

When was the building demolished?

Who paid for the demolition costs?

1852 N. Talman was sold quite often in the last 30 years. One owner, Casile, loaded the property with debt, perhaps forgetting to invest in its maintenance. Eventually the building landed in building court. The next owner, it appears, didn't fix the violations, and his business problems came to be tax liens on the property. The result? Well, the building was demolished.

Title searchers may have a number of reasons for researching a property such as 1852 Talman.

- * A neighbor may want to buy.
- * The empty lot may be a dangerous eyesore.
- * A community group may want to build new housing on it.
- * There may be some confusion related to the meaning of; a document. It may have been mistakenly recorded for the property.
- * Or, one might be attempting to understand housing disinvestment and demolition.

Specific research needs will, of course, steer the title searcher in the second level of analysis: some things will be important and some won't. For the purposes of this section, we assume a broad purpose, the understanding of local housing investment.

At this point we must go behind title instruments to examine actual documents. Two important sets of documents - those involving taxes and court cases, are discussed in Chapter 6 and 7. To find out about the court case and tax sale for 1852 Talman, for example, the title searchers would first pursue these sources of information before turning to the title documents. We focus here, however, on deeds and mortgages and the information that can be gleaned from the originals.

There are several reasons why the researcher might want to look at the documents. Often they offer clues to the nature of the transaction not available from any other source. For instance, at the very end of each document there is a space to be filled in with the addresses to which the document is to be mailed. This is space is not always filled in, but sometimes researchers

have found in this space the only listed address of the owner or the owner's attorney. As we mentioned earlier, tax stamps, also placed at the end of the document, offer information on the purchase price of the property. Finally, the documents offer specific information on the actual transaction. They may contain, for example, specific references to mortgages taken subject to or assumed by the buyer. It is frequently the case that deeds contain affirmative or negative covenants obligating the purchaser to do or not to do some specific act with respect to the property. It is not unusual, for example, for the seller of a building which does not comply with the building codes to recite in the deed that the buyer is aware of the building's noncompliance. We will first explain how to get access to both forms of documents, Torrens and Recording, and the exploration of these clues in depth.

Torrens Documents

Torrens Certificates may be examined by going to the Torren's Vault, in Room 120. The room is identified by a sign: TORRENS. Remember, tract books identify Torrens documents by seven digits, often with color of ink (red) and sometimes with a small "t." Searchers must fill out a form to obtain a specific certificate, and copies cost \$10.00. There is usually a wait of several days. Orders for copies are placed at Room 229. There are two systems utilized in finding the Torrens Document in the vault, although the best and easiest is to give the document number to a clerk and allow him or her to find the correct document. In order to figure it out yourself, look at the document number:

The last three digits of the document number refer to the particular transaction.

The next two digits define the page number.

The remaining digits refer to the volume to be found.

Another method is given in Architectural Records in Chicago.* Give the Document number from the Tract.

* Torren's Vault is scheduled to move from the basement to Room 120.

** *Cummings, Kathleen Roy, Architectural Records in Chicago (The An Institute of Chicago, Chicago, Illinois, 1981) p.19. This book is perhaps the best single resource of information for property research in Chicago.*

Book to the clerk and ask to see the document. After receiving the document, check the legal description certificate number printed on the document. The certificate number will be a six or seven digit number.

To locate the volume in which your Torrens Certificate is filed, take the number in front of the last three digits of the Certificate number. (It will have three digits if the certificate number is six-digits and four digits if the certificate number is seven digits.) Double that three or four digit number. If the certificate number is even, add 6. If it is odd, add 5. To find the page, divide the last three digits (of the certificate number) by 2. For example, in order to locate certificate number 1125505:

$$\text{Book \#} = 1125 \times 2 = 2250 + 5 = 2255$$

$$\text{Page \#} = 505/2 = 252.5 - .5 = 253$$

Certificate number 11225505 is located in book 2255 on page 253. (To determine the page number, always round up to the higher number.)

