

# UNOFFICIAL COPY

AFFIDAVIT OF NO ESTATE TAX DUE 9 7 8

The Affiant, regarding the possible liability for State Inheritance Tax for the Estate of decedent herein, being first duly sworn upon oath, deposes and states as follows:

(1) I am WILLIAM L. ROBINSON ATTORNEY  
(name and capacity)

and reside at 128 WOOD ST. BARRINGTON.

(2) I am personally acquainted with the affairs of the Estate of JAMES SWANSON, who died on \_\_\_\_\_.

(3) That as a consequence, I represent to the Registrar of Titles that regarding Federal Estate Tax or State Inheritance Tax;  
(select one - initial choice)

- 1) that no Tax is due; or \_\_\_\_\_  
 2) that if any Tax due, there are sufficient other assets to pay such Tax) or \_\_\_\_\_  
 3) that any Tax due has been paid. \_\_\_\_\_

and I make this affidavit for the purpose of inducing the Registrar of Titles of Cook County, Illinois, to issue a Certificate of Title without additional evidence of non-liability, relying on this statement as true, and in consideration thereof affiant guarantees the truth of the statements herein contained.

William L. Robinson

Subscribed and sworn to before  
me this 10<sup>th</sup> day of May;

19 88  
[Signature]  
Notary Public Apr 7 - 88

STATE OF ILLINOIS  
County of Cook

I, STANLEY T. KLISPER, JR., County Clerk of the County of Cook, in the State  
aforesaid, and Keeper of the Records in said County, do hereby certify that the  
attached is a true and correct copy of the original Record on file, all of which appears from  
the records and files in my office.

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IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the Seal of the County of Cook, at my office in the City of  
Chicago, in said County.

