

UNOFFICIAL COPY

RECORD OF PAYMENT



0316833069

Eugene "Gene" Moore Fee: \$28.00
Cook County Recorder of Deeds
Date: 06/17/2003 09:07 AM Pg: 1 of 3

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):

05-30-202-057-0000

SEE ATTACHED LEGAL DESCRIPTION

Commonly Known As:

35 LONGMEADOW ROAD, WINNETKA,
ILLINOIS 60093

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 01/20/99 as document number 99058149 in COOK County, granted from ANDREW B. AND MONA ALBERT to HARRIS BANK. On or after a closing conducted on 05/28/03, 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: JAN BAUM
1725 S. NAPERVILLE ROAD, WHEATON, ILLINOIS 60187
MAIL TO: ANDREW B. ALBERT / MONA ALBERT
35 LONGMEADOW ROAD
WINNETKA, ILLINOIS 60093

Title Company

Borrower

Borrower

RECORD MT 11/02 DGG

BOX 333-CT

8131 777 230766 948

CHARGE CTIC DUPAGE AT Danada

UNOFFICIAL COPY**RECORD OF PAYMENT****Legal Description:****PARCEL 1:**

THAT PART OF THE EAST 45 ACRES OF LOTS 7 AND 8 (TAKEN AS A TRACT) IN SCHILDGEN'S SUBDIVISION OF THE NORTHEAST 1/4 AND THE NORTH 10 CHAINS OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT LOTS 13 AND 20) A RESUBDIVISION OF A SUBDIVISION BY HENRY SMITH, BEGINNING AT A POINT IN THE WEST LINE OF SAID EAST 45 ACRES (BEING A STRAIGHT LINE DRAWN FROM A POINT IN THE NORTH LINE OF SAID LOT 7, 1481.2 FEET WEST OF THE EAST LINE OF SAID NORTHEAST 1/4 TO A POINT IN THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30), SAID PLACE OF BEGINNING BEING 709 FEET SOUTH OF THE NORTH LINE OF LOT 7 IN SAID SCHILDFEN'S SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF THE EAST 45 ACRES 195 FEET TO A POINT 417.5 FEET NORTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30; THENCE SOUTH 89 DEGREES 48 MINUTES EAST PARALLEL TO SAID SOUTH LINE 180 FEET TO THE CENTER LINE OF A PRIVATE ROAD COMMONLY KNOWN AS "LONGMEADOW PRIVATE ROAD"; THENCE NORTHERLY ALONG A CURVED LINE HAVING A RADIUS OF 1048 FEET, CONVEX WESTERLY, 135.26 FEET AS MEASURED NORTH 3 DEGREES 41 MINUTES EAST ALONG THE CHORD OF SAID CURVE TO A POINT OF REVERSE CURVE; THENCE NORTHERLY ALONG A CURVED LINE HAVING A RADIUS OF 1216.89 FEET CONVEX EASTERLY, 60.31 FEET AS MEASURED NORTH 7 DEGREES 32 1/2 MINUTES EAST ALONG THE CHORD OF SAID CURVE; AND THENCE NORTH 89 DEGREES 48 MINUTES WEST 195.04 FEET TO THE POINT OF BEGINNING

ALSO

PARCEL 2:

PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 CREATED BY AND RESERVED IN THE GRANT MADE BY MARION S. DAUGHADAY, AS CONSERVATOR, RICHARD S. CODY, AND OTHERS, DATED OCTOBER 20, 1956 AND RECORDED OCTOBER 25, 1956 AS DOCUMENT 16737133 AND THE FOLLOWING DEEDS FROM SAID CONSERVATOR; DEED DATED FEBRUARY 8, 1957 AND RECORDED FEBRUARY 11, 1957 AS DOCUMENT 16823011 TO ROBERT S. LOCHRIDGE AND BARBARA R. LOCHRIDGE, HIS WIFE; DEED DATED FEBRUARY 12, 1957 AND RECORDED FEBRUARY 13, 1957 AS DOCUMENT 16825079 TO HERBERT F. FISHBURN AND ETHEL L. FISHBURN, HIS WIFE; DEED DATED FEBRUARY 14, 1957 AND RECORDED FEBRUARY 15, 1957 AS DOCUMENT 16827097 TO MAURICE L. WELLS AND SUSANNE P. WELLES, HIS WIFE; DEED DATED JUNE 4, 1957 AND RECORDED JUNE 6, 1957 AS DOCUMENT 1692436 TO EUGENE L. DERLACKI AND ROBERTA M. DERLACKI, HIS WIFE DEED DATED JUNE 7, 1957 AND RECORDED JUNE 25, 1957 AS <ODC 16940553 TO JERRY CHAMBERS AND EVELYN H. CHAMBERS, HIS WIFE DEED DATED JULY 15, 1957 AND RECORDED JULY 17, 1957 AS DOCUMENT 16960460 TO HARRY H. ADAMS, JR. AND FRANCES C. ADAMS, HIS WIFE; DEED DATED SEPTEMBER 25, 1957 AND RECORDED <SEPT 30, 1957 AS DOCUMENT 17024927 TO THMAS R. ST. JOHN AND VIRGINIA H. ST. JOHN, HIS WIFE DEED DATED JANUARY 13, 1959 AND RECORDED JANUARY 15, 1959 AS DOCUMENT 17428985 TO JAMES D. HEMPHILL AND MARGARET A. HEMPHILL, HIS WIFE DEED DATED MARCH 3, 1959 AND RECORDED MARCH 5, 1959 AS DOCUMENT 17472801 TO LESLIE C. OVERLOCK AND FERN W. OVERLOCK, HIS WIFE; DEED DATED MAY 12, 1959 AND RECORDED MAY 13, 1959 AS DOCUMENT 17537227 TO EDWARD G. FORRESTER, JR. AND BARBARA J. FORRESTER, HIS WIFE; DEED DATED MAY 12, 1959 AND RECORDED MAY 14, 1959 AS DOCUMENT 17538247 TO MATHEW A. KLEIN, JR. AND AUDREY J. KLEIN, HIS WIFE; DEED DATED JUNE 27, 1959 AND RECORDED JULY 10, 1959 AS DOCUMENT 17593464 TO LOREN O. HOTZ AND MARY JANE HOTZ; AND DEED DATED JANUARY 4, 1960 AND RECORDED FEBRUARY 8, 1960 AS DOCUMENT 17777381 TO WILLIAM F. HUTSON AND ANNA KATRINE HUTSON, HIS WIFE; AND AS GRANTED BY THE FOLLOWING DEEDS: DEED DATED FEBRUARY 27, 1960 AND RECORDED MARCH 7, 1960 AS DOCUMENT 17797395 MADE BY MARION S. DAUGHADAY AS CONSERVATOR TO DONALD M. KELLY AND NANCY O. KELLY, HIS WIFE; AND BY DEED DATED MAY 26, 1960 AND RECORDED MAY 31, 1960 AS DOCUMENT 17888464 MADE BY CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, TRUSTEE UNDER THE LAST WILL AND TESTAMENT OF C. COLTON DAUGHADAY, DECEASED, TO DONALD M. KELLY AND NANCY O. KELLY, HIS WIFE FOR INGRESS AND EGRESS OVER AND ALONG 3 STRIPS OF LAND HEREINAFTER DESCRIBED, NOW USED AS A PRIVATE ROAD, AND A PERPETUAL EASEMENT FOR THE PURPOSE OF CONSTRUCTING A GOOD PAVEMENT THEREON AND MAKING, REPAIRING AND REMAKING SAID PRIVATE ROAD, INCLUDING THE DITCHING, GRADING AND SURFACING OF THE SURFACED PORTION OF SAID PRIVATE ROAD, AND A PERPETUAL EASEMENT FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF ALL SEWERS, GAS PIPES, DRAINS AND TELEPHONE TELEGRAPH AND ELECTRIC CURRENT AND WIRES AND CABLES AND CONDUITS FOR SAME LAID UNDER THE SURFACE OF SAID PRIVATE ROAD, THE STRIPS OF LAND COMPRISING SAID PRIVATE

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Legal Description:

ROAD ARE DESCRIBED AS FOLLOWS:

A) THE NORTH 35 FEET OF THE SOUTH 4353 FEET (AS MEASURED FROM THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN) OF THAT PART OF THE WEST 412.11 FEET OF THE EAST 429.61 FEET OF LOT 8 IN SCHILDGEN'S SUBDIVISION OF THE NORTHEAST 1/4 AND THE NORTH 10 CHAINS OF THE SOUTHEAST 1/4 OF SAID SECTION 30, LYING WEST OF THE WEST LINE OF THE EAST 35 ACRES OF LOTS 7 AND 8 (TAKEN AS A TRACT) IN SAID SCHILDGEN'S SUBDIVISION, THE SOUTH LINE OF SAID 35 FOOT RADIUS CONVEX NORTHEASTERLY TO MEET THE EAST LINE OF SAID PART OF LOT 8 LYING WEST OF THE WEST LINE OF THE EAST 35 ACRES OF LOTS 7 AND 8 (TAKEN AS A TRACT) IN SAID SCHILDGEN'S SUBDIVISION (EXCEPT THAT PART THEREOF FALLING IN PARCEL 1 AFORESAID)

