

# 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):

31-26-103-013-0000



Doc#: 0400246121  
Eugene "Gene" Moore Fee: \$28.00  
Cook County Recorder of Deeds  
Date: 01/02/2004 10:59 AM Pg: 1 of 3

SEE ATTACHED LEGAL

### Commonly Known As:

3758 W 216TH ST., MATTESON, ILLINOIS 60443

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 05/24/03 as document number 0020595848 in COOK County, granted from ERIC R MUCHNIK AND MARIE MUCHNIK to COLE TAYLOR BANK. On or after a closing conducted on 12/24/03, 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: TRACY WYTRWAL  
TICOR TITLE INSURANCE COMPANY  
9031 WEST 151ST STREET  
ORLAND PARK, ILLINOIS 60462

Borrower  
REC OF PM 2 11/02 DGC

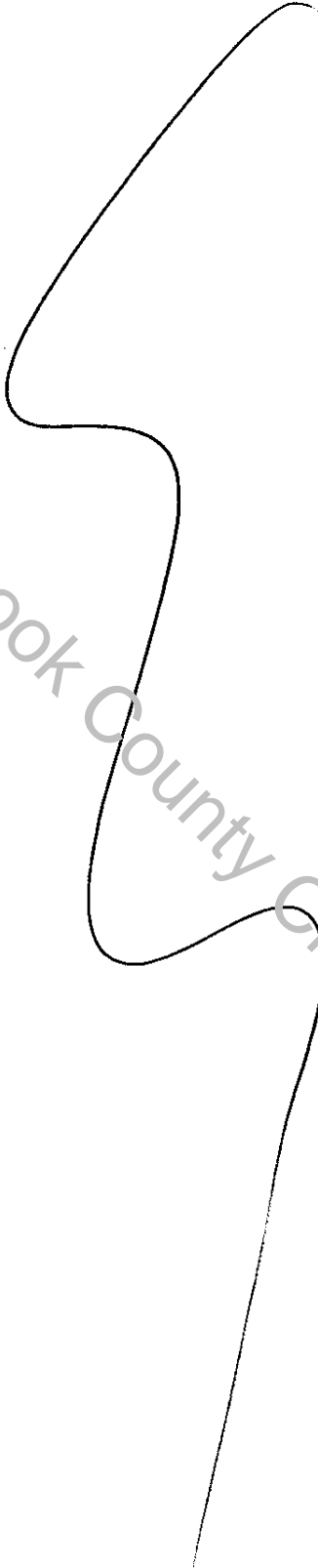
Ticor Title Insurance Company

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## RECORD OF PAYMENT

**Legal Description:**

LOT 7 IN BLOCK 13 IN VILLAGE OF MATTESON IN SECTIONS 23 AND 26, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Property of Cook County Clerk's Office

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## NOTICE

### TO BORROWER WHOSE LOAN IS TO BE PAID THROUGH CLOSING:

1. In response to class action litigation concerning the collection of release recording fees, Tigor Title is changing its practice with respect to mortgage release recordings.
2. Tigor Title will no longer collect at closing the statutory fee for recording releases. Tigor Title undertakes no duties with respect to the issuance or recordation of any mortgage release. Tigor Title has no control over the issuance of mortgage releases. Only a lender can issue mortgage releases.
3. When Tigor Title sends the loan payment to your lender, we will request that the release be sent directly to you. Your lender may record the release or may send you an unrecorded release. If you receive an unrecorded release, you may choose to record it by sending it with the recording fee to either:

RECORDER OF DEEDS  
 \_\_\_\_\_ COUNTY

OR TICOR TITLE  
 9031 WEST 151ST STREET  
 ORLAND PARK, ILLINOIS  
 60462

4. The current recording fee for a two page document in \_\_\_\_\_ County is: \$18.00  
 If you send the release to the Recorder, make your check payable to the Recorder of Deeds. If you send the release to Tigor Title, make your check payable to Tigor Title. In either event, please write at the bottom of the release the words "MAIL TO", followed by your return mail address.
5. At your option, Tigor Title will now prepare and record a Record of Payment. If you choose this option, Tigor Title will collect a recording fee to record the Record of Payment. This document will confirm that Tigor Title has paid funds, pursuant to a payoff letter from your lender, for the purpose of causing the mortgage to be satisfied. If we record a Record of Payment, the public record will more accurately reflect real property transactions, even though the Record of Payment is not itself a release. In conjunction with the title insurance policy to be issued in connection with the current closing, the Record of Payment will facilitate future transactions.
6. If you do not wish to have the Record of Payment recorded, Tigor Title will not collect a recording fee for it. Please elect below whether or not you wish to have a Record of Payment prepared and recorded:

YES, RECORD

NO, DO NOT RECORD

Dated: 20031224

Borrower:  \_\_\_\_\_

Borrower:  \_\_\_\_\_