

UNOFFICIAL COPY

AFFIDAVIT

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

The undersigned, Robert L. Opila, Sr., being first duly sworn on oath, does hereby depose and state as follows:

1. He is the record owner of the real property located in Cook County, Illinois (the "Property") and described in Torrens Owner's Duplicate Certificate No. 1393157 dated August 3, 1983, a copy of which is attached to this Affidavit.

2. That on or about April 16, 1984 he did execute and deliver a Deed in Trust (in duplicate) conveying title to the Property to Commercial National Bank of Berwyn, as Trustee under a Trust Agreement dated April 16, 1984 and known as Trust No. 830410 (the "Trust").

3. That said Deed in Trust had been lost, misplaced or destroyed, that diligent search has been made for the same and that there is no other person or persons having knowledge of the circumstances of the loss, destruction or misplacement of the Deed in Trust.

4. That the Trustee of the Trust has since April 16, 1984 executed documents in its capacity as Trustee under the Trust with reference to the Trust Agreement and Deed in Trust as being dated April 16, 1984.

6. The undersigned, his heirs, legal representatives, successors and assigns, shall, at all times indemnify and save harmless the Registrar of Titles, Cook County, Illinois, against all loss or damage to him, arising by reason of the lost, misplaced or destroyed Deed in Trust, and the acceptance for filing and registration of a replacement Deed in Trust dated April 16, 1984 in relation to the Property, a copy of which Deed in Trust is attached hereto, and all costs, charges, damages and expenses, and all claims and demands of every kind and any nature, actions, causes of actions, suits and controversies, whether groundless or otherwise.

7. That the undersigned makes this Affidavit for the purpose of inducing SIDNEY R. OLSEN, Registrar of Title of said County, to accept for filing on or about the date of this Affidavit of the replacement Deed in Trust dated April 16, 1984.

Robert L. Opila, Sr.
 Robert L. Opila, Sr.

Subscribed and sworn to
 before me this 17th day of
October 1984

John B. Langman
 Notary Public

My Commission Expires:

8-19-87

DOC not attached

not attached

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MARRIED TITLE HOLDER'S AFFIDAVIT 7' 0' 5' 1'

Handwritten initials

1. JERROLD PEVEN ON BEHALF OF ROBERT L. OPILA, SR., being the
SOLE title holder to the property registered on Certificate Number 1393157
Volume 2791-1, Page 79, in the Office of the Registrar of Titles,
Cook County, Illinois, and being married to JUAN A. OPILA,
state:

(1) That the property herein is not homestead property.

(2) That the property herein is developed and maintained as _____

a residential apartment project
(insert general use)
and has erected on it 2 residential apartment buildings
(describe structure, if any)

(3) That no proceeding is now pending or contemplated by affiant,
nor does affiant know or believe that any proceeding is contemplated by the
spouse of same under the Dissolution of Marriage Act, Ill. Rev. Stat., Ch. 40,
§101, et seq.

(4) That neither affiant nor the spouse of same is residing on said
premises.

This affidavit is made to induce the Registrar of Titles to accept
a certain deed of conveyance of said property without the signature of the
spouse, and said affiant agrees to save harmless the Registrar of Titles from
any loss, claim or damage sustained by virtue of acceptance of the said deed,
WITH PERSONAL KNOWLEDGE OF THESE FACTS.

[Signature]
ATTORNEY AT LAW

Subscribed and sworn to before me
this 21st day of OCTOBER,
A.D. 19 85.

