

WARRANTY DEED IN TRUST

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1999-01-25 11:54:03
Cook County Recorder 25.00



99077640

(The Above Space For Recorder's Use Only)

THIS INDENTURE WITNESSETH, that the Grantors **HOWARD G. BIRNBERG** and **DIANE MIX BIRNBERG**, husband and wife, of the City of Chicago, of the County of Cook, and State of Illinois, for and in consideration of the sum of TEN AND NO/100 (\$10.00) Dollars, in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey and Warrant unto the Grantee, **HOWARD GENE BIRNBERG**, as Trustee of the Howard Gene Birnberg Trust dated March 30, 1989, of 1227 West Wrightwood Avenue, Chicago, Illinois 60614, duly authorized to accept and execute trusts within the State of Illinois, as Trustee under the provisions of that certain Trust Agreement, the following described real estate in the County of Cook, State of Illinois, to-wit:

LOT 11 IN JAMES QUIRK AND OTHERS SUBDIVISION OF LOT 1 (EXCEPT THE EAST 133 FEET THEREOF) IN BLOCK 43 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Number: 14-29-315-033

THIS TRANSACTION IS EXEMPT UNDER THE PROVISIONS OF 35 ILCS 200/31-45(e).

Howard G. Birnberg

12/30/98

SUBJECT TO: The powers and authority conferred upon said Trust Grantee are recited on the reverse side hereof and incorporated herein by reference.

In Witness Whereof, the grantor aforesaid has set hereunto their hands and seals this 30 day of December, 1998.

Howard G. Birnberg

HOWARD G. BIRNBERG

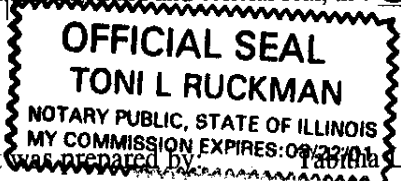
Diane Mix Birnberg

DIANE MIX BIRNBERG

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 **HOWARD G. BIRNBERG** and **DIANE MIX BIRNBERG**, husband and wife, are 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes set forth.

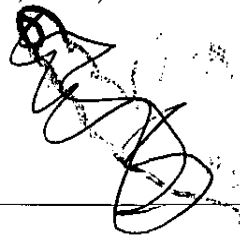
Given under my hand and official seal, this 30th day of December, 1998.



Toni L. Ruckman

Notary Public

This instrument was prepared by: *Patricia L. Mitchell, Schwartz, Cooper, Greenberger & Krauss, Chtd.,*
180 N. LaSalle Street, Suite 2700 Chicago, Illinois 60601



MAIL TO: Mary Lou Haddad, Esq., Schwartz, Cooper, Greenberger & Krauss, Chd.
180 North LaSalle Street, Suite 2700, Chicago, Illinois 60601 BOX 341

Send Subsequent tax bills to: Mr. Howard G. Bimberg, 1227 West Wrightwood Avenue, Chicago, Illinois 60614

Property commonly known as: 1227 West Wrightwood Avenue, Chicago, Illinois 60614
(The above address is for information only and is NOT part of this deed)

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.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be an interest in the earnings, avails and proceeds thereof, as aforesaid, the intention hereof being to vest in said Trustee the entire legal and equitable title in fee simple, in and to all of the real estate above described.

This conveyance is made upon the express understanding and condition that neither Trustee, individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiary under said trust agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and the discharge thereof). All persons and corporations whomsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

In no case shall any part dealing with said trustee in relation to said premises or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease, or other instrument executed by said trustee in relation to said 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 by this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trust, conditions and limitations contained in this indenture and in said trust agreement or in some amendment thereto and binding upon all beneficiaries thereunder, (c) that said trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument 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.

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways, or alleys and to vacate any subdivision or part thereof, and to resubdivide said property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said premises or 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 said trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in present or future, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 195 years, and to renew or extend leases upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 195 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change, or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated: 12/30, 1998

Signature: Howard G. Birnberg
Grantor or Agent

Subscribed and sworn to before me by the said _____
this 30th day of December, 1998.



Toni L. Ruckman
Notary Public

The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: 12/30, 1998

Signature: Howard G. Birnberg
Grantee or Agent

Subscribed and sworn to before me by the said _____
this 30th day of December, 1998.



Toni L. Ruckman
Notary Public

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)