

# UNOFFICIAL COPY

93655445

## ESTOPPEL AND SOLVENCY AFFIDAVIT (Natural Persons)

Michael K. Murtaugh and Paula F. Murtaugh, ("Deponent"), whether singular or plural being first duly and separately sworn each for himself or herself, deposes and says:

That Deponent are the identical parties who made, executed and delivered that certain Deed in Lieu of Foreclosure to the Resolution Trust Corporation as Receiver for Western Federal Savings and Loan Association, successor in interest to Western Savings and Loan Association (the "Grantee") dated August, 1993, (the "Deed") conveying the property described in Exhibit "A" which is attached hereto and is known as Exhibit "A" (the "Property").

That the Deed was an absolute conveyance of the title to the property to the Grantee in effect as well as in form, and was and is not intended as a mortgage, trust conveyance or security of any kind, and that possession of the premises has been surrendered to the Grantee; that the consideration in the Deed was and is payment to the Deponent of the sum of Ten Dollars (\$10.00) by the Grantee named therein, receipt for which is hereby acknowledged, together with the agreement of the Grantee not to pursue its remedies at law against the Deponents for default on the Promissory Note dated June 28, 1982 and on the mortgage ("Mortgage") executed by Parkway Bank and Trust Company as Trustee under Trust # 6062 of which Deponent was a beneficial interest holder as Grantor/Mortgagor to Western Savings and Loan Association as Lender, dated June 28, 1982 and recorded as Document No. 26290833 and Assumption and Modification Agreement recorded as Document Numbers 86164594 and 88155870, in Cook County, State of Illinois, and which Mortgage and the debts and obligations secured thereby are now held and owned by the Grantee.

That the Deed and conveyance was made by the Deponent as the result of his (her) request that the Grantee accept the Deed and was his (her) free and voluntary act; that at the time of making the Deed the Deponent felt and still feels that the mortgage indebtedness above mentioned represented a fair value of the property so deeded; that the Deed was not given as a preference against any other creditors of 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 the Grantee interested, either directly or indirectly in the premises; that the Deponent is solvent and has no other creditors whose rights would be prejudiced by the conveyance; and that there are no liens against the premises which are not a matter of public record, and that Deponent in offering to execute the aforesaid Deed to the Grantee therein, and in executing same, is not acting under any duress, undue influence, misapprehension or misrepresentation by the Grantee, or the agent or attorney or any other representative of the Grantee, and that it was the intention of the Deponent as grantor in the Deed to convey and by the Deed the Deponent did convey to the Grantee therein all his (her) right, title and interest absolutely in and to the property described in the Deed. The Deed shall not be deemed to merge with the Mortgage and shall not restrict the right of the Grantee to institute foreclosure proceedings or release the Mortgage if it desires.

This affidavit is made for the protection and benefit of the aforesaid Grantee, its successors and assigns, and all other parties hereinafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

DEPONENT:

Michael K. Murtaugh  
MICHAEL K. MURTAUGH

Paula F. Murtaugh  
PAULA F. MURTAUGH

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8/9/93  
DATE

8/9/93

93-04736

COOK COUNTY RECORDER  
11111 TRAN 1310 08/18/93 13:38:00 \$25.50  
#0066 # 93-655445

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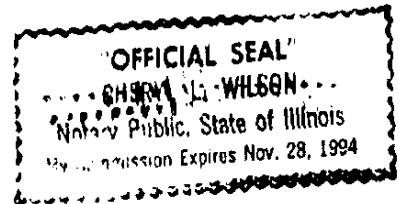
STATE OF ILLINOIS     )  
                                  ) ss.  
COUNTY OF COOK     )

On this 7<sup>th</sup> day of August, 1993, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Michael K. Murtaugh and Paula F. Murtaugh, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and notarial seal described and affixed in said county and state, the day and year above written.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 11-28-94



After recording, please return  
this document to:

VEREX MORTGAGE CORPORATION  
150 E. GILMAN  
MADISON, WI 53703  
ATTN: NICOLE SCHLOBOHM



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**LEGAL DESCRIPTION:**

**PARCEL 1:**

UNIT 115 AND PARKING SPACE 115, together

with their respective undivided percentage interests in the common elements, in Renaissance Towers Condominium, as delineated and defined in the Declaration of Condominium recorded as Document Number 26190230, in the Northeast 1/4 of Section 14, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois.

**PARCEL 2:**

Non Exclusive Perpetual Easement for the benefit of Parcel 1, as created by the Plat of Renaissance Subdivision recorded January 6, 1975 as Document Number 2295436, for ingress and egress, in Cook County, Illinois.

P. S. N. S.

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02 - 14 - 100 - 080 - 1058

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