MAY 10 1988

*Stanley T. Klisper, Jr.*  
County Clerk

DECEASED - NAME <b>JAMES ROBERT SWANSON</b>		SEX <b>MALE</b>		DATE OF DEATH - MONTH, DAY, YEAR <b>AUGUST 14, 1987</b>	
RACE - (WHITE, BLACK, AMERICAN INDIAN, ETC.) <b>WHITE</b>		CITIZEN OR DESCENT <b>AMERICAN</b>		AGE - LAST BIRTHDAY YEAR, MONTH, DAY <b>55</b>	
CITY, TOWN, TWP. OR ROAD DISTRICT NUMBER <b>ELK GROVE VILLAGE</b>		HOSPITAL OR OTHER INSTITUTION - NAME (IF NOT IN EITHER, GIVE STREET AND NUMBER) <b>ALEXIAN BROTHERS MEDICAL CENTER</b>		COUNTY OF DEATH <b>COOK</b>	
STATE OF BIRTH - (IF NOT U.S.A. GIVE COUNTRY) <b>ILLINOIS</b>		CITIZEN OF WHAT COUNTRY <b>U.S.A.</b>		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED, SEPARATED <b>MARRIED</b>	
SOCIAL SECURITY NUMBER <b>351-24-1594</b>		USUAL OCCUPATION <b>TEACHER</b>		NAME OF SURVIVING SPOUSE - (MAIDEN NAME, IF WIFE) <b>DOROTHY L. PATERSON</b>	
RESIDENCE - STREET AND NUMBER <b>801 DELPHIA</b>		CITY, TOWN, TWP. OR ROAD DISTRICT NO. <b>ELK GROVE VIL.</b>		COUNTY <b>COOK</b>	
FATHER - NAME <b>OSCAR D. SWANSON</b>		MOTHER - MAIDEN NAME <b>JULIA E. OLSON</b>		WAR OR DATES OF SERVICE <b>KOREAN</b>	
INFORMANT NAME (TYPE OR PRINT) <b>DOROTHY SWANSON</b>		RELATIONSHIP <b>WIFE</b>		MAILING ADDRESS (STREET AND NO. OR R.F.D., CITY OR TOWN, STATE, ZIP) <b>301 DELPHIA ELK GROVE VIL, ILL. 60007</b>	
DEATH WAS CAUSED BY (PART I) IMMEDIATE CAUSE <b>(1) Respiratory arrest</b>		ENTER ONLY ONE CAUSE (PART II) FOR (1), (2), AND (3)		APPROXIMATE INTERVAL BETWEEN (1) AND DEATH <b>minutes</b>	
CONDITIONS, IF ANY, WHICH GIVE RISE TO IMMEDIATE CAUSE (IN STATING THE UNDERLYING CAUSE LAST) <b>(2) Mesothelioma</b>				APPROXIMATE INTERVAL BETWEEN (2) AND DEATH <b>Months</b>	
PART II - OTHER SIGNIFICANT CONDITIONS: CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I (4)				IF YES, WERE PHYSICIAN CONSULTED IN DETERMINING CAUSE OF DEATH <b>YES</b>	
DATE OF OPERATION, IF ANY <b>7/6/87</b>		NAMES AND LOCATIONS OF OPERATION <b>Mesothelioma @ Lung &amp; Chest Wall</b>		IF FEMALE, WAS SHE IN PREGNANCY IN FIRST THREE MONTHS? <b>YES ( ) NO (X)</b>	
I (OR I (OR SHE)) ATTEND THE DECEASED AND LAST SAW HIM/HER ALIVE ON <b>8/11/87</b>		WAS CORONER OR MEDICAL EXAMINER NOTIFIED (YES/NO) <b>YES</b>		HOUR ON DEATH <b>1:30 A.M.</b>	
TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED.		DATE DECEASED - MONTH, DAY, YEAR <b>8/15/87</b>		SIGNATURE OF CERTIFIER <b>Richard L. Davis MD</b>	
NAME AND ADDRESS OF CERTIFIER <b>R. Davis 1931 Meacham Rd. Schaumburg, Ill.</b>		ALIGNED LICENSE NUMBER <b>036-064802</b>		NOTE: IF AN ALIBY WERE INVOLVED IN THIS DEATH THE CORONER OR MEDICAL EXAMINER MUST BE NOTIFIED.	
BURIAL, CREMATION, REMOVAL (PART III) <b>BURIAL</b>		CEREMONY OR CREMATORIUM - NAME <b>SKYLINE MEMORIAL SPK.</b>		CITY OR TOWN <b>MONEE, ILLINOIS</b>	
FUNERAL HOME <b>GROVE MEMORIAL CHAPEL</b>		STREET AND NUMBER OF R.F.D. <b>1199 S. ARLINGTON HTS. RD. ELK GROVE VILLAGE, ILLINOIS 60007</b>		DATE <b>AUG. 18, 1987</b>	
FUNERAL DIRECTOR'S SIGNATURE <b>Richard L. Davis</b>		FUNERAL DIRECTOR'S ALIGNED LICENSE NUMBER <b>31-7817</b>		LOCAL REGISTRAR'S SIGNATURE <b>Walter L. Scott, M.D.</b>	
LOCAL REGISTRAR'S SIGNATURE <b>Walter L. Scott, M.D.</b>		DATE RECEIVED BY LOCAL REGISTRAR <b>AUG 17 1987</b>		MONTH, DAY, YEAR	

DO NOT PRINT IN PERMANENT INK  
UNLESS OTHERWISE INSTRUCTED

DECEASED

PARENTS

CAUSE

CERTIFIER

POSITION

LAST WILL AND TESTAMENT

*I certify this is a true & correct copy of the original will filed in the Clerk of the Court Probate Division William R. Robinson Attorney*

OF  
JAMES R. SWANSON



I, JAMES R. SWANSON, of Elk Grove Village,

Illinois, hereby do make, publish and declare this to be my Last Will and Testament, and revoke any and all other Wills and Codicils heretofore executed by me.

FIRST ARTICLE

I direct my Executor to pay out of the residue of my probate estate the following obligations:

- I. All expenses of my last illness and my funeral and burial expenses (including the cost of a cemetery lot) as soon as may be practicable after my death.
- II. All costs of the administration of my estate.
- III. All indebtedness owed by me at the time of my death except such indebtedness as then is secured by a mortgage of real estate.
- IV. All valid inheritance, estate, transfer and succession taxes which are payable because of my death, including interest and penalties with respect thereto.

SECOND ARTICLE

I authorize my Executor to make deposits to secure the payment of any of the taxes mentioned in the preceding Article. All actions taken by my Executor in carrying out my directions set forth in the preceding Article (including the determination of the taxes mentioned therein) shall be conclusive and binding upon all persons in interest and my Executor shall not seek reimbursement from any person or charge any person for any payment made pursuant to the preceding Article.

