trustee of any trust for my benefit to pay income or principal to the agent unless specific authority to that end is given, and specific reference to the trust is made in this power of attorney.

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(o) Gift transactions. Make gifts of my property (in cash, real estate, or any other form), to any one or more of the group consisting of my sister, ELAINE LEE ("Elaine"), Sheri (including while she is acting as agent hereunder), and my niece, JODI MAX ("Jodi"); provided: (1) each such gift qualifies for the annual exclusion from federal gift tax under Internal Revenue



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## CHICAGO TITLE INSURANCE COMPANY

**ORDER NUMBER:** 1409 007834295 SK  
**STREET ADDRESS:** 3085 PHEASANT CREEK UNIT 102  
**CITY:** NORTHBROOK **COUNTY:** COOK  
**TAX NUMBER:** 04-08-200-031-1002

### LEGAL DESCRIPTION:

PARCEL 1: UNIT NO. 102 IN PHEASANT CREEK CONDOMINIUM ASSOCIATION NUMBER 4, AS DELINEATED ON SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

PARTS OF LOTS 'A' AND 'B' IN WHITE PLAINES UNIT 7, BEING A SUBDIVISION IN SECTION 8, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT 'B' TO DECLARATION OF CONDOMINIUM OWNERSHIP MADE BY CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 24, 1978 AND KNOWN AS TRUST NUMBER 1071489 RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN COOK COUNTY, ILLINOIS AS DOCUMENT NUMBER 24738005 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

PARCEL 2: EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE PHEASANT CREEK ASSOCIATION DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED AS DOCUMENT NUMBER 22648909, AS SUPPLEMENTED FROM TIME TO TIME, FOR INGRESS AND EGRESS, IN COOK COUNTY, ILLINOIS

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