The following information is included on Torrens Certificates for each transaction:

Land Registration Number

Document Number of last instrument

Certificate Number of last certificate to be cancelled

Legal description

Memorials of the estates (easements, encumbrances, etc.)

Recording Documents

Formerly located in Room 1072 of the County Building, the microfilm department for the Recorder's Office is now on the Lower Concourse - in the room with the sign MICROFILM. All eight digit document numbers refer to instruments stored in this office. Two methods identify document copies. In general, the document numbers listed in the tract books are used to locate the proper microfiche cards. Give the eight digit number to one of the clerks on a piece of paper and he or she will find the corresponding microfiche card. The other method, called Book and Page, is still used for old documents, usually between 1900-1950. The system was developed to locate documents

before the advent of microfilm; original documents were actually kept in special books, which now have been microfilmed. The Book and Page System ceased in 1959 with document number 175-84-169.

To use the Book and Page method be aware of the following:

The first three digits of the document number designate the paging book number;

The first five numbers refer to the page;

The last 2 to 3 numbers refer to the item.

Document number 175-84-169 is located in book 175, page 17584, and is item 169. Write down the number adjacent to the item number, and give it to the clerk. This number will be used to locate the document in the microfiche.

In either case you will be given a microfiche card and directed to the microfiche readers. Clerks will help you to operate these machines. (Getting your bearings on them is always a bit difficult.) The documents are consecutively ordered in rows from the left hand corner.

All microfiche cards are also stored in a warehouse in Springfield, Illinois. The county also is working with a genealogy firm to arrange for the storage of the microfiche in a salt mine in Utah. Everyone wants to avoid the calamity of another fire.

What you will find on the microfiche cards are copies of completed and recorded documents such as deeds, sales contracts, mortgages, and deeds in trust. By looking at them closely you will be able to expand your knowledge about the property and the specific transaction by observing four things:

1. Is the document filled out properly?

Work of this sort is usually done by title examiners for title companies. The title searcher will, in general, not find many cases or forms filled out improperly. But look for errors, e.g., missing names or lines not filled in.

2. Who are the parties involved in the transactions?

Documents often give the names and addresses of the following: buyers, sellers, lenders, lawyers, witnesses, and other third parties. If you can't locate an owner, or an owner won't respond to you, finding out other involved parties in a specific property deal

may be useful. Names of this sort become leads for further research. Also, being familiar with the names in the history of a property may help you to understand the abstract of title. Look for names not only on the designated lines, but also on notary sales, legal riders and on the address to which the document is to be returned. Often, for example, one name is listed under grantor or grantee with et al. appended. But for the next transaction a new name appears. Checking the document may show you that the second name is part of the first series of individuals composing the et al.

3. Who financed the transaction and for how much?

Real estate financing arrangements are paramount. Documents indicate sale prices, terms of financing (down payment, interest rate, years), and financing sources. In many cases, however, exact price information will be obscured. The document will read, "for \$10.00 and other consideration." It's the "other consideration" you want to know about. One method for decoding the sales price involves interpreting the tax stamp payments. On the title transfer document there should be a stamp affixed which indicates the amount of transfer taxes (local and state) that have been paid. Since the amount of taxes paid is based on the sales price (although recently it has changed to the difference between sales prices and mortgage) one can extrapolate from taxes paid to sales price. Tax rates change infrequently; they are currently \$2.00 per \$1,000 of price (\$.50 for Illinois, \$.50 for Cook County, and \$1.00 for Chicago). Thus, if there are \$20.00 of tax stamps affixed to the deed, for a property within the Chicago city limits one can conclude that the sales price was \$10,000. An easy way to do this is to add the amount of State and County taxes and multiply this by \$1,000.00; this is valid for all transactions after 1979. Between 1968 and 1979 documents will only have a State stamp on them. The price for these stamps was \$1.00 per \$1,000.00. Before 1968 documents had Federal stamps affixed, these stamps were priced at \$1.10 per \$1,000.

