

# UNOFFICIAL COPY

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Form #20

Certificate No. 1379799 Document No. 3914701

TO THE REGISTRAR OF TITLES  
COOK COUNTY, ILLINOIS:

You are directed to register the Document hereto attached  
on the Certificate 1379799 indicated affecting the  
following described premises, to-wit:

~~That part of Lots 2 and 3 (Taken as a Tract) in Block 11 in Arthur T. Mc Intosh and Company's Southtown Farms,~~  
Unit No. 3, being a Subdivision in Fractional Section 28, North and South of the Indian Boundary Line, in Township  
36 North, Range 13, East of the Third Principal Meridian, lying South and East and abutting the following described  
Line: said Line being the Southeastern Right of Way Line of State Route I-57, Commencing at the Southwest corner  
of said Lot 3, thence Northwesterly on the Southwesterly Line of Said Lot 3 a Distance of 366.21 feet to the  
Point of beginning; Thence Northeasterly on a Line a distance of 371.0 feet to a point on the Northeasterly Line  
of said Lot 2, said Line forming an angle with said Northeasterly Line of Lot 2 of 66 degrees 24, minutes 29  
seconds to the Southeast and also said Point being a distance of 344.31 feet Southeasterly on the Northeasterly  
Line of said Lot 2 from the point of intersection of the Northwesterly Right of Way Line of State Route I-57,  
and the Northeasterly Line of said Lot 2, All in Bremen Township.

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28-28-410-011/013

Section 28 Township 36 North, Range 13 East of the  
Third Principal Meridian, Cook County, Illinois.



CHICAGO, ILLINOIS 9-26 19 90

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**ASSIGNMENT AND ASSUMPTION  
OF TRUSTS**

89 APR 16 AM 10:01

CAROL MOSELEY BRAUN  
REGISTRAR OF TITLES

This Assignment and Assumption of Trusts dated as of July 1, 1988 (the "Agreement") is made by and between [REDACTED] ("BREMEN") and Heritage Trust Company ("COMPANY").

Preliminary Recitals

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Both BREMEN and COMPANY, as well as Heritage Bank and Trust Company ("Heritage Bank"), Heritage Bank of Oak Lawn and Heritage Bank Crestwood, are wholly-owned subsidiaries of Heritage Financial Services, Inc., a multi-bank holding company (HFS). Subsequent to the acquisition by HFS of BREMEN, it was determined that BREMEN, through its trust department, would incorporate into its operations all the trust business of Heritage Bank as well as any trust business referred by the other HFS bank subsidiaries.

2. Later, HFS determined that it would, and did, incorporate COMPANY to do the trust business of BREMEN and all other bank subsidiaries of HFS. In exchange for COMPANY's assuming all the obligations of BREMEN with respect to trusts heretofore managed by BREMEN, as well as in consideration of COMPANY's entering into a lease of premises at BREMEN, BREMEN has agreed to transfer the business and assets of its trust department to COMPANY.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto AGREE as follows:

1. BREMEN does hereby assign, transfer, convey, set over and deliver (collectively "assign" or "assignment") to COMPANY, its successors and assigns, all of BREMEN's right, title and interest in, to and under:

a. All trust agreements under which BREMEN is trustee and for which COMPANY has received, where necessary, written consent of all beneficiaries and assignees to the appointment of COMPANY as successor trustee ("Trust Agreements") (sample forms of which are attached hereto and by this reference incorporated herein as Exhibit A) and all other fiduciary, custodial, agency, escrowee and fiduciary nominated accounts that are assignable including but not limited to estates, pension and profit sharing accounts, IRA rollovers, agencies, escrows, will appointments, custodianships, etc. and all documentation, files and records related to the Trust Agreements (collectively "Trusts") and all other assignable accounts as aforesaid; and

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b. All powers and duties of every kind and description whatsoever, as trustee under all the Trust Agreements and assignee of all other accounts assignable. BREMEN represents and warrants to COMPANY that the assets transferred to COMPANY hereunder are free and clear of all liens, charges, encumbrances, debts and liabilities whatsoever except those assumed by COMPANY. BREMEN in no way guarantees payment or any other performance on the part of any party to any item assigned in this Agreement.

2. COMPANY for itself and its successors and assigns does hereby expressly (a) accept the foregoing assignment in paragraph under any and all Trust Agreements and assignee of all other accounts assignable and (b) agree to assume and discharge, satisfy and honor those liabilities and obligations of BREMEN arising from or relating to any and all Trust Agreements, including but not limited to BREMEN's capacity as trustee under any and all trusts for the holding of real estate ("Land Trusts") and assignee of all other accounts assignable.

3. Notwithstanding anything to the contrary in this Agreement, pursuant to the Warranty Deeds In Trust by which all property was conveyed into all Land Trusts: "Any corporate successor to the trust business of any corporate trustee named herein or acting hereunder shall become trustee in place of its predecessor, without the necessity of any conveyance or transfer." Nevertheless, COMPANY may prepare, at its expense, and BREMEN agrees to execute, short-form assignments of the Land Trusts in the form attached hereto as Exhibit B, which shall be recorded by COMPANY in all counties in which the properties described in the Trust Agreements for the Land Trusts are located.

4. BREMEN and COMPANY shall cooperate with each other and use their best efforts to take or cause to be taken all actions and do or cause to be done all things necessary, proper or advisable to consummate and make effective this Agreement including but not limited to executing and delivering such instruments as the other party may reasonably require in order to carry out this Agreement.

