

## Title Examining Checklist

**File Reference Number:** \_\_\_\_\_

**Other File information or  
comments:** \_\_\_\_\_  
\_\_\_\_\_

**1. Title Vesting:**

Title is vested in the name(s) of or indicate Document number of vesting deed:

**2. Open Mortgage Information:**

**1<sup>st</sup> Mortgage (if any)**

Mortgagor: \_\_\_\_\_

Mortgagee: \_\_\_\_\_

Date of Instrument: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Recorded Document  
Number: \_\_\_\_\_

**Assignment of Mortgage (if any)**

Assigned to: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Document Number: \_\_\_\_\_

**2<sup>nd</sup> Mortgage/Equity Line (if any)**

Mortgagor: \_\_\_\_\_

Mortgagee: \_\_\_\_\_

Date of Instrument: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Recorded Document Number: \_\_\_\_\_

**Assignment of Mortgage (if any)**

Assigned to: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Document Number: \_\_\_\_\_

**3<sup>rd</sup> Mortgage/Equity Line (if any)**

Mortgagor: \_\_\_\_\_

Mortgagee: \_\_\_\_\_

Date of Instrument: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Recorded Document Number: \_\_\_\_\_

**3. Tax/Pin Information:**

Property Identification Number (PIN): \_\_\_\_\_

**Tax Information:**

Year: \_\_\_\_\_ Installment: \_\_\_\_\_ Amount: \_\_\_\_\_  
Year: \_\_\_\_\_ Installment: \_\_\_\_\_ Amount: \_\_\_\_\_

2<sup>nd</sup> PIN Number (if any): \_\_\_\_\_

**Tax Information:**

Year: \_\_\_\_\_ Installment: \_\_\_\_\_ Amount: \_\_\_\_\_  
Year: \_\_\_\_\_ Installment: \_\_\_\_\_ Amount: \_\_\_\_\_

Are there any outstanding special assessments? Yes or No

If yes, payable to : \_\_\_\_\_

Year (s): \_\_\_\_\_ Amounts: \$ \_\_\_\_\_

**4. Building Lines and Easements:**

Are there building lines or easements of record? Yes or No

If Yes, the building line is located \_\_\_\_\_ feet from the \_\_\_\_\_ lot line as shown on the plat  
of subdivision recorded as Document Number \_\_\_\_\_ or as contained in (Deed or Declaration)  
recorded as Document Number \_\_\_\_\_

The easements are located \_\_\_\_\_ feet from the \_\_\_\_\_ lot line and \_\_\_\_\_ feet from the \_\_\_\_\_  
lot line.

**5. Covenants, Conditions and Restrictions:**

Are there covenants, conditions and restrictions (CCR's) of record? Yes or No

If Yes:

Type of Document: \_\_\_\_\_

Date of Document: \_\_\_\_\_

Recorded Document Number: \_\_\_\_\_

List specifics of the CCR: \_\_\_\_\_

**6. Judgments and Liens:**

Are there any possible judgments or liens against the Seller? Yes or No

If Yes, list Name that Judgment/Lien is against: \_\_\_\_\_

Are there any possible judgments or liens against the Buyer? Yes or No

If Yes, list Name that Judgment/Lien is against: \_\_\_\_\_

**7. Municipal Stamps and Inspections:**

Is the Property located within a municipality that requires Transfer Stamps or an Inspection? Yes or No

If Yes, list Name of Municipality? \_\_\_\_\_

Party responsible for Transfer Stamps? Buyer or Seller \$ \_\_\_\_\_ Per thousand

**8. Condominiums:**

Is this Property a Condominium Unit? Yes or No

If Yes, the Recorded Condo Declaration Number is: \_\_\_\_\_

Is the Condominium subject to an assessment for which the Condominium Association will complete a Paid Assessment Letter and a Right of First Refusal? Yes or No

**9. Planned Unit Development:**

Is this property part of a Planned Unit Development? Yes or No

If there a Recorded Declaration, the Document Number is \_\_\_\_\_

Is said property part of an Association that requires an Assessment Letter? Yes or No

**10. Drainage Districts and Special Service Areas:**

Is this property in Lake County? Yes or No

If Yes, is the property serviced by the North Shore Sanitary District? Yes or No

Is this property part of any other Sanitary and/or Drainage District? Yes or No

If Yes, the Name of the Sanitary and/or Drainage District is: \_\_\_\_\_

Are there outstanding fees due for a Special Service Area? Yes or No

What is the name or number of the Special Service Area? \_\_\_\_\_

Amount Due: \$ \_\_\_\_\_

**11. Marital Status**

Is the Seller married? Yes or No

Is the Buyer married? Yes or No

Are there outstanding Homestead Rights for either party? Yes or No

**12. Leases**

Does the Seller live at the property? Yes or No

If no, are there any leases either recorded or unrecorded? Yes or No

**13. Probate Exceptions**

Is there a Title holder of Record who may be deceased? Yes or No

If Yes, list name of surviving spouse or heir: \_\_\_\_\_

Is there a Probate case pending, with regard to the deceased individual? Yes or No

Indicate Probate Case Number: \_\_\_\_\_

**14. Effective Date**

What is the effective date of this commitment? \_\_\_\_\_

**15.** I have examined the search packet on File Number \_\_\_\_\_ and hereby authorize Heritage Title Services, Authorized Servicing Agent to type a Title Commitment using the information set forth above.