Checking the mortgage documents for the mortgage amount also provides some insight into price, if you make assumptions about typical down payments. Finally, trust deed financing often involves private parties and irregular terms: checking these documents proves helpful.

4. Are there any unusual stipulations in a transaction? Not all transactions are the same, even when they use the same forms. Check to see if any special or

unusual provisions have been added to the document; for example, title restrictions defining the use of the property.

In general, become familiar with the forms used in real estate deals. The fine print is easier to read at your leisure than when you are hunched over the microfiche reader.

As part of our second level title search we looked at several documents for 1852 N. Talman. Figure 7 is a copy of the Warranty Deed which transferred title from Casile to Medina. This document illustrates several things we've talked about in this chapter:

- A In the upper left corner is the type of instrument, Warranty Deed.
- B The document number 21803619 is placed in the upper left corner.
- C The date the document was filed.
- D Within the text we find:
 - the name and town or residence of the grantor – Casile;
 - the price - one dollar;
 - the name and address of the grantee – Medina, 1852 N. Talman;
 - the legal description of the property.
- E Tax Stamp - Totaling \$1.50 which means the stated purchase price was \$1,500.00. (Since there is only a State of Illinois stamp we know that the exchange is \$1.00 per \$1,000.00.)
- F Street address of property.
- G Address to send tax bills to Medina - 2165 N. Milwaukee.
- H Address to mail this document to. If the address listed for Medina doesn't work out this address may be a good alternative. It is usually the address for the lawyer who handled the transaction for the purchaser.

In addition to the Warranty Deed we also looked at several of the notices of lien. Each notice shows the name and address of the taxpayer and the amount of taxes and interest due. Two different addresses for Medina are listed on these notices, San Juan Auto Sales, 2003 W. Division and San Juan Auto Parts, 1446 N. Milwaukee.

1852 N. TALMAN

Second Level Search Information

Our investigation of the documents has offered a few clues about the nature of Medina's ownership. The purchase price of \$1,500.00 suggests that Medina might have bought the property as a vacant lot. The notice of lien documents have also given two other potential addresses to try to contact Medina. The amounts on the lien notices, totaling, far more than the property is worth, however, suggests that it might not be worthwhile to contact him.

1852 N. TALMAN

Indexes

The Cook County Recorder's Office maintains a number of indexes which may be helpful in the title search process - particularly to disentangle the meaning of liens. Documents listed in these indexes should appear in the title tract books, although sometimes this does not happen, as was the case in our example. Even when they are cross-referenced they are worth checking because they may contain new or more accessible information. All of the indexes are available in the Recorder's Office in Room 230 of the County building. For the lien indexes, it is recommended that searchers go back several years - foreclosure takes that long. Each index has a separate volume for each year. Within these yearly volumes the entries are arranged alphabetically. Each letter has a separate section and entries are arranged chronologically within these letter sections. For instance, in order to find the record for the Federal Revenue lien against Medina recorded on May 15, 1978, we first locate the volume for 1978 then the section of pages for the letter "M," and then the entries made on May 15, 1978.

One problem in using these indexes is that, because they are arranged chronologically, you must know the approximate date of the transaction. For that reason, some indexes have limited usefulness. One potential use is in checking liens made prior to 1959. Pre-microfilm liens were not transferred to microfilm. The book and page method, however, will allow you to determine the type and date of the transaction and you can refer to the appropriate index for further information. In other cases, other sources will provide the date of the transaction and the indexes can be used to

provide additional information.

Below we list the information available in each index and some general comments for particular indexes.

Corporation Index - When organizations incorporate in Cook County, Illinois they must file a copy of their incorporation papers with the Cook County Recorder's Office. Incorporation papers include names, corporate purposes, and bylaws. These volumes may be in slight disarray.

