

RECORD OF PAYMENT

1. THE SELLING OR REFINANCING ~~167389~~
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: 09-15-101-024-1039

SEE ATTACHED LEGAL

COMMONLY KNOWN AS: Unit 2W
9339 BAY COLONY, DES PLAINES, IL
WHICH IS HEREAFTER REFERRED TO AS THE
PROPERTY.



Doc#: 0818340187 Fee: \$38.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/01/2008 03:23 PM Pg: 1 of 2

2. THE PROPERTY WAS SUBJECT TO A MORTGAGE OR TRUST DEED (MORTGAGE) RECORDED ON 12-1-03 AS
DOCUMENT NUMBER 0333526002 IN COOK COUNTY,
GRANTED FROM DELIST, NORBERT TO WASH MUTUAL
AT CLOSING ON 6-27, 2008, 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. THIS
DOCUMENT IS A RECORD OF THAT "PAYOFF".

3. THIS DOCUMENT IS NOT ISSUED BY OR ON BEHALF OF SAID MORTGAGEE NOR 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
EXPRESSED REPRESENTATION, WARRANTY, OR PROMISE. THIS DOCUMENT CERTIFIES ONLY THAT 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 ALLEGED PAST PRACTICE OR PRIOR COURSE OF DEALING
BY TITLE COMPANY WITH ANY PARTY OR PARTY'S ATTORNEY. TITLE COMPANY MAKES NO UNDERTAKING AND
ACCEPTS NO RESPONSIBILITY WITH REGARD TO THE MORTGAGE OR ITS RELEASE.

4. BORROWER DISCLAIMS, WAIVES AND RELEASES ANY AND ALL OBLIGATIONS OF THE TITLE COMPANY IN CONTRACT,
TORT, EQUITY, OR UNDER ANY/OR STATUTE WITH REGARD TO OBTAINING, VERIFYING, OR CAUSING EXECUTION IN
THE PRESENT OR FUTURE OF ANY MORTGAGE RELEASE. BORROWER ALSO DISCLAIMS, WAIVES AND/OR RELEASES TITLE
COMPANY WITH REGARD TO THE RECORDING OF ANY MORTGAGE RELEASE, NOW OR IN THE FUTURE.

5. 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 DOCUMENT.

6. THIS DOCUMENT IS A TOTAL INTEGRATION OF ALL STATEMENTS BY TITLE COMPANY RELATING TO SAID
MORTGAGE. BORROWER REPRESENTS THAT NO STATEMENTS OR AGREEMENTS INCONSISTENT WITH THE TERMS OF
THIS RECORD HAVE BEEN MADE, AND THAT ANY ALLEGATION OF ANY SUCH PRIOR, SUBSEQUENT AND/OR
CONTEMPORANEOUS STATEMENT(S) OR REPRESENTATION(S), IMPLIED OR EXPRESSED, SHALL BE TREATED AT ALL
TIMES BY BOTH PARTIES AS SUPERCEDED 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 WRITING SIGNED BY BOTH PARTIES, WHICH
EXPRESSLY STATE THAT IT IS NEGATING OR MODIFYING THE LEGAL EFFICACY OF THIS DOCUMENT.

[Signature]
BORROWER

[Signature]
HERITAGE TITLE COMPANY

UNOFFICIAL COPY

Exhibit A

H67389

UNIT 483 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN BAY COLONY ESTATES UNIT NO. 2 CONDOMINIUM, AS DELINEATED AND DEFINED IN THE DECLARATION REGISTERED AS DOCUMENT NUMBER LR2783627, IN SECTIONS 15 AND 16, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 09-15-101-024-1039

C/K/A 9399 BAY COLONY DRIVE - UNIT 2W - DES PLAINES, IL 60016-3726

Property of Cook County Clerk's Office