



T Kost <tkost999@gmail.com>

TIF lawsuit

5 messages

T Kost <tkost999@gmail.com>

Wed, Apr 12, 2023 at 11:25 AM

To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

After discussing the issues with Paul Dulberg and after reading the email by Mr Talerico I conclude:

- 1) I think we need to file the lawsuit since this residence can receive an eminent domain letter at any time and we cannot counter in any way without filing the lawsuit.
- 2) I would like to proceed with Mr Talerico because he is one of the very few attorneys that I trust.
- 3) Paul Dulberg will not be named as plaintiff in this TIF suit but he will be equally involved with me in all decisions and he is authorized to make decisions on my behalf when discussing this TIF case with Mr Talerico.
- 4) I know Mr Talerico is busy on multiple cases. Mr Talerico knows that Paul and I can research on our own. If we communicate well I believe we can meet deadlines. If Mr Talerico feels he is being pressed for time to meet certain deadlines, I think I will be able to lighten the load by doing more research. Just let me know what I need to do and I'll do it.
- 5) S.O.L. is when they finally voted for the TIF district. The meeting took place on May 3, 2022. I'm pretty sure they approved it then but I will double check.

ISSUES INVOLVING PROPERTY DEED:

- 1) There is a lot that appears to be missing from Cook County electronic records including anything before the year 2000.
- 2) I searched through old paper documents in the house. I have original divorce papers in which Barbara Kost (my mother) gave up all claim to the house and property. There is a separate 7 page document called "PROPERTY SETTLEMENT AGREEMENT" that clearly states that the property is to belong to Richard Kost alone.
- 3) As the divorce was being finalized Barbara's attorney sent 3 letters to Richard offering to have the title of the property transferred to his name as is stated in the "PROPERTY SETTLEMENT AGREEMENT". Richard never followed up on this offer.
- 4) So Barbara's quit claim was never processed and since 1968 Barbara and Richard just assumed that Richard was the sole owner of the house. Barbara and Richard are both still alive and Barbara will cooperate with anything we propose.
- 5) The mortgage of the house was paid off in 1972 and the bank quit claimed the deed to Richard Kost and Barbara Kost. I have the paper document. I also am in possession of the original paper "warrenty deed" when they bought the property. It has a bunch of stamps attached to it and looks like an official document.
- 6) Since none of this is in the Cook County electronic records we appear to be the only ones that possess the original paper documents. According to available electronic records Richard appears as the sole owner. It is most likely that nobody else has access to the original paper documents in my possession.

ISSUES INVOLVING QUIT CLAIM FILED WHEN THE 'RICHARD W. KOST REVOCABLE TRUST' WAS CREATED:

1) Please recall that we exchanged emails from May 1, 2022 to May 3, 2022 on this issue. Mr Talerico considered the quit claim deed prepared by Lenore Franckowiak in 2002 for the 'RICHARD W. KOST REVOCABLE TRUST' to be legally insufficient. Lenore Franckowiak disagreed and claimed it was legally sufficient.

The legal phrase in question is:

"Richard W. Kost ... CONVEYS and QUITCLAIMS to: Richard W. Kost or his successors in interest as Trustee of the Rishard W. Kost Revocable Trust U/D dated February 14, 2001."

2) Paul and I did follow-up research on this. Even though we are not certain, It appears that both Mr Talerico and Lenore Franckowiak are correct.

If this was a non-revocable trust Mr Talerico would be correct in stating that the phrase is legally insufficient. Paul and I currently believe that the phrase is used in revocable trusts to allow the creator of the revocable trust to revoke the trust at any time without having to ask anyone else to agree with them. The phrase allows the creator to revoke the trust easily any time they choose.

If the phrase had the section "Richard W. Kost or" removed then the creator of the trust could not change the terms of the trust without all beneficiaries agreeing to the change. In other words it would not easily be revocable.

My guess is that it is a legal language unique to revokable trusts. But we are not certain.

In summary, I am ready to be put to work for any follow-up research on the TIF lawsuit. Let me know if you need me to do anything.

T Kost <tkost999@gmail.com>
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Wed, Apr 19, 2023 at 8:46 AM

Mr Talerico,

Even though I am at the hospital with my father, I have my computer and can work from here. If you have any questions or need any research done please let me know.

Update on information about my father, Richard W. Kost. It looks my father is being diagnosed as having a terminal illness (colon cancer). Estimated 6 months of life. I will know more very soon.

[Quoted text hidden]

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
To: T Kost <tkost999@gmail.com>

Wed, Apr 19, 2023 at 10:04 AM

Dear Mr. Thomas Kost,

I am sorry that your Father's illness is diagnosed as terminal.

If there is anything I can do to help, please do not hesitate to ask.

Sincerely,
Alphonse A. Talarico

From: T Kost <tkost999@gmail.com>
Sent: Wednesday, April 19, 2023 8:46 AM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Subject: Re: TIF lawsuit

[Quoted text hidden]

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
To: T Kost <tkost999@gmail.com>

Thu, Apr 20, 2023 at 8:14 AM

Dear Mr. Kost,

I am sorry to use this method to request such a mundane thing, but both you and Paul R. Dulberg are going through troubling and stressful times.

Mr. Dulberg informs me that he must request the transfer and payment of my fees from you and with all that is going on he probably forgot.

Please contact Mr. Dulberg for the necessary information.

Your anticipated cooperation is greatly appreciated,
Alphonse A. Talarico

From: T Kost <tkost999@gmail.com>
Sent: Wednesday, April 19, 2023 8:46 AM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Subject: Re: TIF lawsuit

[Quoted text hidden]

T Kost <tkost999@gmail.com>
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Tue, Apr 25, 2023 at 6:47 AM

Fees were transferred but he forgot to write the checks . He is taking care of it now.

Update on TIF lawsuit - I am updating the complaint. I should be finished updating it today. Also, I am communicating with Northwest Community Hospital (in Arlington Heights) about getting a medical letter which transfers trusteeship of the "Richard W. Kost Revocable Trust" from my father to me. My father wants it transferred. I'll know more about it later today.

ARDC complaint against Clinton and Williams - I am updating the ARDC complaint. I should be finished updating in the next two days.

Let me know if I need to be working on anything else. Thanks.

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