Irregular Index - This index lists limited partnerships (a common real estate form of partnership) that have been formed in Cook County. You need the first three letters of the partnership name and the year of formation. Information given:

DocumentNo./Name/Instrument/DateofRec/
Remarks

Uniform Commercial Code (UCC) Index - This index contains recorded financing statements. These documents are designated in the tract book by "FIS" or "Fin Statement." The document number is similar to a court case number, 82U36921. Give the number to a clerk in Room 230 and he or she will get the appropriate file for you. The file will contain information on the finance agreement including: name and address of lender; name and address of borrower; location of project terms of the agreement; etc.

Grantor Grantee - The last six months are on computer print out; before that, they are on microfilm. Information given:

DocumentNo./Grantor-FirstParty/Grantee-Second Party/DocumentType/Consideration/Brief description of property

Mechanic's Lien Index - Mechanic's liens are filed against property by contractors who have performed work on it but have not been paid. Eventually the contractor can sue for remuneration. This index lists liens in alphabetical order year to year. Information given:

Document No./Filing Date/Lien Filed Against/Lien Filed by/Amount of Lien/Release - document and date.

State Sales Tax - This index is also called the Retailers Occupation Tax Index. Information given: Filing Date/Document No./Name/Business Address/Serial No./Total Amount of Tax and Penalty/Release -Character of and date

Unemployment Compensation Contribution Lien Index - Information given:

FilingDate/DocumentNo./Employer/BusinessAddress Serial No./Total Amount of Contribution/Release— Character of and date

Lis Pendens Notice Index - Notice of Litigation involving properties. Information given:

Document No./Date Recorded/Name of Parties/Action/Case No./When Commenced/Remarks

Federal Lien Tax Index - Information given:

Filing Date/Document No./Name of Taxpayer/Residence or Place of Business/U.S. Collectors Serial #/Amount/Date Tax Lien/Remarks
Tax/Penalty/Discharges

Estate, Conservator, and Inheritance Tax Index— Information given:

Book/Page/Name/ABCDEF/GHIJKL/MNOPQRS/
TUVWXYZ/Date of Death/
Date of Letters/Remarks

Judgment or Decree Index - Information given:

Document No./Date Recorded/Name of Party Against /Case No./Date of Judgment/Who entered judgment or decree

Daily Entry Sheet - Lists instruments recorded each day.

Other Information Sources

At this point you have names and addresses which require research. Besides tax and court records, there are a variety of other sources which you may want to consult. Below we list some of the basics.

Phone Books, Reverse Directories, and Business Directories - Local and out-of-state phone directories are a valuable resource for name and addresses. They are available at most public libraries.

State of Illinois, Secretary of State, Corporate Division - Use this source if a corporation (or what you think may be a corporation) shows up on the title search. The office is located at 188 W. Randolph St. and the phone number is 793-3380. The following information is available over the phone: date of incorporation; current officers; registered agent; if corporation is in good standing (i. e. filed reports); State of Illinois Certificate. For more information write to: Secretary of State, Corporation Division, Centennial Division, Springfield, Illinois 62756. Annual Reports for corporations cost \$1.00 and Incorporation documents cost \$2.50.

Assumed Name Index - Found in the Cook County Clerk's Office on the 4th floor, this Index lists all non-corporate names assumed by individuals or partnerships for business purposes.

Death Certificates - The registry for births and deaths is located on the Lower Concourse of the County building. If you suspect that an owner may have died, you can request a death certificate at this office for

\$3.00. One needs a name and the approximate year of death. This office contains the more recent records. For older records, consult the County Office of Vital Records. It is located in the basement of the County building and reached via the escalator on the outer Randolph Street lobby.

Building Permits - The Municipal Library on the 10th floor of City Hall has volumes which list properties by address and building and demolition permits issued for approximately the last ten years. These records are also aggregated by community areas. Type of work applied for is described.

Newspaper Clippings - The Municipal Reference Library also has an extensive and up-to-date clipping file organized by topic. Clippings may be helpful to get background on local realtors and real estate issues.

REDI - REDI books allow researchers to identify all properties in Cook County owned by individuals or businesses. They also have estimates of sale prices and recording dates. Some of these estimates, however, may not be accurate. So be careful.

