

UNOFFICIAL COPY

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523/0068 18 001 Page 1 of 2  
2003-02-18 08:00:57  
Cook County Recorder 46.00

RECORD OF PAYMENT

1. The Selling or Refinancing Borrower ("Borrower") identified below has or had an interest in the property (or in a land trust holding title to the property) identified by tax identification number(s):

29-24-100-022-1104



SEE ATTACHED LEGAL DESCRIPTION

Commonly Known As:

400 PARK AVE., UNIT 401, CALUMENT CITY, ILLINOIS 60409

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CT Hw have  
22164006 / 5A 552 8006

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 07/24/96 as document number 96564826 in COOK County, granted from JAMES C. MORRISON AND BEVERLY L. MORRISON FIRST CHICAGO NBD. On or after a closing conducted on 01/30/03, Title Company disbursed funds pursuant to a payoff letter from the Mortgagee, or its agent or assignee (hereinafter "Mortgagee"), for the purpose of causing the above mortgage to be satisfied.

3. This document is not issued by or on behalf of the Mortgagee or as an agent of the Mortgagee. This document is not a release of any mortgage. The extent of any continuing obligation of the Borrower to the Mortgagee is a matter of the contract between them, on which Borrower should seek independent legal advice, and on which subject Title Company makes no implied or express representation, warranty, or promise. This document does no more and can do no more than certify-solely by Title Company, and not as agent for any party to the closing that funds were disbursed to Borrower's Mortgagee. Any power or duty to issue any legal release of the Mortgagee's mortgage rests solely with the Mortgagee, for whom the Title Company does not act as agent with respect to the subject closing or the subject mortgage. No release of mortgage is being hereby issued by the Title Company. No release of mortgage will be issued by the Title Company, and no mortgage release, if issued by the Mortgagee, will be recorded by the Title Company as a result of the closing, as a result of this document, or as a result of any actual or alleged past practice or prior course of dealing with any party or party's attorney. Title Company makes no undertaking and accepts no responsibility with regard to the mortgage or its release. Borrower disclaims, waives, and releases any obligation of the Title Company, in contract, tort, or under statute with regard to obtaining, verifying, or causing the present or future existence of any mortgage release, or with regard to the recording of any mortgage release, now or in the future.

4. Borrower and Title Company agree that this RECORD OF PAYMENT shall be recorded by Title Company within 60 days of completion of the closing and that upon recordation of the RECORD OF PAYMENT all Title Company's obligations to Borrower shall be satisfied, with Title Company to have no further obligation of any kind whatsoever to Borrower arising out of or relating in any way to this RECORD OF PAYMENT or any mortgage release. The sole and exclusive remedy for Title Company's failure to record within 60 days shall be a refund upon demand of amounts collected from Borrower for recordation of this RECORD OF PAYMENT. Any failure to record shall not negate or affect any other provisions of this RECORD OF PAYMENT.

5. This document is a total integration of all statements by Title Company relating to the mortgage. Borrower represents that no statements or agreements inconsistent with the terms of this record have been made, and that any allegation of any prior statement or representation, implied or express, shall be treated at all times by both parties as superseded by the statements, disclaimers, releases and waivers contained herein. Borrower waives any right to rely on any statement or act alleged to be inconsistent with the terms hereof, unless contained in a writing signed by both parties, which expressly states that it is negating the legal efficacy of this document.

PREPARED BY: NEAL CAAUWE  
1820 RIDGE ROAD, STE 202, HOMEWOOD, ILLINOIS 60430  
MAIL TO: JAMES C. MORRISON  
400 PARK AVE., UNIT 401  
CALUMENT CITY, ILLINOIS 60409

BOX 333-CTI

*Beverly L. Morrison*  
Borrower

*[Signature]*  
Title Company

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RECORD OF PAYMENT

## Legal Description:

### PARCEL 1:

UNIT NO. 401 IN THE PARK OF RIVER OAKS CONDOMINIUM NO. 2, AS DELINEATED ON SURVEY OF LOTS 5 AND 6 OR PARTS THEREOF IN RIVER OAKS WEST UNIT NO. 1, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 24 AND THAT PART OF LOT 1 LYING NORTH OF THE LITTLE CALUMET RIVER IN THE SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (HEREINAFTER REFERRED TO AS PARCEL), WHICH SURVEY IS ATTACHED AS EXHIBIT 'A' TO DECLARATION OF CONDOMINIUM OWNERSHIP MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 21, 1964 AND KNOWN AS TRUST NUMBER 21073, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT NUMBER 22831375, AS AMENDED FROM TIME TO TIME, TOGETHER WITH THE PERCENTAGE OF THE COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN SAID CONDOMINIUM DECLARATION.

### PARCEL 2:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED NOVEMBER 15, 1971 AS DOCUMENT 21712320 AND AS CREATED BY DEED FROM AMERICAN NATIONAL BANK AS TRUST NUMBER 21073 TO ROSEMARY P. LARSON RECORDED AS DOCUMENT NUMBER 24583977 FOR USE AND ENJOYMENT, INGRESS AND EGRESS OVER THE COMMON AREAS WITHIN LOTS 2 TO 6 OF RIVER OAKS WEST UNIT NO. 1, AFORESAID.

### PARCEL 3:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED NOVEMBER 15, 1971 AS DOCUMENT 21712318 AND AS CREATED BY DEED FROM AMERICAN NATIONAL BANK TRUST NUMBER 21073 TO ROSEMARY P. LARSON RECORDED AS DOCUMENT 24583977 FOR THE PURPOSES OF INGRESS AND EGRESS OVER THE ACCESS ROAD FROM 159TH STREET TO THE NORTH LINE OF LOT 4 WITHIN THE EASEMENT DESIGNATED AS INGRESS AND EGRESS EASEMENT ON THE PLAT OF SAID RIVER OAKS WEST UNIT NO. 1, IN COOK COUNTY, ILLINOIS.

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