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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

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DEPT-01 RECORDING \$15.25
T19999 TRAN 4988 05/14/90 16:31:00
#2146 # *-70-223420
COOK COUNTY RECORDER

The affiant, Harold Rosen, having first been duly sworn and upon oath states:

1. Western Savings and Loan Association holds a mortgage dated June 28, 1982 and recorded July 14, 1982, as document 26288290 as modified by Modification and Assumption Agreement dated April 14, 1986 and recorded April 28, 1986, as document 86164600 on the property, commonly known as Unit 818 and Parking Space P-818 in the Renaissance Towers Condominium, 730 North Hicks Road, Palatine, Illinois, and legally described as follows:

PARCEL 1:

UNIT NUMBER 818, AND PARKING SPACE NUMBER 'P'-818 IN THE RENAISSANCE TOWERS CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:
PART OF LOTS 20 AND 21 IN RENAISSANCE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH WEST 1/4 OF SECTION 14, TOWNSHIP 12 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT 'D' TO DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 26190230; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

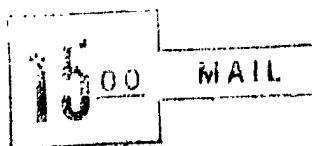
PARCEL 2:

EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED AS DOCUMENT NUMBER 22955436, IN COOK COUNTY, ILLINOIS.

Commonly known as: Unit 818 and Parking Space P-818
Renaissance Towers Condominiums
730 North Hicks Road
Palatine, Illinois 60067

PIN NO.: 02-14-100-080-1310
02-14-100-080-1356

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2. Western Savings and Loan Association also holds a mortgage dated June 28, 1982, and recorded July 14, 1982, as document 26288308 as modified pursuant to a modification and Assumption Agreement dated April 14, 1986, and recorded April 28, 1986, as document 86164598 on the property commonly known as Unit 1004 and Parking Space P-1004, Renaissance Towers Condominiums, 730 North Hicks Road, Palatine, Illinois, and legally described as follows:

PARCEL 1:
UNIT NUMBER 1004, AND PARKING SPACE NUMBER 'P'-1004, IN THE RENAISSANCE TOWERS CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:
PART OF LOTS 20 AND 21 IN RENAISSANCE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH WEST 1/4 OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT 'D' TO DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 26190230; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED AS DOCUMENT NUMBER 22955436, IN COOK COUNTY, ILLINOIS.

Commonly known as: Unit 1004 and Parking Space P1004
Renaissance Towers Condominiums
730 North Hicks Road
Palatine, Illinois 60067

PIN NO.: 02-14-100-080-1388
02-14-100-080-1434

3. Patrick J. Custardo is the legal owner of the fee simple title to both of the aforesaid properties. Patrick J. Custardo assumed the aforesaid mortgages pursuant to the Modification and Assumption Agreements referred to above and recorded as documents 86164598 and 86164600.

4. Patrick J. Custardo defaulted under the terms of the

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Property Clerk's Office

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Mortgage, and Modification and Assumption Agreement. As a result, Western Savings and Loan Association brought suit and obtained a judgment against Patrick J. Custardo in the Circuit Court of Cook County in the matter of Western Savings and Loan Association vs. Patrick J. Custardo, 88 L 4238. Subsequent thereto, Patrick J. Custardo, filed a petition in bankruptcy for relief from creditors in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, in matter of In Re: Patrick J. Custardo, debtor, 89 B 15473.

5. Western Savings and Loan Association made a motion and obtained leave of court for a modification of the automatic stay in said bankruptcy proceeding which allowed Western Savings and Loan Association to proceed with a suit to foreclose its mortgage against the aforesaid properties.

6. Subsequent to the modification of the automatic stay, Western Savings and Loan Association and Patrick J. Custardo agreed to enter into an agreement for Deed In Lieu Of Foreclosure and Western Savings and Loan Association agreed to accept a Warranty Deed In Lieu Of Foreclosure thereby obviating the need of Western Savings and Loan to go through a foreclosure suit to obtain title to the properties. Patrick J. Custardo executed a Warranty Deed In Lieu Of Foreclosure and delivered the document to Western Savings and Loan Association. However, Patrick J. Custardo, never executed an agreement for Deed In Lieu Of Foreclosure and failed to comply with the terms of the agreement between Western Savings and Loan Association and Patrick J. Custardo. As a result, Western Savings and Loan never agreed to accept the Deed In Lieu Of

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Cook County Clerk's Office

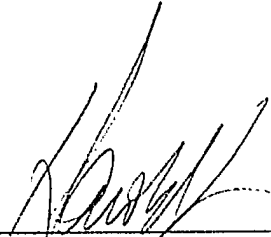
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Foreclosure.

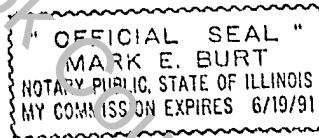
7. Western Savings and Loan as a creditor in the Patrick J. Custardo bankruptcy never received leave of court to accept a Deed In Lieu Of Foreclosure, either by the judge or the trustee of the bankrupts estate, Mr. Joseph Cohen.


8. The Warranty Deed In Lieu Of Foreclosure was thereafter inadvertently and accidentally recorded as document 90136422 with the Cook County Recorder's Office.



HAROLD ROSEN

Sworn to before me this
14th day of ~~April~~ 1990.
MAY





NOTARY PUBLIC

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