



Doc# 2331734002 Fee \$88.00

RHSP FEE:\$18.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 11/13/2023 11:40 AM PG: 1 OF 14

Prepared by: Sarah Cordell, Esq., Cordell Law LLC, Illinois Bar No. 6305565, 5315 N Clark Street #173, Chicago, IL 60640, (866) 363-3337.

The preparer of this instrument has neither been requested to nor has the preparer conducted a title search or an inspection of the real property transferred hereby. No representations or warranties as to accuracy of the description, the status of title or condition of the real property have been made by the preparer.

Mail Tax Statements To:

Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.
C/O PHH MORTGAGE CORPORATION, 1661 Worthington Rd., West Palm Beach, FL 33409

After Recording, Send to:

SERVICELINK, LLC
11802 Ridge Parkway, Suite 100
Broomfield, CO 80021
Attention: Denver DIL Title

File No: 230418198

Parcel Number: 06-19-115-026-0000

DEED IN LIEU OF FORECLOSURE

Exempt: Sec. 200/31-45 (8)

KNOWN ALL MEN BY THESE PRESENTS, that **JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED**, of **3430 MCPEAK RD., CONOVER, WI 54519**, (hereinafter "GRANTOR"), for \$1.00 (One Dollar and Zero Cents) and the consideration hereinafter stated, does hereby grant,

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Property Address: 851 BENT STREET, ELGIN, IL 60120

UNOFFICIAL COPY

bargain, sell and convey unto **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, whose tax mailing address is **C/O PHH MORTGAGE CORPORATION, 1661 Worthington Rd., West Palm Beach, FL 33409**, (hereinafter "GRANTEE"), and unto Grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in **Cook County, Illinois**, described as follows:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

SEE EXHIBIT "B" FOR ESTOPPEL AFFIDAVIT

Property Address is: **851 BENT STREET, ELGIN, IL 60120**

BEING THE SAME PROPERTY TRANSFERRED TO DONALD R. WHITTINGHILL AND SANDRA M. WHITTINGHILL, HUSBAND AND WIFE AS JOINT TENANTS, BY THAT INSTRUMENT RECORDED AT: Instrument No. 92211090. THE SAID SANDRA M. WHITTINGHILL HAVING DEPARTED THIS LIFE ON 08/01/2022, TITLE THEREBY VESTING IN DONALD R. WHITTINGHILL.

To have and to hold the same unto the said Grantee and Grantee's successors and assigns forever.

This Deed in Lieu of Foreclosure ("Deed") is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a security instrument of any kind.

Grantor hereby assigns and transfers to Grantee any equity of redemption and statutory rights of redemption concerning the real property and the security instrument described below.

Grantor is not acting under any misapprehension as to the legal effect of this Deed, nor under duress, undue influence or misrepresentation of Grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made in accord with the Estoppel Affidavit attached hereto as Exhibit B.

Consideration. This Deed relates to real property secured by the following security instrument:

SEE EXHIBIT "C" FOR DESCRIPTION OF SECURITY INSTRUMENT

No Merger. Grantor agrees and acknowledges that its entry into this Deed and the other documents contemplated hereby shall not result in a merger of Assignee's interest under the Security Instrument with Grantee's interest under the Deed. The terms, covenants, representations, and warranties of this Agreement shall not merge into the Deed but shall survive the close of the transaction contemplated hereby.

Property Address: 851 BENT STREET, ELGIN, IL 60120

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In construction this Deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

Representations and Warranties. Grantor represents, warrants, and acknowledges that:

(a) it is in default of its obligations under the Security Instrument and the Note and that the unpaid principal balance thereof together with interest thereupon is immediately due and payable to **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.** without offset, defense, or counterclaim;

(b) the Note and the Deed of Trust or Mortgage are valid and binding agreements enforceable in accordance with their terms;

TAX CONSEQUENCES: The deed in lieu of your property included some type of debt forgiveness. Federal laws regarding the taxation of debt forgiveness changed under the Mortgage Forgiveness Debt Relief Act, which exempted certain borrowers from paying income tax on debt forgiveness for certain years. That act has been modified and extended several times since its passage, and currently includes the 2007-2025 tax years. As a result, certain borrowers who receive a deed in lieu that includes debt forgiveness during one of these tax years may not have to pay income tax on the amount forgiven. Prior to the change in the law the amount of debt forgiven was generally considered income to you in the year forgiven, unless you qualified for an income exclusion. You may wish to consult with a tax advisor about these potential income tax consequences.

Advice of Counsel. Grantor hereby agrees, represents, and warrants that it has had advice of competent counsel of its own choosing, or has willingly forgone advice of counsel, in negotiations for and the preparation of this Deed, that it has read this Deed or has had the same read to it by its counsel, that it has had this Deed fully explained by such counsel, and that it is fully aware of its contents and legal effect.

