

# UNOFFICIAL COPY

## RECORD OF PAYMENT



0317442287

Eugene "Gene" Moore Fee: \$26.00  
Cook County Recorder of Deeds  
Date: 06/23/2003 11:30 AM Pg: 1 of 2

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):

03-29-340-027-1019

SEE ATTACHED LEGAL

### Commonly Known As:

44 N VAIL #304, ARLINGTON HEIGHTS, ILLINOIS

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 11-06-00 as document number 2000-874595 in COOK County, granted from DAVID P. AND ANGELA M MCCUNE to WELLS FARGO MORTGAGE. On or after a closing conducted on 04-14-03, Ticor Title Insurance Company (hereinafter "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 AND MAIL TO: Karen J. Weleba  
TICOR TITLE INSURANCE COMPANY  
600 S. WASHINGTON ST.  
SUITE 201  
NAPERVILLE, ILLINOIS 60540

Borrower  
RECORDED 11/02 DGG

Ticor Title Insurance Company

BOX 15  
38126  
TICOR TITLE INSURANCE

2

# UNOFFICIAL COPY

## RECORD OF PAYMENT

### Legal Description:

#### PARCEL 1:

UNIT 304 IN THE VAIL AVENUE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 24, 151.75 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 265.17 FEET TO THE NORTH LINE OF SAID BLOCK 24; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 24, 150.11 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 24; THENCE SOUTH 00 DEGREES 17 MINUTES 22 SECONDS WEST ALONG THE EAST LINE OF SAID BLOCK 24, 265.20 FEET TO THE POINT OF BEGINNING; WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00625338, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF P49, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 00625338.

#### PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 FOR INGRESS, EGRESS, USE AND ENJOYMENT AS SET FORTH IN CROSS EASEMENT AND COST SHARING AGREEMENT RECORDED AS DOCUMENT NUMBER 00577251.