## **UNOFFICIAL COPY**

PREPARED BY AND AFTER RECORDING RETURN TO:
PROPER TITLE, LLC

PROPER TITLE, LLC 180 N. LASALLE #1920 CHICAGO, IL 60601

COUNTY OF COOK )
) SS
STATE OF ILLINOIS )

10000
*1986013186** Doc# 1986013186 Fee \$42.88
RHSP FEE: \$9.00 RPRF FEE: \$1.00 EDWARD H. MOODY COOK COUNTY PR
COOK COUNTY RECORDER OF DEEDS PAIE: 03/01/2019 03:31 PM PG: 1 OF 3

## **SCRIVENER'S ERROR AFFIDAVIT**

The Affiant, Neil F. Narut, hereby attests under the penalties of perjury and those provided by Section 1-109 of the Illinois Pules of Civil Procedure.

- 1. I am over the age of eighte en (18) years.
- 2. I am an Illinois-licensed attorzev, employed as Senior Underwriting Counsel for Proper Title, LLC. In the course of my duties, L'equiarly oversee the recording of documents, the review of documents before and after recording, and I regularly make determinations as to the validity of documents as they may affect the chain of title of parcels of real estate. I have practiced real estate and land title related work for in excess of twenty (20) years.
- 3. I am aware of a quit-claim deed involving real estate located at 7318 South Vernon Avenue, (hereinafter "the subject lands") Chicago IL. given by Lambert Construction, LLLP to Greens400, LLC. This deed was recorded on February 21, 2019 as document 1905255000 and is attached hereto as
- 4. The legal description stated on this deed, (hereinafter reference as "the incorrect legal description") and recorded as 1905255000 is as follows:

Lot 8 and the North 6 1/3 of Lot 9 in Block 2 in B.F. George's Subdivision of Lots 1, 2, 3, 4 and 5 in Block 2 in Fleming's Subdivision of the Southwest 1/4 of the Northeast 1/4 of Section 27, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 20-27-216-022

- 5. Following the recording of this deed, a survey prepared by Zbigniew Domozych was provided to me for review and I took notice of surveyor's Notes stating, in relevant part, as follows:
- ".....this survey was based on the legal description.....and it is in conflict with the legal description of the adjoining South neighbor (PIN: 20-27-216-023)
  - 6. As a result of this information, I undertook a comprehensive exam of the legal description on the chain of title of the subject lands as well as that stated and conveyed on deeds for the adjoining

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parcel to the South as referenced on the survey. As it related to the subject lands, I found a chain of deeds stating the incorrect legal description on the following:

- a. Document 1626319221 recorded 9/19/2016
- b. Document 1617939120 recorded 6/27/2016
- c. Document 1606422056 recorded 3/4/2016
- d. Document 605943140 recorded 2/28/2006
- e. Document 435214312 recorded 12/17/2004
- f. Document 20943472 recorded 8/27/2002 re-recorded 12/ Document 435214312 recorded 12/17/2004
- g. Document 93126553 recorded 2/17/1993

Copies of these deeds are attached, collectively as

7. The Deed recorded as document 88583214 on 12/19/1988, re-recorded as document 89127938 stated the following legal description, (hereinafter referred to as "the correct legal description")

Lot 8 and the North 8 1/3 of Lot 9 in Block 2 in B.F. George's Subdivision of Lots 1, 2, 3, 4 and 5 in Block 2 in Fleming's Subdivision of the Southwest 1/4 of the Principal Meridian, in Cook County, Illinois.

Copies of these deeds are attached, collectively

- 8. The discrepancy in the legal descriptions consists of the incorrect legal description stating "the North 6 1/3 of Lot 9" and the correct legal description stating "the North 8 1/3 of Lot 9"
- 9. In addition to my review of the aforementioned (tesds, I also reviewed several title insurance policies issued by Chicago Title wherein the correct legal description was insured prior to the deeds referenced in Para.7 above, and policies issued after the deeds in Para 6 above stated the incorrect legal descriptions. Policies following those issued after the deeds stated in Para.7 above would have served as the basis of every subsequent title exam and related deed prepared and legal description insured thereafter. It is my conclusion that the deeds referenced in Para 7, were misread and a scrivener's error is stated on every deed on the chain of title following those stated in Para. 7 above.
- 10. Moreover, my review of the chain of title for the subject lands and the adjoining lands finds no conveyances of 2 feet of the North 8 1/3 feet of Lot 9. Deeds conveyed for the adjoining lands consistently, and presently, except out the North 8 1/3 feet of Lot 9.
- 11. A review of the real estate tax map for Cook County ("Sidwell") shows that the tax parcel on the subject lands includes the North 8 1/3 feet.
- 12. This affidavit is given in support of modifying the incorrect legal description on the deeds referenced in Para.7 and the deed recorded as document 1905255000 to the following correct legal description:

Lot 8 and the North 8 1/3 of Lot 9 in Block 2 in B.F. George's Subdivision of Lots 1, 2, 3, 4 and 5 in Block 2 in Fleming's Subdivision of the Southwest 1/4 of the Northeast 1/4 of Section 27, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 20-27-216-022

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FURTHER AFFIANT SAYETH NOT

NEIL F. NARUT

SENIOR UNDERWRITING COUNSEL

PROPER TITLE, 120

SWORN TO AND SUBSCRIB LD BEFORE ME THIS 27<sup>TH</sup> DAY OF

FEBRUARY, 2019

NOTARY PUBLIC

"OFFICIAL SEAL" SANDRA SOTO

Notary Public, State of Illinois
My Comrussion Expires 11/6/2021