RIGHT TO FORECLOSE

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GRANTOR AGREES AND ACKNOWLEDGES THAT NOTHING CONTAINED HEREIN SHALL AFFECT, AND GRANTEE HEREBY EXPRESSLY RESERVES, THE RIGHT TO FORECLOSE THE "MORTGAGE", "DEED TO SECURE DEBT" OR "DEED OF TRUST" BY JUDICIAL OR, TO THE EXTENT PERMITTED BY APPLICABLE LAW, NONJUDICIAL FORECLOSURE AND, IN CONNECTION WITH ANY SUCH FORECLOSURE, GRANTOR AND/OR GUARANTOR MAY, IN GRANTEE'S SOLE DISCRETION, BE NAMED AS A PARTY DEFENDANT, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, GRANTOR SHALL AGREE TO ANY CONSENT TO JUDGMENT (OR SIMILAR PROCESS) AVAILABLE TO GRANTEE, AND GRANTEE WILL BE PERMITTED TO SEEK, OBTAIN, AND SATISFY A JUDGMENT IN ANY SUCH FORECLOSURE PROCEEDINGS, PROVIDED, HOWEVER, THAT GRANTOR AND GUARANTOR SHALL NOT BE PERSONALLY LIABLE FOR SATISFACTION OF SUCH JUDGMENT. IF GRANTEE PURSUES ITS RIGHTS UNDER THIS SECTION, IT MAY DETRIMENTALLY AFFECT GRANTOR'S CREDIT RATING.

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Executed by the undersigned on 9/11, 2023 :

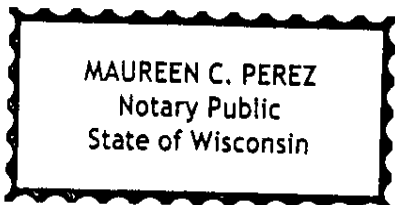
Janet K Johnson, Independent Administrator of the Estate of Donald R. Whittinghill, Deceased
JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF
THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED

STATE OF Wisconsin
COUNTY OF Vilas

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED, personally known to me, or has produced Wisconsin Driver License, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 11th day of September 2023.

Maureen C Perez
Notary Public Exp: 4-8-2024



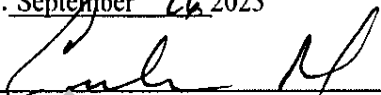
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MUNICIPAL TRANSFER STAMP
(If Required)

COUNTY/ILLINOIS TRANSFER STAMP
(If Required)

EXEMPT under provisions of Paragraph E Section 31-45, Property Tax Code.

Date: September 26 2023



Buyer, Seller or Representative
Carlene Reid, Contract Management Coordinator



Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc, By PHH Mortgage Corporation as Attorney in Fact

REAL ESTATE TRANSFER TAX

13-Nov-2023



COUNTY:	0.00
ILLINOIS:	0.00
TOTAL:	0.00

06-19-115-026-0000

| 20231001639899 | 1-272-018-896

Property Address: 851 BENT STREET, ELGIN, IL 60120

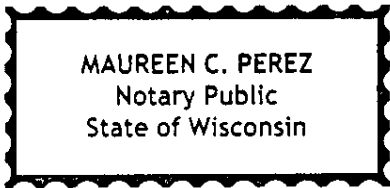
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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in land trust is either a natural person, and Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated 9/11, 2023

Janet K. Johnson
Signature of Grantor or Agent



Subscribed and sworn to before
Me by the said Janet K. Johnson
this 11th day of September, 2023.

NOTARY PUBLIC Maureen Perez
Exp. 4-8-2024

The Grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois a partnership authorized to do business or entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Date _____, 20____

Signature of Grantee or Agent

Subscribed and sworn to before
Me by the said _____
This _____ day of _____, 20____.

NOTARY PUBLIC _____

NOTE: Any person who knowingly submits a false statement concerning the identity of grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses. (Attach to deed or ABI to be recorded in Cook County, Illinois if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

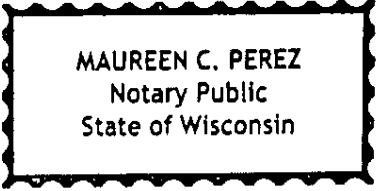
UNOFFICIAL COPY

STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in land trust is either a natural person, and Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated 9/11, 2023

Janet K. Johnson
Signature of Grantor or Agent



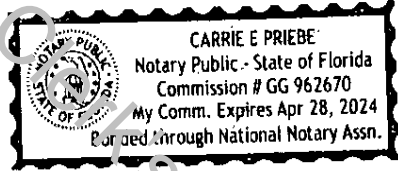
Subscribed and sworn to before
Me by the said Janet K. Johnson
this 11th day of September, 2023.

NOTARY PUBLIC Maureen C. Perez
Exp. 4-8-2024

The Grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois a partnership authorized to do business or entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Date September 26, 2023

Carlene Reid
Signature of Grantee or Agent
Carlene Reid, Contract Management Coordinator



Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc, By PHH Mortgage Corporation as Attorney in Fact

Subscribed and sworn to before
Me by the said Carlene Reid, Contract Management Coordinator
This 26 day of September, 2023.

