

# UNOFFICIAL COPY

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STATE OF ILLINOIS  
COUNTY OF COOK

I, the undersigned, being a representative of Safeco Title, state that a certain conveyance of property from Michael Giannelli and Richard Sassmannshausen to Colonial Bank & Trust Trust #928 did in fact occur on the 19<sup>th</sup> day of December, 1985, and that the property is described on certificates of Title No. #1353281 & 1441662 as follows:  
Parcel One

Part of LOT FIVE; LOT SIX (except the West Thirty feet), In Block One in Castle's Subdivision of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 3, Township 39 North, Range 13, East of the Third Principal Meridian.

Parcel Two

The East Half of LOT FOUR In Block One in Castle's Subdivision of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 3, Township 39 North, Range 13, East of the Third Principal Meridian

Pin 16-03-400-007, 008, 009, ~~011~~ + ~~037~~

Address: 4333 W. Division St., Chicago, IL

That since said date, the aforementioned documents have remained in our exclusive possession due to them having been misfiled.

That the affiant makes this affidavit for the purpose of inducing the Registrar of Titles of Cook County, Illinois, to accept the attached document, and Safeco Title Insurance Company agrees to save harmless the Registrar of Titles from any loss, claim or damage sustained by virtue of acceptance of said document, relying on this statement as true, and in consideration thereof affiant swears, to the best of his knowledge, the truth and validity of the statements herein contained.

Further, affiant sayeth naught

*David J. Gerke*

Subscribed and sworn to before me  
this 6<sup>th</sup> day of October 1986

# 16-03-400-007 E.L. 14  
- 008 W.L. 15  
- 009 E. Lot 5  
- 011 E. Lot 6

*Janice M. Bailey*  
NOTARY PUBLIC

STL-85-90661  
NW-50729

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Property of Cook County Clerk's Office

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JOHN F. PURTILL, ATTORNEY FOR MICHAEL GIANNELLI  
I, BASED ON PERSONAL KNOWLEDGE OF THE AFFAIRS OF MICHAEL GIANNELLI, being a  
tenant in common to the property registered on Certificate Number 1385281 &  
1339216  
Volume         , Page         , in the Office of the Registrar of Titles,  
Cook County, Illinois, and being married to Franca Giannelli  
state:

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

(2) That the property herein is developed and maintained as           
a facility for a plastic injection molding company  
(insert general use)  
and has erected on it a single story building  
(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.

Michael Giannelli by his attorney  
Michael Giannelli John Purtil

Subscribed and sworn to before me  
this 6<sup>th</sup> day of October,  
A.D. 1986.

Mary A. Browne  
Notary Public

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Property of Cook County Clerk's Office

3557598

THIS INDENTURE WITNESSETH, THAT THE GRANTOR,

Michael Giannelli, married to, and Richard Sassmannshausen, divorced and not since remarried Franca Giannelli

STI-85-90661 NW-50229

of the County of Cook and State of Illinois, for and in consideration of the sum of TEN AND NO/100 Dollars (\$ 10.00), in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey and Warranty unto COLONIAL BANK AND TRUST COMPANY OF CHICAGO, an Illinois Corporation whose address is 5850 West Belmont Avenue, Chicago, Illinois, as Trustee under the provisions of a certain Trust Agreement, dated the 1st day of December 19 85, and known as Trust Number 928 the following described real estate in the County of Cook and State of Illinois, to wit:

PARCEL 1: The South 25.11 feet of the West 22.49 feet of Lot 7 and all of Lots 5 and 6 in Block 1 in Castle's Subdivision of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 2: The East Half of Lot 4 in Block 1 in Castle's Subdivision of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 3, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

PPI Nos. 16-03-400-007; 16-03-400-008; 16-03-400-009; 16-03-400-010; 16-03-400-011; 16-03-400-037

THIS IS NOT HOMESTEAD PROPERTY.

EXEMPT UNDER PROVISIONS OF SECTION 17-102, ILL. REV. STAT. TRANSFER (GT. CASE)

[Signature]

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trusts and for the uses and purposes herein and in said Trust Agreement set forth. Full power and authority is hereby granted to said Trustee to improve, manage, protect, and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alleys to vacate any subdivision or part thereof, and to resubdivide said real estate 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 including deeds conveying directly to a Trust Grantee, to convey said real estate or any part thereof to 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 real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in present or in future, and upon any terms and for any period or periods of time, not exceeding in the case of any single lease the term of 99 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 living the amount of present or future rentals, to partition or to exchange said real estate, 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 appurtenant to said real estate or any part thereof, and to deal with 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 same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see to the execution of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, 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, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (including the Registrar of Titles of said county) 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 trusts, conditions and limitations contained in this indenture and in said Trust Agreement or in all amendments thereto, if any, and was binding upon all beneficiaries thereunder, (c) that said Trustee, or any successor in trust, 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.

This conveyance is made upon the express understanding and conditions that neither Colonial Bank and Trust Company of Chicago, 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 no 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 this condition from the date of the filing for record of this Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement 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 any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said Colonial Bank and Trust Company of Chicago the entire legal and equitable title in fee simple, in and to all the real estate above described.

If the title to any of the above real estate 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(s) hereby expressly waive, . . . and release . . . any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the grantor(s) aforesaid have hereunto set their hand(s) and seal(s) this 1st day of

December 19 85  
Michael Giannelli (SEAL)  
Michael Giannelli (SEAL)

[Signature]  
Richard Sassmannshausen (SEAL)

THIS DOCUMENT PREPARED BY: John F. Partill  
HOLMSTROM & GREEN, P.C.  
116 N. Benton St., Woodstock, IL 60098  
Colonial Bank and Trust Company of Chicago

Property commonly known as:  
4333 W. Division St.  
Chicago, IL 60644

For information only insert street address of above described property.

3557598

This cover by affixing index and Revenue Stamp

Document Number

1946 LEGAL DESCRIPTION AFFECTS PROPERTY OF 138528 AND OTHER PROPERTY. [Signature]

UNOFFICIAL COPY

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MARION...  
CLERK...

Account 3557598

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001500

CHICAGO TITLE INSURANCE CO.  
2 N. LA SALLE ST.  
SUITE 1700  
CHICAGO, IL. 60602

85-90661/WN50829

1385281  
1991662  
IN DUPLICATE

STATE OF Illinois }  
County of Cook }  
50 }  
the undersigned }  
Notary Public in and for said }  
County, in the State aforesaid, do hereby certify that }  
Michael Glanelli, a married man and Richard Sassmannshausen, divorced }  
and not since remarried }  
are }  
personally known to me to be (the same persons) whose names }  
they }  
before me this day in person and acknowledged that }  
signed, sealed and delivered the said instrument as }  
their }  
free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead. }  
Lst }  
day of }  
December }  
A.O. 18 }  
85 }  
My commission expires }  
11/3/87 }  
Notary Public

Property of Cook County Clerk's Office