

UNOFFICIAL COPY

RECORD OF PAYMENT



Eugene "Gene" Moore Fee: \$26.00
Cook County Recorder of Deeds
Date: 07/09/2003 11:17 AM Pg: 1 of 2

AGS
904
LND
Pse 2 8/38 b8c
CTE

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):

10-33-316-012-0000

SEE ATTACHED LEGAL DESCRIPTION

Commonly Known As:

6597 NORTH TAHOMA AVENUE, CHICAGO, ILLINOIS 60646

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 04/08/98 as document number 98279201 in COOK County, granted from STEVEN W BENO AND MARJORIE C HOWARD COUNTRYWIDE HOME LOANS. On or after a closing conducted on 06/16/03, 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.

2

PREPARED BY: FATIMA PEREZ
171 NORTH CLARK, CHICAGO, ILLINOIS 60601

MAIL TO: STEVEN W BENO
~~6597 NORTH TAHOMA AVENUE~~
~~CHICAGO, ILLINOIS 60646~~

2023 Grove Street
Glenside, IL 60025

Chicago Title Trust
Title Company

BOX 313-01

McHoward, J
Borrower

McHoward
Borrower

UNOFFICIAL COPY

RECORD OF PAYMENT

Legal Description:

LOT 12 IN BLOCK 18 IN EDGEBROOK MANOR, BEING A SUBDIVISION OF LOTS 27, 32, 33, 34, 35 AND THAT PART OF THE SOUTHWEST 1/2 OF LOT 38 AND ALL OF LOT 39 WEST OF RAILROAD, ALL OF LOTS 40, 41, 42, 43 AND 44 AND THE SOUTHWEST 1/2 OF LOT 45; ALL OF LOTS 47, 48, 49, 50, 51 AND 52 IN SUBDIVISION OF BRONSON'S PART OF CALDWELL'S RESERVATION IN TOWNSHIPS 40 AND 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THEREFROM THAT PART OF SAID LOTS 34 AND 41 LYING SOUTH OF NORTH CITY LIMITS OF THE CITY OF CHICAGO, WEST OF THE CENTER LINE OF CARPENTER ROAD AND EAST OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD COMPANY AND EXCEPTING ALSO THE 100 FOOT RIGHT OF WAY OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD COMPANY) IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office