State of: FLORIDA
County of: DUN BEACH
By means of (x) physical presence
personally known to me On 9/26/2023

NOTARY PUBLIC Carrie E. Priebe

NOTE: Any person who knowingly submits a false statement concerning the identity of grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses. (Attach to deed or ABI to be recorded in Cook County, Illinois if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

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EXHIBIT A – LEGAL DESCRIPTION

LOTS 25, 26, 27 (EXCEPT THE EASTERLY 45 FEET OF SAID LOTS) IN BLOCK 5 OF EAST LAWN ADDITION TO ELGIN, IN THE SOUTH 1/2 OF THE NORTH WEST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

Property Address: 851 BENT STREET, ELGIN, IL 60120

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EXHIBIT "B" ESTOPPEL AFFIDAVIT

STATE OF Wisconsin
COUNTY OF Vilas

JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, conveying the following described real estate, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, and was not and is not now intended as a security instrument of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00

Property Address: 851 BENT STREET, ELGIN, IL 60120

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by **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action. The security instrument referred to herein as described as follows:

SEE EXHIBIT "C" FOR DESCRIPTION OF SECURITY INSTRUMENT

At the time of making said Deed In Lieu Of Foreclosure, affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded.

This affidavit is made for the protection and benefit of **Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc.**, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

I understand and agree that I have waived or released any and all claims, known or unknown, that I have or might have against Grantee; and/or ServiceLink, LLC, and/or their accountants, agents, attorneys, directors, employees, managers, members, officers, servants, and/or shareholders.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

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WE (THE BORROWERS/GRANTORS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED AND HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Executed by the undersigned on 9/11, 2023.
Janet K Johnson, Independent Administrator of
The Estate of Donald R. Whittinghill, Deceased

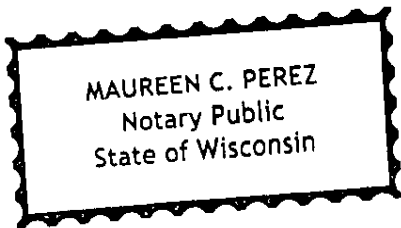
**JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF
THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED**

STATE OF Wisconsin
COUNTY OF Vilas

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED**, personally known to me, or has produced Wisconsin Drivers License, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 10th day of September, 2023.

Maureen C Perez
Notary Public Exp. 4-9-2024



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EXHIBIT C – DESCRIPTION OF SECURITY INSTRUMENT

MORTGAGE FROM DONALD R. WHITTINGHILL AND SANDRA M. WHITTINGHILL, HUSBAND AND WIFE, AS JOINT TENANTS TO FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B. IN DOCUMENT NO. 0605420384 IN THE AMOUNT OF \$307,500.00, OPEN ENDED TO \$307,500.00, DATED 01/26/2006, RECORDED 02/23/2006, IN COOK COUNTY RECORDS.

a. ASSIGNMENT OF RECORD BETWEEN FINANCIAL FREEDOM SENIOR FUNDING CORPORATION AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), A DELAWARE CORPORATION, ITS SUCCESSORS OR ASSIGNS, AS NOMINEE FOR FINANCIAL FREEDOM ACQUISITION LLC AS SET FORTH IN DOCUMENT NO. 0927557357, DATED 09/29/2009, RECORDED 10/02/2009 IN COOK COUNTY RECORDS.

b. ASSIGNMENT OF RECORD BETWEEN MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS MORTGAGEE AS NOMINEE FOR FINANCIAL FREEDOM ACQUISITION LLC, ITS SUCCESSORS AND ASSIGNS AND BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS MANAGEMENT SERIES TRUST, FOREVER AND WITHOUT RECOURSE AS SET FORTH IN DOCUMENT NO. 2232013038, DATED 11/10/2022, RECORDED 11/16/2022 IN COOK COUNTY RECORDS.

ASSIGNED TO MORTGAGE ASSETS MANAGEMENT, LLC F/K/A REVERSE MORTGAGE SOLUTIONS, INC. BY ASSIGNMENT RECORDED CONCURRENTLY HEREWITH.

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GRANTOR(S) AFFIDAVIT

State of Wisconsin }
County of Vilas }

JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED, named in the attached Deed in Lieu of Foreclosure, being first duly sworn upon oath, each for himself or herself and not one for the other, deposes and says:

That he or she has read the attached Deed in Lieu of Foreclosure and knows the contents thereof, and that every statement contained in the terms, warranties and covenants therein set forth is true of his or her own knowledge.

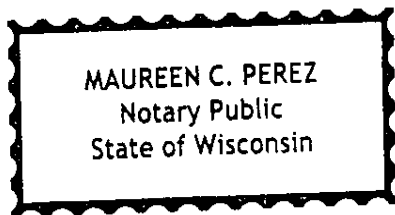
Janet K. Johnson, Independent Administrator of the Estate of Donald R. Whittinghill, Deceased

JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED

STATE OF Wisconsin
COUNTY OF Vilas

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **JANET K. JOHNSON, INDEPENDENT ADMINISTRATOR OF THE ESTATE OF DONALD R. WHITTINGHILL, DECEASED**, personally known to me, or has produced Wisconsin Drivers License, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 10th day of September, 20 23.



Maureen C Perez
Notary Public Exp: 4-8-2024