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2002-07-10 12:21:34

Cook County Recorder 23.00

Loan #8013504421
Gustave, Walter



STATE OF WISCONSIN)
)SS
COUNTY OF MILWAUKEE)

AFFIDAVIT OF ERRONEOUS RELEASE

COMES NOW AFFIANT, Ann Thorn, and for and on behalf of Washington Mutual Bank, F.A. Successor to Fleet Mortgage Corporation, and alleges and affirms as follows:

- 1.) I am a Vice President. I am over the age of eighteen, and am competent to testify to the facts herein. I am employed by said corporation in the capacity of Washington Mutual Bank. As part of my duties, I am familiar with the books and records and loan servicing procedures for current and default loans. I am authorized to make this affidavit on behalf of said corporation.
- 2.) On date May 18, 1998, Walter A. Gustave, Jr. granted to MCA Mortgage Corporation their mortgage/Deed of Trust in the original principal amount of \$91,119.00. Said mortgage/Deed of Trust was recorded in the Office of Cook County Recorder's Office on June 4, 1998 as Document No. 94469172.
- 3.) The books and records of Washington Mutual Bank, F.A., affirm that the loan is due and owing for the February, 2001 payment with an unpaid principal balance of \$87,838.90.
- 4.) On or about May 2, 2002 Washington Mutual Bank, F.A., through mistake and inadvertence, caused to be prepared it's Release of Mortgage/Deed of Trust. This instrument was mailed to the mortgagor by the corporation through mistake and inadvertence. An unexecuted copy of the erroneous release is attached to this Affidavit as Exhibit A.
- 5.) At no time has/have the mortgagor(s) tendered a sum sufficient to pay the mortgage indebtedness in full. The erroneous execution of the subject Release was not supported by consideration from any party.
- 6.) The Real Property involved herein is legally described as:

PREPARE & RETURN TO:
BOX 254

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LOT 153 IN J.E. MERRION'S COUNTRY CLUB HILLS FIRST ADDITION, A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORHTWEST QUARTER (EXCEPT THE EAST 50 FEET OF THE SOUTH 165 FEET THEREOF) AND THE EAST HALF OF THE SOUTHWEST QUARTER (EXCEPT THE EAST 50 FEET THEREOF AND EXCEPT 262 FEET OF THE SOUTH OF THE 450 FEET THEREOF OF SECTION 34, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 26, 1956 AS DOCUMENT NO. 16709687, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 18230 ANTHONY AVENUE, COUNTRY CLUB HILLS, IL 60478

Property Index No.: 28-34-311-013

7.) Washington Mutual Bank, F.A. considers the subject Release to be null and void.

8). Further Affiant sayeth not.

WASHINGTON MUTUAL Bank, F.A.

By: *Ann Thorn*
Vice President
Ann Thorn

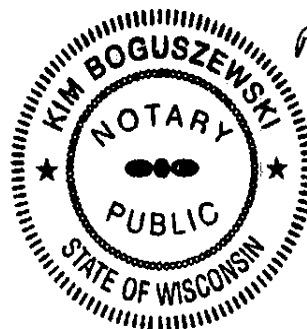
STATE OF WISCONSIN)
)SS
COUNTY OF MILWAUKEE)

I, Kim Boguszewski, a notary public in and for said county, in the State aforesaid, do hereby certify that Ann Thorn personally known to me to be an authorized signator of WASHINGTON MUTUAL Bank F.A. personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such representative, (s)he signed and delivered the said instrument pursuant to authority, given by the Board of Directors of said corporation as his/her free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 3rd day of July, 2002.

Kim Boguszewski
NOTARY PUBLIC

My commission expires: 1/8/2006



PREPARED BY:
SHAPIRO & KRISHMAN
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CHICAGO IL
60603

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