Real Estate Advertiser and Realty and Building News - These publications (available at the Municipal Reference of Chicago Public Libraries) list real estate transactions, building permits, and real estate projects in planning for the metropolitan area.

Real Estate Listings - If obtainable, real estate listings can provide interesting data on particular parcels.

Key Informants - Neighbors and local businessmen know a great deal about local real estate practices for particular buildings. Don't be shy. One activist suggested that researchers should find out who signs rent receipts for buildings. These names represent people who have some responsibility for the property.

Home Mortgage Disclosure Information - Some community groups have obtained quite specific information on mortgage loan activities for their neighborhood. Ask for this information at local financial institutions.

Secret Land Trust - Property owners in Illinois are allowed to hold property in secret land trusts. Obviously, this causes problems for the title searcher, since many properties particularly multi-family buildings owned by partnerships, are owned in trusts. Some researchers suggest checking tax records to see if names show up. Another method is now available if the building is in building court. A recently passed bill now requires beneficiaries of secret trusts to register with the Building Department, which will make their names public if the building is put in court. (For detailed

information on accessing this information, see Chapter 7.)

Aldermanic Offices - Often local political officials have real estate information and data sources in their offices. Whether they will let researchers see it is the question.

Architectural Records in Chicago - This publication by the Art Institute contains descriptions of a variety of data sources for property research. Its emphasis is on the historical dimensions of Chicago real estate.

Condominium Declaration - Before any units of a new condominium are sold, the owner-developer records a declaration, which includes a legal description of the property (including individual units), provision for residents, rights of ownership (share of common elements, easements to allow entrance and exits), etc. The declaration may also include information on things such as the responsibilities of the condo association, responsibilities of individual owners, and restrictions on type of occupancy.

Conclusion

The second level title search process involves ferreting out the details of title transactions. Unfortunately, there is not one definable way to go about this, as there is in the first stage of title searching. The sources listed above, however, should provide a reasonable basis for digging out the facts. Remember, though, to be clear on what questions you want answered. Somebody has to put the pieces together.

Title Search Conclusions

We started with questions about ownership and financing. Whether these questions have been answered has depended upon our understanding of real estate conveyancing, legal descriptions, title transactions and instruments, and a variety of other documents, indexes, and information sources. Obviously, to put all this information together requires a sense of real estate practices and neighborhood housing markets, and a bit of the detective. It's not easy.

1852 N. TALMAN

1852 N. Talman

We have now gathered as much information for 1852 N. Talman as is possible from the Recorder of Deeds Office. There are still many questions remaining. We didn't find a demolition lien on the

property and we still are not sure when the building was torn down, or who paid for the demolition costs. Tax and building court records will give us some clues to this. Did Medina buy a vacant lot; if so why? The next chapters will help to unravel the story a little further.

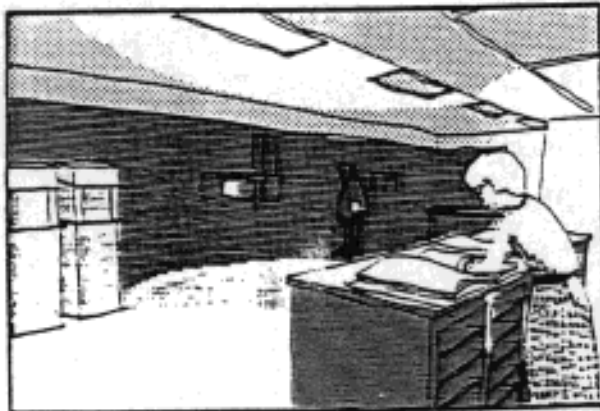
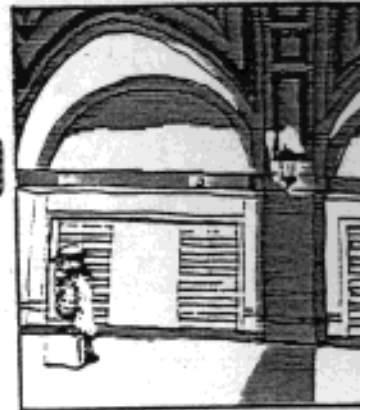
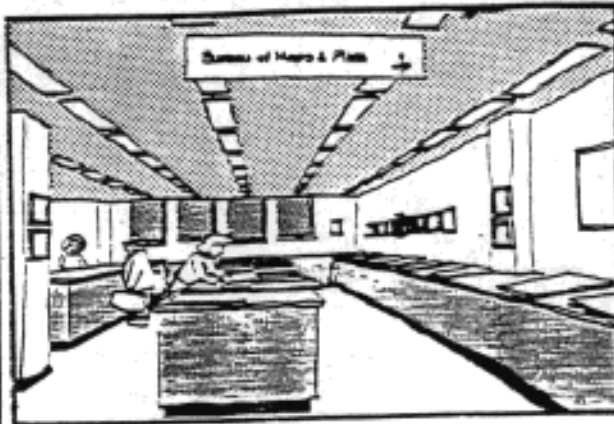
1852 N. TALMAN

