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Cook County Notarial Record requirements do not apply to deeds to trust

There are special requirements for notarizing deeds which transfer real estate in Cook County. One of those requirements is a Notarial Record, which requires (among other things) taking a thumbprint of the person whose signature is being notarized. However, deeds to trust are specifically excluded from those requirements:

(5 ILCS 312/3-102) (from Ch. 102, par. 203-102)

Sec. 3-102. Notarial Record; Residential Real Property Transactions.

(a) This Section shall apply to every notarial act in Illinois involving a document of conveyance that transfers or purports to transfer title to residential real property located in Cook County.

(b) As used in this Section, the following terms shall have the meanings ascribed to them:

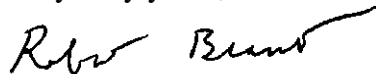
(1) "Document of Conveyance" shall mean a written instrument that transfers or purports to transfer title effecting a change in ownership to Residential Real Property, excluding:

(iii) deeds transferring ownership of Residential Real Property to a trust where the beneficiary is also the grantor;

(vii) deeds transferring ownership to a revocable or irrevocable grantor trust where the beneficiary includes the grantor.

If a bank or other institution says they cannot notarize your deed to trust because of these requirements, tell them that do not apply to your deed to trust and perhaps they will be able to notarize it after all. If not, you can try a currency exchange or give us a call to arrange a notary.

Very truly yours,



Robert R. Brandt

RRB/mm

NOTARIAL RECORD NOT REQUIRED FOR DEEDS TO TRUST

Space Above Reserved for Employer or Cook County Recorder of Deeds

NOTARIAL RECORD — RESIDENTIAL REAL PROPERTY TRANSACTIONS

PROPERTY

The undersigned grantor(s) hereby certifies(y) that the residential real property identified in this notarial record is residential real property as defined in the Illinois Notary Public Act.

Type or Name of Document of Conveyance		PIN Number of Residential Real Property		
Common Street Address of Residential Real Property		City	State	ZIP
Date of Notarization	Notary Fee	Additional Comments		

NOTARY

Notary Printed Name		Notary Phone Number		
Notary Commission Expiration Date		Notary Signature		
Notary Residential Street Address		City	State	ZIP
Notary's Employer or Principal and Business Street Address		City	State	ZIP

GRANTOR #1

Grantor (Signer) #1 Printed Name		
Grantor (Signer) #1 Signature		
Grantor (Signer) #1 Residential Street Address		
City	State	ZIP

Grantor (Signer) #1 Means of Identification
Description of Print if not Right Thumb
Additional Comments

Right Thumbprint of Grantor/Signer #1
Top of thumb here

GRANTOR #2

Grantor (Signer) #2 Printed Name		
Grantor (Signer) #2 Signature		
Grantor (Signer) #2 Residential Street Address		
City	State	ZIP

Grantor (Signer) #2 Means of Identification
Description of Print if not Right Thumb
Additional Comments

Right Thumbprint of Grantor/Signer #2
Top of thumb here