

# UNOFFICIAL COPY

H52258  
**RECORD OF PAYMENT**



Doc#: 0406945137  
Eugene "Gene" Moore Fee: \$28.00  
Cook County Recorder of Deeds  
Date: 03/09/2004 11:25 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):

PIN: 1407404040 0000

SEE ATTACHED LEGAL

COMMONLY KNOWN AS:

16006 West Winona # 2  
Chicago IL 60640

WHICH IS HEREAFTER REFERRED TO AS THE PROPERTY.

2. THE PROPERTY WAS SUBJECTED TO A MORTGAGE OR TRUST DEED  
(MORTGAGE) RECORDED ON 7/1/2002 AS DOCUMENT NUMBER  
0318233255 IN COOK COUNTY, GRANTED FROM  
West Winona Properties LLC TO Plaza Bank. ON OR  
AFTER A CLOSING CONDUCTED ON 2/27/04, HERITAGE TITLE  
COMPANY (HEREINAFTER "TITLE COMPANY") DISBURSED FUNDS  
PURSUANT TO A PAYOFF LETTER FROM SAID MORTGAGEE, OR ITS AGENT  
OR ASSIGNEE (HEREINAFTER "MORTGAGEE") FOR THE PURPOSE OF  
CAUSING THE ABOVE MORTGAGE TO BE SATISFIED.

(3)

3. THIS DOCUMENT IS NOT ISSUED BY OR ON BEHALF OF SAID MORTGAGEE  
OR AS AN AGENT OF SAID MORTGAGEE. THIS DOCUMENT IS NOT A  
RELEASE OF ANY MORTGAGE. THE EXTENT OF ANY CONTINUING  
OBLIGATION OF THE BORROWER TO THE SAID MORTGAGEE IS A MATTER  
OF THE CONTRACT BETWEEN THEM, FOR WHICH BORROWER SHOULD  
SEEK INDEPENDENT LEGAL ADVICE, AND ON WHICH SUBJECT, TITLE  
COMPANY MAKES NO IMPLIED OR EXPRESS REPRESENTATION,  
WARRANTY, OR PROMISE. THIS DOCUMENT CERTIFIES THAT HERITAGE  
TITLE COMPANY SOLELY AND NOT AS AGENT FOR ANY PARTY AT  
CLOSING, DISBURSED FUNDS TO THE BORROWERS MORTGAGEE  
PURSUANT TO SAID PAYOFF LETTER. ANY POWER OR DUTY TO ISSUE  
ANY LEGAL RELEASE OF SAID 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 SAID  
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 ALLEDGED PAST PRACTICE OR PRIOR COURSE OF  
DEALING BY TITLE COMPANY WITH ANY PARTY OR PARTY'S ATTORNEY.

*Assigned*

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TITLE COMPANY MAKES NO UNDERTAKING AND ACCEPTS NO RESPONSIBILITY WITH REGARD TO THE MORTGAGE OR ITS RELEASE. BORROWER DISCLAIMS, WAIVES AND RELEASES ANY AND ALL OBLIGATIONS OF THE TITLE COMPANY IN CONTRACT, TORT, EQUITY, OR UNDER ANY STATUTE WITH REGARD TO OBTAINING, VERIFYING, OR CAUSING EXECUTION IN 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 THIS RECORD OF PAYMENT ALL TITLE COMPANY'S OBLIGATIONS TO BORROWER SHALL BE SATISFIED, AND TITLE COMPANY SHALL 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 THIS INSTRUMENT 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 SAID MORTGAGE. BORROWER REPRESENTS THAT NO STATEMENTS OR AGREEMENTS INCONSISTANT 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 WRITTEN 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: HERITAGE TITLE COMPANY  
5849 W LAWRENCE AVENUE  
CHICAGO ILLINOIS 60630

  
BORROWER

  
HERITAGE TITLE COMPANY

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Property of Cook County Clerk's Office

## Exhibit A

**H52258**

**UNIT 1606-2 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN WINONA CROSSING CONDOMINIUM, AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 0402934077, AND AS AMENDED FROM TIME TO TIME, IN SECTION 7, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

**P.I.N. 14-07-404-040-0000 (UNDERLYING P.I.N.)**

**C/K/A 1606 WEST WINONA, UNIT 2, CHICAGO, ILLINOIS 60640**