TITLE SEARCH GAME

MAPS & PLATS

Rm. 803

Get a legal description with address or site plan. The clerks will help. One should then go to the Recorder's Office on the first floor on the County side.



MICROFILM

Be sure to bring the legal instrument numbers from the title search. Deed and mortgage documents can be examined using the microfilm readers. And then home.



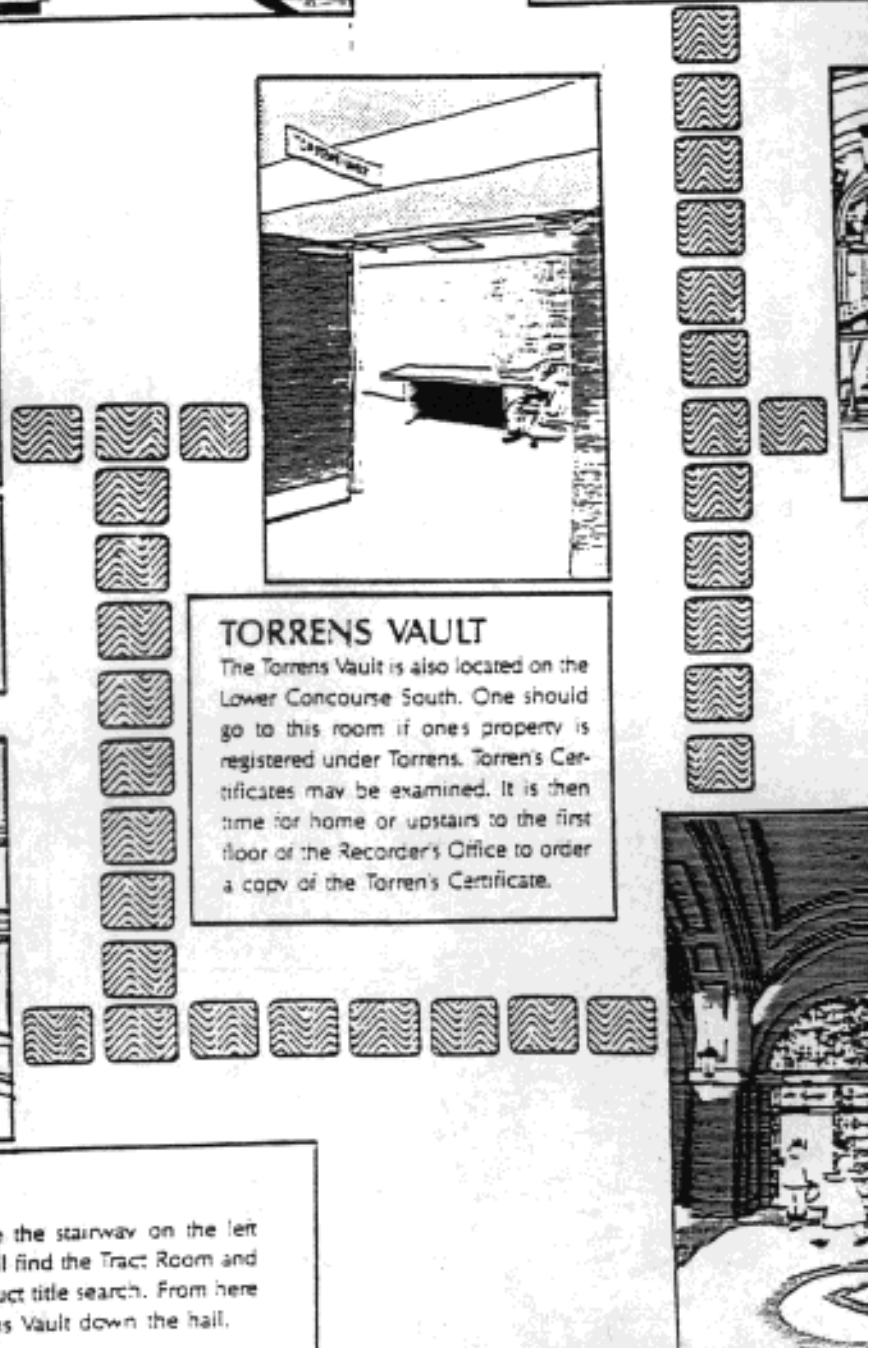
TORRENS VAULT

The Torrens Vault is also located on the Lower Concourse South. One should go to this room if ones property is registered under Torrens. Torrens Certificates may be examined. It is then time for home or upstairs to the first floor of the Recorder's Office to order a copy of the Torrens Certificate.



RECORDER'S OFFICE Rm. 120

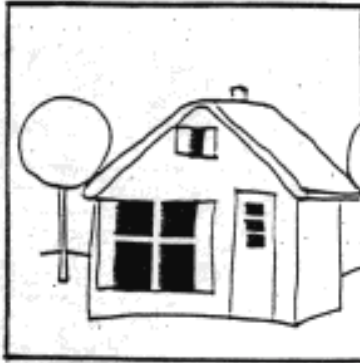
