

# UNOFFICIAL COPY



Doc#: 1026316028 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/20/2010 01:19 PM Pg: 1 of 4

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AFFIDAVIT

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## AFFIDAVIT

Allen H. Meyer , being first duly sworn on oath, deposes and says:

1. He is the attorney for the Estate of Waleria Kozlowski, deceased, whose Estate is pending in the Probate Division of the Circuit Court of Cook County, Illinois, as case #2007 P 7426; the sole asset of that Estate was real estate, located at 1943-45 W. Cortland, Chicago, Illinois, legally described as:

LOTS 15 AND 16 IN BLOCK 38 IN SHEFFIELD'S ADDITION TO CHICAGO  
IN THE WEST ½ OF THE SOUTH EAST 1/4 OF SECTION 31, TOWNSHIP 40  
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN  
COOK COUNTY, ILLINOIS.

PERM TAX# 14-31-408-007-0000  
14-31-408-008-0000

2. ( a ) On or about 6/11/2008, the Executor of the Estate, as Seller, entered into a written contract to sell said real estate to Jon Goldman, as Purchaser.

2. ( b ) After extensions of time to Close given by the Estate to Jon Goldman ( and to his wife, Erica Goldman ) in which to Close on the purchase, a default was declared against Purchasers, for their inability to furnish the balance of the purchase price, and the Purchasers admitted the default.

3. ( a ) On 11/7/2008, Purchasers recorded, as Document #0831234065, the contract, in the Office of Recorder of Deeds of Cook County, as Notice of the pendency of the Contract, notwithstanding the fact that they were then in default.

3. ( b ) The only interest the Purchasers retained in the Contract was a claim for their Earnest Money, less the out-of-pocket expenses incurred by Seller and possible Broker's Commission on a sale which never closed and Seller received no proceeds of sale.

3. ( c ) The Broker in that transaction, HomeSite Realty, Inc. Claimed the Earnest Money, then held by said Broker, and Claims were filed, in the Estate proceedings, by the Broker and by the Goldmans.

3. ( d ) All Claims to the other matters were amicably settled and adjusted by and among the Estate, the Goldmans, and the Broker, and same were dismissed by written agreement and by Order of Court entered on 2/4/10; a copy of said Order is attached hereto.

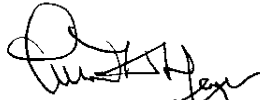
3. ( e ) After full settlement, and payments, and entry of said Court Order, Goldmans have not asserted any claim or rights under said recorded Document.

4. Wherefore, Affiant asserts that Document #0831234065 is of no legal effect and is a nullity.

5. This Affidavit is made to induce Chicago Title Insurance Company to waive any objections in its future title commitments or Policies which may appears a result of the recording of said Document #0831234065.

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Affiant further sayeth not.



Allen H. Meyer

Subscribed and sworn to  
this September 20<sup>th</sup> 2010

  
Notary Public  


Prepared by : Allen H. Meyer  
111 W. Washington, Suite 1505  
Chicago, IL 60602  
312/236-0237  
#06892

Cook County Clerk's Office

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY-DEPARTMENT-PROBATE DIVISION

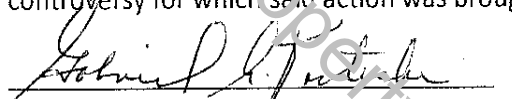
ESTATE OF

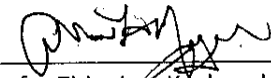
WALARIA KOZLOWSKI,  
Deceased


No. 2007 P 7426

### STIPULATION TO DISMISS ACTION

•It is hereby stipulated and agreed by and between the parties to the above entitled action, through their respective attorneys, that said claims Home-site realty, Inc and counter claims and third party actions of Zbigniew Kozlowski the legal representative of the estate of Waleria Kozlowski ,deceased and for JON GOLDMAN and ERICA GOLDMAN be dismissed and without costs to any party, all costs having been paid and all matters in controversy for which said action was brought having been fully settled, compromised and adjourned.

  
Attorney for Home-Site Realty, Inc

  
Attorney for Zbigniew Kozlowski the legal representative of the estate of Waleria Kozlowski ,deceased

  
Attorney for JON GOLDMAN and ERICA GOLDMAN

Gabriel A. Kostecki, Attorney for Home-site realty, Inc, 5851 N. Milwaukee Avenue, Chicago, Illinois 60646;  
Allen H. Meyer, attorney for Zbigniew Kozlowski the legal representative of the estate of Waleria Kozlowski ,deceased 111 West Washington Street, Suite 1505, Chicago, Illinois 60602;  
Katten & Temple, attorneys for , JON GOLDMAN and ERICA GOLDMAN 542 S. Dearborn Street, Suite 610, Chicago, Illinois 60605

### ORDER

This cause coming on to be heard on this date upon the stipulation for Dismissal filed herein by the above interested parties, and the court having examined said stipulation and being fully advised in the premises, finds that this causes of action has been fully compromised and settled and the parties have stipulated and agreed to dismissal of the claims and counter claims and third party actions if any, and the court further finds that all costs have been paid.

It is therefore ordered that the claims and counter claims and third party actions and the same are hereby dismissed with prejudice.

Dated: \_\_\_\_\_

ENTER: \_\_\_\_\_

JUDGE