THIRD ARTICLE

I give and bequeath all jewelry, silverware, books, pictures, house furniture and furnishings, clothing, automobiles, and articles of household or personal use or ornament, and all similar tangible personal property which

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I may own at my death, to my wife, DOROTHY L. SWANSON, (hereinafter referred to as "my wife"), if she shall survive me, or if she shall not survive me, I give and bequeath the same to my surviving children to be divided equally among them as they agree; or if they fail to agree upon such division within six (6) months after my death then as my Executor shall determine. Notwithstanding the foregoing, in the event my surviving children shall fail to agree upon such division, my Executor shall have full power and authority to sell any item or items of such property and to distribute the net proceeds of sale to my children in place of the property sold. As of the date of this instrument, I have Three (3) children, namely, DANIEL, DONNA and DENISE. If any child of mine shall be a minor at the time of my death, I direct that the Trustee acting hereunder shall represent such child in the division of such property and shall receipt for and hold such child's share of such property or the proceeds of sale of any item thereof for such child's benefit and deliver the same to such child either before or when such child attains legal age. In addition, if said Trustee considers it desirable and for the best interests of such child, it may sell all or any part of such child's share of such property and may deliver the proceeds of sale to such child either before or when such child attains legal age, or, in the Trustee's sole discretion, it may add the proceeds of such sale to the principal of any trust held for the benefit of such child.

## FOURTH ARTICLE

I give, devise and bequeath all the residue of my estate, real, personal and mixed, of every kind and character and wherever located, including all lapsed legacies and devises, but expressly excluding any property over which I may have power of appointment, to my wife, if she shall survive me, or if she shall not survive me, I give, devise and bequeath the same to the Trustee hereinafter named, to hold and dispose of as follows:

1. The Trustee may from time to time pay to or apply for the benefit of any one or more of my descendants who are under the age of twenty-one (21) years, and to or for the benefit of any one or more of my other descendants who are in need of financial assistance, such amounts from income and principal of the trust fund as it in its sole discretion considers reasonably necessary or desirable to provide for the comfortable support, maintenance, medical care, welfare and education of each of them, respectively.

Any income not so distributed shall be added to principal. I am aware of the fact and contemplate the possibility that all of the trust property may be distributed pursuant to the provisions of this Paragraph I, thereby terminating the trust herein created.

II. If at any time no living child of mine is under the age of twenty-one (21) years, the Trustee forthwith shall distribute the trust, per stirpes, among my then living descendants.

III. In case any share of principal becomes distributable pursuant to the provisions of Paragraph II, last preceding to any descendant of mine who has not reached the age of twenty-one (21) years, then anything hereinabove to the contrary notwithstanding, such share of principal shall vest in such descendant, but distribution shall be postponed until such descendant reaches the age of twenty-one (21) years. The Trustee in the meantime shall use such portion or all of the income and principal of such retained share for the benefit of such descendant as the Trustee deems necessary or desirable, shall add any income not so distributed to principal, and when such descendant reaches the age of twenty-one (21) years, shall thereupon distribute the balance of such share then remaining to such descendant.

FIFTH ARTICLE

The following provisions shall be applicable with respect to the administration of the trust fund and each vested share created herein and the Trustee acting hereunder shall have the following rights, powers, duties, discretions and immunities in administering the trust property:

I. Distributions of income or discretionary distributions of principal to a beneficiary who in the Trustee's opinion is unable to manage his or her financial affairs may be made by the Trustee in any one or more of the following ways:

- A. directly to the beneficiary;
- B. to the guardian or conservator of such beneficiary's estate;
- C. to a relative or friend of such beneficiary to be expended for his or her benefit;
- D. by the Trustee expending such funds directly for the benefit of such beneficiary; or
- E. in such other manner as the Trustee deems to be in the best interests of such beneficiary.

II. The interests of the respective beneficiaries in income and principal shall not be subject to the claims of their creditors (including, but not by way of limitation, claims for alimony or separate maintenance) in any proceeding whatsoever (including, but not by way of limitation, seizure, sequestration, levy and execution, garnishment or bankruptcy proceedings). Also, the interests of the respective beneficiaries in income and principal may not be assigned, transferred or encumbered voluntarily or involuntarily in any way whatsoever.