Enter the Recorder's office through Rm. 120, and take the stairway on the left downstairs to the Lower Concourse South. Here one will find the Tract Room and the title volumes. Identify the correct volume and conduct title search. From here one can go home, or to the Microfilm Room or Torrens Vault down the hall.



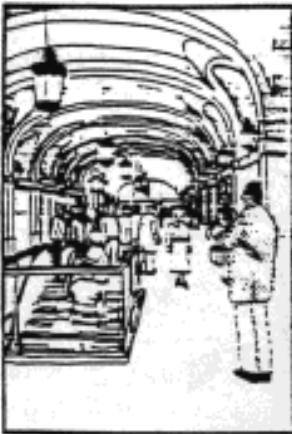
ME



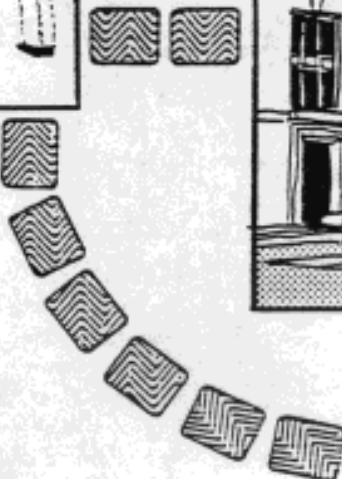
ELEVATORS
(City Hall)



HOME BASE
START HERE



CITY HALL
Go to the County side of City Hall that may be entered from Clark Street. Title searching requires an address, a PIN number, or a site map.



ELEVATORS



TREASURER'S
OFFICE Rm. 112
Enter the Treasurer's Office in Rm. 112. Bring an address or PIN. Obtain PIN and/or legal description. Go to Recorder's Office or to Maps & Plans in Rm. 803 on the City side.