

GIT

(1/5)

RECORD OF PAYMENT

4316474CL



0030479942

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 numbers (s):

SEE ATTACHED

SEE ATTACHED LEGAL DESCRIPTION

Commonly Known As:

SEE ATTACHED

Which is hereinafter referred to as the Property.

COOK COUNTY
RECORDER
EUGENE "GENE" MOORE

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on Jan. 10, 2001 as document number (s) 0024825 granted from COLE TAYLOR BANK ^{ASTRU STEE} to COVEST BANK NA. On or after a closing conducted on March 29, 2003, 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 documentation is not issued by or on behalf of the Mortgagee or as an agent of the Mortgagee. This documentation 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 Borrowers Mortgagee. Any power or duty to issue any legal release 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, 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 near 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 Borrowers arising out of or relating in any way to this RECORD OF PAYMENT or any mortgage release. This sole and exclusive remedy for Title Company's failure to record within 60 days shall be a refund upon demand of amounts collected from borrowers for recordation of the 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 representations, 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.

[Signature]
Title Company

Borrower/Mortgagor

Subscribed and sworn to before me by the said borrower/mortgagor this 27th day of 2003

Notary Public



[Handwritten initials]

UNOFFICIAL COPY

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ORDER NO.: 1301 - 004316474
ESCROW NO.: 1301 - 004316474

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STREET ADDRESS: 5932-44 WEST LAKE STREET
CITY: CHICAGO ZIP CODE: 60644
TAX NUMBER: 16-08-224-016-0000

COUNTY: COOK

Property of Cook County Clerk's Office

LEGAL DESCRIPTION:

LOTS 76 AND 77 IN HARMON'S SUBDIVISION OF LOTS 345 TO 352, 354 TO 369 AND 371 TO 378 IN AUSTIN'S SUBDIVISION OF BLOCK 13 IN AUSTIN'S 2ND ADDITION TO AUSTINVILLE IN SECTION 8, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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