

UNOFFICIAL COPY



PREPARED BY AND MAIL TO:

HERITAGE TITLE COMPANY
4405 THREE OAKS ROAD
CRYSTAL LAKE, IL 60014

Doc#: 0421932107
Eugene "Gene" Moore Fee: \$26.50
Cook County Recorder of Deeds
Date: 08/06/2004 03:50 PM Pg: 1 of 2

File No. 0430284M

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): 03-27-100-002-1196
COMMONLY KNOWN AS: 740 Creekside, Mount Prospect, IL
WHICH IS HEREAFTER REFERRED TO AS THE PROPERTY.
2. THE PROPERTY WAS SUBJECTED TO A MORTGAGE OR TRUST DEED (MORTGAGE) RECORDED ON 10/16/02 AS DOCUMENT NUMBER 0021131369 IN Cook COUNTY, GRANTED FROM Steve J. Arnold TO Choice One Mortgage. ON OR AFTER A CLOSING CONDUCTED ON 07/22/04 HERITAGE TITLE 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, OR 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 SOLELY AND NOT AS AGENT FOR ANY PARTY AT CLOSING, DISBURSED FUNDS TO THE BORROWERS MORTGAGEE. ANY POWER OR DUTY TO ISSUE ANY LEGAL RELEASE OF THE 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, 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 WITHIN 60 DAYS SHALL BE A REFUND UPON DEMAND OF AMOUNTS COLLECTED

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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 INCONSTANT 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 EXPRESSEDLY STATES THAT IT IS NEGATING THE LEGAL EFFICACY OF THIS DOCUMENT.


HERITAGE TITLE COMPANY


BORROWER

PARCEL 1: UNIT NUMBER 506D IN CREEKSIDE AT OLD ORCHARD CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND: PART OF LOTS 1 AND 2 IN OLD ORCHARD COUNTY CLUB SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 27 AND PART OF THE EAST HALF OF THE NORTHEAST ¼ OF SECTION 28 BOTH IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 96261584, AS AMENDED FROM TIME TO TIME; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS

PARCEL 2: EASEMENT FOR INGRESS AND EGRESS IN FAVOR OF PARCEL 1 CREATED BY DECLARATION RECORDED AS DOCUMENT 96261584, AS AMENDED FROM TIME TO TIME.

PARCEL 3: THE EXCLUSIVE RIGHT TO THE USE OF PARKING SPACE P 5 AND STORAGE SPACE S 5 AS DELINEATED ON SURVEY ATTACHED TO DECLARATION RECORDED AD 96261584, AS AMENDED FROM TIME TO TIME.

Pin: 03-27-100-092-1196
Wheeling Township