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Prepared by:  
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Northbrook, Illinois 60062

Doc#: 0711326347 Fee: \$26.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 04/23/2007 04:32 PM Pg: 1 of 2

After recording mail to  
Fisher and Shapiro, LLC  
Timothy Atchison  
Attorney  
4201 Lake Cook Road, 1<sup>st</sup> Floor  
Northbrook, Illinois 60062

### DECLARATION REGARDING MORTGAGE

Whereas a mortgage was made by and between Robert A. Petit, and Susan M. Petit, as joint tenants, (Mortgagors) to ABN AMRO Mortgage Group, Inc. dated November 25, 2002 and originally recorded on December 6, 2002 as document number 0021349602 in the original principal amount of \$288,000.00 and described therein Lot 31 in the Villas of Fountain Hills Phase 1, a subdivision of part of the West ½ of the Southwest ¼ of Section 32, Township 36, North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois ("Mortgage 1").

Whereas, "Mortgage 1" was re-recorded on March 29, 2005 as document number 0508802531 to "correct lot no. on legal description" and purported to correct the lot number to affect "Lot 27 in the Villas of Fountain Hills Phase 1, a subdivision of part of the West ½ of the Southwest ¼ of Section 32, Township 36, North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois." ("Lot 27 Re-recorded Mortgage")

Whereas, there is no such lot as Lot 27 in the Villas of Fountain Hills, Phase 1.

Whereas, there is a lot number 27 in the Villas of Fountain Hills, Phase 1A.

Whereas, "Mortgage 1" was intended to affect Lot 26 in the Villas of Fountain Hills Phase 1, a subdivision of part of the West ½ of the Southwest ¼ of Section 32, Township 36, North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois and has now been re-recorded March 1, 2007 as document number 0706060072 to place it properly of record against the intended lot.

Whereas, the "Lot 27 Re-recorded Mortgage" creates confusion in the state of title as to Lot 27 and constitutes a potential cloud on that title and the mortgagor, ABN AMRO Mortgage Group, Inc. has therefore been named as a defendant in a foreclosure known as *Freedom Mortgage Corp. v. Asif Khan, AAMG, Et al.* in the Circuit Court of Cook County, Illinois in case number 07CH00558.

Whereas, ABN AMRO Mortgage Group, Inc. has agreed with the plaintiff in the aforementioned mortgage foreclosure that it claims no right, title or interest in and to Lot number 27 either in purported Phase 1 or in Phase 1A.

Whereas, plaintiff has agreed to dismiss ABN AMRO Mortgage Group, Inc. from the aforementioned foreclosure proceeding upon the execution and delivery in recordable form of a Declaration disclaiming any interest in the above mentioned Lot 27.

Now Therefore, for and in consideration of the sum of \$1.00, the receipt of which is acknowledged, ABN AMRO Mortgage Group, Inc. ("Lienholder") hereby disclaims and releases any and all of its right, title and interest to a certain mortgage in favor of Lienholder, dated November 25, 2002, executed by Robert A. Petit, and Susan M. Petit, as joint tenants, as Mortgagors, and as re-recorded in the Office of the Recorder of Deeds Cook County, Illinois, on March 29, 2005 as document number 0508802531, affecting the following real estate:

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Legal Description: Lot 27 in the Villas of Fountain Hills Phase 1, a subdivision of part of the West 1/2 of the Southwest 1/4 of Section 32, Township 36, North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois OR  
Lot 27 in the Villas of Fountain Hills Phase 1A, a subdivision of part of the West 1/2 of the Southwest 1/4 of Section 32, Township 36, North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

Common Address: 18108 Fountain Mist Court, Orland Park, IL 60467

Real Estate ID: 27-32-300-007

This instrument does not, and is not to be construed as, a release of the lien of the mortgage as to Lot 26 in the Villas of Fountain Hills Phase 1, on which the mortgage remains a valid and subsisting lien or of any portion of the underlying obligation, which remains outstanding and unpaid. The holder of the obligation retains all rights and remedies to enforce the payment and performance of said obligation.

In witness, for Lienholder I have signed this Declaration on April 16, 2007.

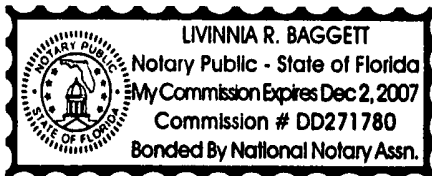
ABN AMRO, Mortgage Group, Inc.

By: Zachary Addison [Name]  
Its: Assistant Vice President [Corporate Capacity]

State of Florida ) ss  
County of Duval )

Acknowledged before me on April 16<sup>th</sup> 2007, by the individual in the corporate capacity listed above, as a free and voluntary act, individually and on behalf of the corporate Lienholder first listed above, for the uses and purposes set forth.

[Signature]  
Notary Public



Property of Cook County Clerk's Office