B) A STRIP OF LAND 30 FEET IN WIDTH, THE CENTER LINE OF WHICH IS DESCRIBED AS BEGINNING AT A POINT IN THE WEST LINE OF THE EAST 130 FEET OF THE WEST 10 ACRES OF THE EAST 45 ACRES OF LOTS 7 AND 8 (TAKEN AS A TRACT) IN SAID SCHILDGEN'S SUBDIVISION SAID POINT BEING 190 FEET SOUTH OF THE NORTH LINE OF SAID LOT 7 AND RUNNING THENCE WESTERLY AND SOUTHERLY ALONG A CURVED LINE HAVING A RADIUS OF 50 FEET, CONVEX NORTHWESTERLY, 77.4 FEET AS MEASURED SOUTH 39 DEGREES 26 MINUTES WEST ALONG THE CHORD OF SAID CURVE TO A POINT OF TANGENCY 150.41 FEET EAST OF THE WEST LINE OF SAID EAST 45 ACRES (BEING A STRAIGHT LINE DRAWN FROM A POINT IN THE NORTH LINE OF SAID LOT 7, 1481.2 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST 1/4); THENCE SOUTH 11 DEGREES 17 MINUTES EAST 127.64 FEET TO A POINT OF CURVE 175.38 FEET EAST OF THE WEST LINE OF SAID EAST 45 ACRES; THENCE SOUTHERLY ALONG A CURVED LINE HAVING A RADIUS OF 1216.89 FEET, CONVEX EASTERLY, 394.29 FEET AS MEASURED SOUTH 1 DEGREE 56 MINUTES EAST ALONG THE CHORD OF SAID CURVE TO A POINT OF REVERSE CURVE 188.7 FEET EAST OF THE WEST LINE OF SAID EAST 45 ACRES; THENCE SOUTHERLY ALONG A CURVED LINE HAVING A RADIUS OF 1048 FEET, CONVEX WESTERLY, 135.26 FEET AS MEASURED SOUTH 3 DEGREES 41 MINUTES WEST ALONG THE CHORD OF SAID CURVE TO A POINT 180 FEET EAST OF THE WEST LINE OF SAID EAST 45 ACRES AND 417.5 FEET NORTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30 (EXCEPT FROM SAID STRIP LAND THE SOUTH 17.5 FEET THEREOF) THE SOUTHERN EAST AND WEST LINE ALONG CURVED LINES OF 30 FOOT RADIUS, CONVEX SOUTHWESTERLY AND SOUTHEASTERLY RESPECTIVELY, TO MEET THE NORTH LINE OF THE SOUTH 435 FEET OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30 (EXCEPT THAT PART THEREOF FALLING IN PARCEL 1 AFORESAID)

AND

C) A STRIP OF LAND 30 FEET IN WIDTH THE CENTER LINE OF WHICH BEGINS AT A POINT IN THE WEST LINE OF PRIVATE ROAD NO. 2, WHICH PRIVATE ROAD IS MORE FULLY DESCRIBED IN THE AGREEMENT MADE BETWEEN C. COLTON DAUGHADAY, AND OTHERS, DATED JANUARY 20, 1937 AND RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON JANUARY 23, 1937 AS DOCUMENT 11939872 SAID POINT BEING 241.63 FEET EAST OF THE WEST LINE OF THE EAST 35 ACRES OF LOTS 7 AND 8 (TAKEN AS A TRACT) IN SAID SCHILDGEN'S SUBDIVISION AND 240 FEET SOUTH OF THE NORTH LINE OF LOT 7 AFORESAID AND RUNS THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF LOT 7 A DISTANCE OF 102.5 FEET; THENCE NORTHWESTERLY IN A STRAIGHT LINE TO A POINT IN THE WEST LINE OF SAID EAST 35 ACRES 190 FEET SOUTH OF THE NORTH LINE OF SAID LOT 7; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF LOT 7 A DISTANCE OF 130 FEET TO A POINT, ALL IN COOK COUNTY, ILLINOIS.