[Signature]
Notary Public

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EXHIBIT A

Lot eight (8) Lot nine (9) and Lot ten (10) in Block Four (4), in Baldwin's Subdivision of Blocks Three (3), Fourteen (14), Nineteen (19), Thirty (30), Thirty One (31) and Thirty Three (33), and those parts of Thirty Second and Thirty Fifth Streets lying between Baldwin and Hiawatha Avenue in Laverne, a Subdivision of the Northwest quarter (1/4) and that part of the Northeast quarter (1/4) and the Southeast quarter (1/4) and the East half (1/2) of the Southwest quarter (1/4) lying North of Ogden Avenue in Section 31, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Property of Cook County Clerk's Office

3470595

DEED IN TRUST
UNOFFICIAL COPY

THIS INDENTURE WITNESSETH, That the Grantor **Robert L. Opila, Sr.** married, to Joan A. Opila, of the County of **Cook** and State of **Illinois** for and in consideration of **TEN AND NO/100 (\$10.00)** dollars, and other good and valuable considerations in hand paid, **CONVEYS and QUIT CLAIMS** unto **COMMERCIAL NATIONAL BANK of BERWYN, Berwyn, Illinois**, a national banking association, its successor or successors, as Trustee under a trust agreement dated the **16th** day of **April**, 19**84**, known as Trust Number **830410**, the following described real estate in the County of **Cook** and State of Illinois, to-wit:

Legal description attached hereto as Exhibit A and made a part hereof.

THIS IS NOT HOMESTEAD PROPERTY.

This transaction is exempt under the provisions of Paragraph 4(e) of the Illinois Real Estate Transfer Tax Act; Paragraph 4(e) of the Cook County Transfer Tax Ordinance; and Paragraph 7(d) of the Berwyn Real Estate Transfer Fee Ordinance.

Date: October 17, 1985 *Peter B. Loughman*

(Permanent Index No. 3 3 1 2 1 8 0 0 1 0 0 0 0)

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 with respect to the real estate or any part or parts of it and at any time or times to subdivide and resubdivide, to dedicate parks, streets, 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, to execute contracts to sell on any terms, to convey either with or without consideration, to convey the real estate 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 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 lease with or without consideration in present or in the future, and for any period or periods of time, not exceeding 99 years, 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 respecting the manner of fixing the amount of present or future rentals, to partition or exchange it for other real or personal property, to execute grants of easements or charges of any kind; to release, convey or assign any right, title or interest in or about the premises appurtenant to the real estate or any part thereof, and to deal with the title in 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.

In no case shall any party dealing with said trustee in relation to the real estate, or to 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 in 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 be obliged or privileged to inquire into any of 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 in 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 binding 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 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 title, estate rights, powers, authorities, duties and obligations of the trust.

This conveyance is made upon the express understanding and condition that neither COMMERCIAL NATIONAL BANK of BERWYN, 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 beneficiaries 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 discharge thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice of the condition from the date of the filing for record of this Deed.

The interest of each beneficiary under the trust agreement and of all persons claiming under them or any of them shall be only in the 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.

And the said grantor hereby expressly waives, releases and conveys any and all rights or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the grantor aforesaid has hereunto set his hand and seal on this 16th day of April, 19**84**

(SEAL) *Robert L. Opila, Sr.* (SEAL)
Robert L. Opila, Sr. (SEAL)

State of Illinois } ss. Peter B. Loughman a Notary Public in and for said County, in County of Cook } the state aforesaid, do hereby certify that Robert L. Opila, Sr. personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead. Given under my hand and notarial seal this 17th day of October, 1985
Peter B. Loughman
Notary Public

THIS DOCUMENT PREPARED BY: Peter B. Loughman, Esq.
180 North LaSalle Street
Chicago, Illinois 60601
52441 6616-18 W. Windsor/3203-7 S. Clarence
Berwyn, IL For information only insert street address of above described property

THIS TRANSACTION IS EXEMPT UNDER PARAGRAPH 7D OF THE BERWYN CITY CODE SEC. 18-38 AS A REAL ESTATE TRANSACTION. DATE 10-17-85 TELLER A.S.

3170595

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Property of Cook County Clerk's Office

17/10/2017
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DUPLICATE

3470597

REGISTRAR OF DEEDS
OCT 24 3 40 PM '05
COMMERCIAL NATIONAL BANK OF BERWYN
3322 OAK PARK AVENUE
BERWYN, ILLINOIS 60402

Sig. Card

70/15 337