5. As of the date hereof BREMEN has no further liabilities or obligations under any item assigned or assumed pursuant to this Agreement, all of which liabilities and obligations are, as of the date hereof, those of COMPANY.

6. BREMEN hereby constitutes and appoints COMPANY, its successors and assigns, the true and lawful attorney of BREMEN, with full power of substitution, in the name and stead of BREMEN, but on behalf of and for the benefit of COMPANY, its successors and assigns, to demand and receive any and all payments due under the Trusts which are hereby assigned to COMPANY, and from time to time to institute and prosecute all actions, suits and demands in the name of BREMEN, or otherwise, for the benefit of COMPANY, its successors or assigns, which are necessary or proper in order to enforce any claim or right of any kind in respect thereof and otherwise to deal with and in

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relation to the Trusts, but only to the extent reasonably necessary to give full force and effect to this Agreement. BREMEN hereby declares that the foregoing powers are coupled with an interest and are not revocable and shall not be revoked by BREMEN.

7. The terms and provisions of this Agreement shall inure to the benefit and may be enforced by or on behalf of BREMEN, its successors and assigns, and by or on behalf of COMPANY, its successors and assigns, and shall be binding upon COMPANY, its successors and assigns, and upon BREMEN, its successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 21st day of July, 1988, effective as of the 1st day of July 1988.

HERITAGE BREMEN BANK AND TRUST COMPANY

HERITAGE TRUST COMPANY

By: [Signature]  
President

By: [Signature]  
President

Attest: [Signature]  
Secretary

Attest: [Signature]  
Secretary

SEAL

SEAL

CERTIFICATION

The Undersigned, being the duly elected and qualified Secretary of both of the above Corporations, does hereby certify that the above Assignment and Assumption of Trusts Agreement was entered into by both of said Corporations on July 21, 1988.

HERITAGE BREMEN BANK AND TRUST COMPANY

HERITAGE TRUST COMPANY

[Signature] (Seal)  
Ronald P. Groebe, Secretary

[Signature] (Seal)  
Ronald P. Groebe, Secretary

Dated: March 16, 1989

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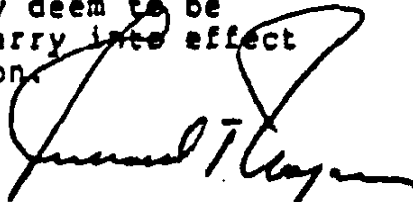
Heritage Bremen Bank and Trust Company  
Resolutions for the Board of Directors  
July 21, 1988

Transfer of Trust Operations to Heritage Trust Company

RESOLVED, that this Board of Directors hereby approves, ratifies and confirms the transfer of the business of the Trust Department of the Bank to Heritage Trust Company, a wholly-owned subsidiary of Heritage Financial Services, Inc., including, without limitation, the transfer of trust accounts (including land trusts) from the Bank to Heritage Trust Company and the execution and delivery of the Assignment and Assumption of Trusts with Heritage Trust Company in the form presented to this Board of Directors.

RESOLVED FURTHER, that the proper officers of the Bank and any person or persons designated and authorized so to act by any such officer of the Bank are hereby severally authorized to do and perform or cause to be done and performed in the name and on behalf of the Bank or otherwise such other acts, to obtain such waivers, to pay or cause to be paid on behalf of the Bank such related costs and expenses, and to execute and deliver or cause to be executed and delivered such notices, requests, demands, directions, consents, approvals, orders, applications, certificates, agreements, supplements, amendments, further assurances or other instruments or communications, under the corporate seal of the Bank or otherwise, in the name and on behalf of the Bank or otherwise, as they or any of them may deem to be necessary or advisable in order to carry into effect the intent of the foregoing resolution.

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BY: 

Chairman  


CERTIFICATION

SEAL

The Undersigned, being the duly elected and qualified Secretary of the above-named Corporation, does hereby certify that the above Resolution was adopted on July 21, 1988.

Heritage Bremen Bank and Trust Company  
 (Seal)  
Ronald P. Groebe, Secretary

ATTEST Secretary

Dated: March 16, 1989

RESOLUTION

RESOLVED, that the Board of Directors of Heritage Bremen Bank and Trust Company hereby approves and ratifies the transfer of Trust Department assets from Heritage County Bank and Trust Company, now known as Heritage Bank and Trust Company, to Heritage Bremen Bank and Trust Company, for the purpose of consolidating the assets of both Trust Departments, both Banks being wholly owned subsidiaries of Heritage Financial Services.

DATED: November 19, 1987

HERITAGE BREMEN BANK AND TRUST COMPANY

BY: [Signature]  
Ronald A. Dunbar, President

ATTEST: [Signature]  
Ronald P. Groebe  
Secretary

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CERTIFICATION

The Undersigned, being the duly elected and qualified Secretary of the above-named Corporation does hereby certify that the above Resolution was adopted November 19, 1987.

Heritage Bremen Bank and Trust Company

[Signature] (Seal)  
Ronald P. Groebe, Secretary

Dated: March 16, 1989

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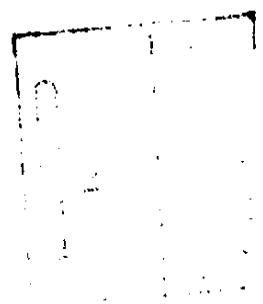
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REGISTRAR OF DEEDS  
COUNTY OF COOK  
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