

UNOFFICIAL COPY



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):

12-01-311-097-0000

Doc#: 0329433017
Eugene "Gene" Moore Fee: \$26.00
Cook County Recorder of Deeds
Date: 10/21/2003 07:29 AM Pg: 1 of 2

SEE ATTACHED LEGAL DESCRIPTION

Commonly Known As: 80831459 3of3
7762 W. HIGGINS RD., #G, CHICAGO, ILLINOIS
60631

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 02-07-01 as document number 0010103825 in COOK County, granted from MIROSLAW SZCZEPOCKI & ANNA SZCZEPOCKI WASHINGTON MUTUAL. On or after a closing conducted on 01-17-03, 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: JENNIFER GREENSTEIN
8501 W. HIGGINS RD. SUITE 420, CHICAGO, ILLINOIS 60631
MAIL TO: MIROSLAW SZCZEPOCKI

BOX 333-CT

Borrower

Title Company

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RECORD OF PAYMENT

Legal Description:

PARCEL 1:

THAT PART OF THE WEST 113.81 FEET OF THE EAST 222.81 FEET (AS MEASURED ALONG THE CENTER LINE OF HIGGINS AVENUE AND THE NORTH 19 FEET (AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE) OF THE WEST 172.60 FEET OF THE EAST 395.41 FEET (AS MEASURED ALONG THE CENTER LINE OF HIGGINS AVENUE) ALSO BEING THE SOUTHERLY LINE OF LOT 2 IN ASSESSOR'S SUBDIVISION OF LOT 2 IN ASSESSOR'S SUBDIVISION OF THE SOUTH 1/2 OF SECTION 1, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE NORTH 15 ACRES OF SAID LOT 2 AND EXCEPT THE NORTH 358 FEET OF THE THAT PART OF LOT 2 LYING SOUTH OF THE NORTH 15 ACRES THEREOF) REFERRED TO AS A TRACT: DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID TRACT WITH NORTHERLY LINE OF WEST HIGGINS AVENUE; THENCE NORTH ON THE WEST LINE OF SAID TRACT 110.06 FEET TO A PLACE OF BEGINNING; THENCE CONTINUING NORTH ON THE WEST LINE OF SAID TRACT, 30.71 FEET; THENCE EAST 40.67 FEET; THENCE SOUTH 33.29 FEET; THENCE WEST 15.17 FEET; THENCE NORTH 2.59 FEET; THENCE WEST 25.50 FEET TO THE PLACE OF BEGINNING

PARCEL 2:

EASEMENTS AS SET FORTH IN THE DECLARATION OF EASEMENTS AND EXHIBIT 1 THERETO ATTACHED DATED APRIL 26, 1965 AND RECORDED APRIL 27, 1965 AS DOCUMENT NUMBER 19446774 AND SUPPLEMENTAL DECLARATION OF EASEMENT AND EXHIBIT 1 THERETO ATTACHED DATED OCTOBER 13, 1965 AND RECORDED OCTOBER 13, 1965 AS DOCUMENT NO. 19615431 MADE BY 4956 NORTH MASON BUILDING CORPORATION, A CORPORATION OF ILLINOIS AND CONFIRMED BY JERRY-DICK BUILDING CORPORATION, A CORPORATION OF ILLINOIS, IN DECLARATION DATED NOVEMBER 29, 1965 AND RECORDED DECEMBER 1, 1965 AS DOCUMENT NUMBER 19673089 AND AS CREATED BY THE DEED FROM 4956 NORTH MASON BUILDING CORPORATION TO CELIA GIERSCH, DATED SEPTEMBER 22, 1966 AND RECORDED OCTOBER 4, 1966 AS DOCUMENT NO. 19959425 AND RE-RECORDED AUGUST 8, 1967 AS DOCUMENT NO. 20222149 FOR THE BENEFIT OF PARCEL 1 AFORESAID FOR INGRESS AND EGRESS, ALL IN COOK COUNTY, ILLINOIS.