III. I give my Trustee full power, without order of any court, to sell, exchange, pledge, mortgage, improve, repair, insure, lease (even though the terms of such leases may extend, or unquestionably will extend, beyond the termination of the trusts) and otherwise deal with all property, real or personal, for such consideration and on such terms and conditions as my Trustee shall decide; to retain and continue investments owned by me at my death and to invest and reinvest in such property or securities as my Trustee shall deem adequate and safe, including, but not by way of limitation, common trust funds established by my Trustee, without being limited by the usual rules of law with respect to what ordinarily are considered proper investments for Trustees or being subject to a duty to diversify the trust investments; to deposit any securities with voting Trustees for any purpose; to give proxies and to exercise any and all rights appurtenant to any securities accrued or accruing, and to use the principal of the trust property for that purpose if deemed advisable; to compromise claims or demands in favor of or against the trusts; to hold trust property in the name of a nominee; to employ agents and counsel and to delegate to them such of the Trustee's powers as it considers desirable; to distribute the whole or any part of the trust property in kind, by undivided shares or otherwise in the absolute discretion of the Trustee, both as to propriety of distribution and execution thereof.

IV. The exercise or non-exercise by the Trustee acting hereunder in good faith of the powers and discretions conferred upon it by this instrument shall be controlling and binding upon all beneficiaries hereunder (including prospective and contingent beneficiaries).

V. Anyone dealing with the Trustee may do so without being obliged to see to the application of any money or property paid or delivered to the Trustee. Also, the assurance in writing by the Trustee that it is acting in accordance with this instrument shall fully protect anyone dealing with the Trustee.

VI. Any Trustee acting hereunder may resign at any time by delivery of written notice thereof to the beneficiaries who may receive discretionary distributions of income. If such a resignation takes place, the approval in writing of the resigning Trustee's accounts by the majority in number of such beneficiaries shall constitute a full and complete discharge to the resigning Trustee and fully protect it from any and all liability whatsoever to any beneficiary hereunder (including prospective and contingent beneficiaries).

VII. In case the Trustee or Alternate Trustee hereunder fails or ceases to act as the Trustee, then the majority in number of the beneficiaries entitled to receive notice under the preceding Paragraph may appoint any qualified corporation or person whatsoever located or organized to act as successor Trustee hereunder by delivery of written notice thereof to the successor Trustee so appointed and the acceptance in writing of such appointment as successor Trustee hereunder by such qualified corporation or person.

VIII. A successor Trustee acting hereunder shall have the same titles, rights, powers, duties, discretions and immunities as if it had been appointed as the original Trustee hereunder. With the written approval of the person or persons who appointed it, a successor Trustee may accept the accounts rendered and the property delivered to it by a predecessor Trustee without incurring any liability to any beneficiary hereunder (including prospective and contingent beneficiaries) for any act or omission to act of any predecessor Trustee.

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IX. The parents or surviving parent, guardian or conservator of a beneficiary under legal disability may act for the beneficiary in making, delivering and accepting any written notices under this Article.

## SIXTH ARTICLE

I give to my Executor with respect to the administration of my estate, the following rights, powers, duties, discretions and immunities, all of which may be exercised without authorization by any court:

I. All of the rights, powers, duties, discretions and immunities herein given to the Trustee with respect to the administration and investment of the property to be held in trust hereunder, but subject to the same limitations and restrictions.

II. The power to file joint income or gift tax returns with my surviving spouse with any governmental authority, if my Executor deems it advisable.

III. The power to exercise any options to purchase stock of any corporation which I may possess at my death and to borrow money and pledge or mortgage any assets of my estate for such purposes if my Executor deems it advisable.

IV. The power to elect to claim as a deduction for Federal income tax purposes any administration expenses payable out of the principal of my estate, and no adjustment shall be made between principal and income by reason of such election.

If my wife survives me, my Executor shall not take possession of any real estate owned by me at my death, nor have any rights or duties with respect thereto except as expressly provided above in this Article.

## SEVENTH ARTICLE

I hereby nominate and appoint my wife, DOROTHY L. SWANSON of Elk Grove Village, Illinois, as the Executor of this, my Last Will and Testament. Should she be unable or unwilling to so serve, I hereby nominate and appoint NANCY A. SCADUTO, of Oak Lawn, Illinois, as Alternate Executor of this, my Last Will and Testament, having the same rights, powers, duties, discretions and immunities as the Executor.

I hereby nominate and appoint NANCY A. SCADUTO, of Elk Grove, Illinois, as the Trustee of the trust created herein. Should

she be unable or unwilling to so serve, I hereby nominate and appoint LEONARD J. SCADUTO, Oak Lawn, Illinois, as the Alternate Trustee, having the same rights, powers, duties, discretions and immunities as the Trustee.

EIGHTH ARTICLE

If my wife predeceases me, I name NANCY A. and LEONARD J. SCADUTO, as guardian of the person and estate of each child of mine who may be a minor at my death. No surety or other security shall be required on the official bond of any guardian named in this Article.

IN WITNESS WHEREOF, I have set my hand and seal to this, my Last Will and Testament, consisting of six (6) typewritten pages, all this 26 day of August, 1977.

  
\_\_\_\_\_  
JAMES R. SWANSON (SEAL)

The undersigned hereby certify that the foregoing instrument was on the date set forth immediately above, signed, sealed, published and declared by the Testator as and for his Last Will and Testament in our presence, who, at his request and in his presence and in the presence of each other, have hereunto subscribed our names below as witnesses thereto, believing the Testator at the time of so signing to be of sound and disposing mind and memory.

James A. Buffler residing at 1827 W Belmont, Chicago  
Bruce R. Johnson residing at 5462 Taylor St, Chicago 287  
Richard L. Wright residing at 5742 W. Howard, Chicago, Ill.



Faint, mostly illegible text from the document's body, possibly containing names and dates.

(JAN 12) ...  
...  
...  
...

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
PRObate DIVISION  
ESTATE OF James A. Anderson NO. 87 P. 7441  
D.D. 920  
PAGE. 191

I HEREBY CERTIFY THAT THE DOCUMENT TO WHICH THIS  
CERTIFICATION IS AFFIXED IS A COPY OF LAST WILL  
AND TESTAMENT OF James A. Anderson  
PROVED AND ADMITTED TO RECORD IN OPEN COURT  
ACCORDING TO THE LAWS AND USAGES OF THE STATE  
OF ILLINOIS ON September 21st, 1927 BY  
Frank J. Peterson, JUDGE.

September 21st, 1927  
George M. Finley  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office

3706978

CCS 164 (FORM 302)

Affidavit by Surviving Joint Tenant

L. R. 2118 Doc. No. 2418242 E-F Certificate No. 1333373

State of Illinois ss. County of Cook

DOROTHY L. SWANSON being first duly sworn, upon oath deposes and says:

That she resides at 10 Deloria in the City of Elk Grove Village and that she is one of the parties who took title, not in tenancy in common, but in joint tenancy, to real estate shown in Certificate of Title No. 1333373 situated in said Cook County, Illinois, described as follows: LEGAL: LOT FIFTEEN HUNDRED SIXTY THREE (1563) In Elk Grove Village Section 4, being a Subdivision in the South Half (S) of Section 28, and the North Half (N) of Section 33, both in Township 41 North, Range 11, East of the Third Principal Meridian, according to Plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois, on September 23, 1958, as Document Number 1810395,

Affiant states that JAMES R. SWANSON one of the said owners in joint tenancy, died testate, in the city (Village) of Elk Grove Village, the State of Illinois, as is confirmed by a Certificate of the health department of said municipality hereto attached.

Affiant states that the remaining joint tenant has not changed her marital status since the issuance of Certificate of Title Number 1333373 (except and who has been married but once since acquiring said real estate and then to).

Further, that the affiant makes this affidavit for the purpose of inducing the Registrar of Titles of Cook County, Illinois, to issue a certificate of title to the surviving Joint Tenant to said above described premises, relying on this statement as true, and in consideration thereof affiant guarantees the truth of the statements herein contained.

DOROTHY L. SWANSON

Subscribed and sworn to before me

WILLIAM L. ROBINSON Notary Public, State of Illinois My Commission Expires May 1, 1958

3706978

Handwritten signature/initials on the left margin.

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1/31/12  
33379  
3706978

1000 MAY 11 11 11 AM '12  
FABRICIUS M...  
RE...

IDENTIFIED  
NO.  
3706978  
RECEIVED SERVICE UNIT  
HARRY "EUG" JOURELL  
Sarcosio

3706978

*Answered*

*2500 W. Heasus*

*Home Est. T.*

*60105*

Property of Cook County Clerk's Office