\_\_\_\_\_  
Attorney Agent - Authorized Supported Agent

\_\_\_\_\_  
Date

**UPON COMPLETION OF THIS CHECKLIST, PLEASE FAX TO**

**815-479-0811**

## ATTORNEY PROGRAM EXAMINING INSTRUCTIONS

Please use the enclosed Title Examining Checklist and Search Packet to complete the preliminary title commitment.

#1. – Title vesting: The information and document number will appear on the chain sheet and you will be provided with a copy of the document. Please show the exact names as shown on the copy of the Warranty Deed. Check the names as they appear on the mortgage and if the names appear to be different (spellings or middle initials) the vesting should include an a/k/a.

#2. – Open Mortgage Information: The information and document number will appear on the chain sheet and you will be provided with a copy of the document. All information should be taken directly from the copies of the recorded mortgage and assignment documents.

#3. - Tax/PIN information: The PIN number should be taken from the search. Check the previous deed and mortgage to make sure that the numbers match. If the property is a condominium unit that has recently been assigned a permanent tax number, use the number that is reflected on our search. Enter the tax information for each installment. If there is a special assessment for this property, enter the amount, year and payee.

#4. – Building Lines and Easements: This information will be written on the search or a copy of the plat of subdivision will be attached, if any exist.

#5. – Covenants, Conditions and Restrictions (CCR'S): If there are covenants, conditions or restrictions, the chain of title will include either a document or declaration number and the type of restrictions disclosed. If the search does not contain any information, then there are no CCR'S recorded on the property.

#6. - Judgment and Liens: The searcher will indicate that the names are clear if there are no judgments of record. If the name is common they may indicate that we should raise possible judgments because of the name. If there is an actual judgment against either the Seller or Purchaser there should be a copy attached and this should be raised as a separate exception on the title commitment.

#7. – Municipal Stamps and Inspections: Please check the enclosed list of municipalities to see if the property requires transfer stamps or an inspection. If stamps are required it must be stated on Schedule B and the party responsible and amount of stamps should be noted.

#8. – Condominiums: If the property is a condominium unit – the recorded condo declaration number will appear in the legal description. If the property is subject to an Association or the association has the right of first refusal, the proper exceptions must be raised on Schedule B of the commitment asking for a paid association letter & a statement that the Association either does not have or has waived the right of first refusal.

#9. – Planned Unit Development: If this property is part of a Planned Unit Development there may be a recorded declaration. If there is a declaration, raise the appropriate exception. If the property is subject to an assessment there should be an exception raised asking for a paid assessment letter.

#10. – Drainage Districts & Special Service Areas: If the property is in Lake County it may be part of the North Shore Sanitary District. The search will indicate if it is in the District. If it is, raise the appropriate exception, which will ask for a final amount due at closing. Certain properties are part of Sanitary Districts, which will be indicated on the search. Sanitary District fees are generally paid with the tax bill and should be noted as an exception on the commitment. The searcher will indicate if it is not paid with the tax bill. If the property is in a Special Service Area this will also be noted on the search & the appropriate exception must be raised.

#11. – Marital Status: If the Seller took title as a single individual, an exception must be raised in the event that they are now married and there are outstanding homestead rights for a spouse. If the Purchaser appears on the application for title insurance as a single individual, an exception must be raised in the event that there is a spouse who must waive their homestead rights on the mortgage.

#12. – Leases: If the Seller does not live at the property and there are either recorded or unrecorded leases, an exception must be raised stating that the property is subject to leases and any interest that a lessee may have.

#13. – Probate Exceptions: if any current title holder is now deceased, title should be vested in the name of the surviving spouse or heir. If there is a probate case pending, it should be noted as a separate exception on Schedule B and it should be stated as to what is needed for title clearance (examples: Death Certificate, Will, Affidavit of Heirship, etc.).

#14. – Effective Date: Please indicate the effective date shown on the search.

# LEGAL BULLETIN

An information bulletin  
for the LandAmerica  
family of companies and agent partners

No. 08-80

**DATE:** August 25, 2008  
**FROM:** Samuel A. Shiel, Illinois State Counsel  
**RE:** Payoffs – Equity Line/Future Advance/Revolving Line of Credit

In an effort to curtail the high incidence of claims in the area of equity line and related mortgage loan payoffs, the company has developed a more detailed and stringent procedure. *This self-explanatory procedure is embodied in a new requirement that, effective immediately, must be included in every commitment* that involves an open equity line, future advance, or revolving line of credit mortgage that must be paid-off. Please note that the two new forms called for by the requirement are included herein following the requirement itself.

## REQUIREMENT FOR TITLE COMMITMENT

Discharge of the equity line/future advance/revolving line of credit mortgage executed by \_\_\_\_\_ to \_\_\_\_\_, dated \_\_\_\_\_, recorded \_\_\_\_\_, as document number \_\_\_\_\_, in the original amount of \_\_\_\_\_.

**NOTE: RELATIVE TO THE ABOVE-IDENTIFIED MORTGAGE, THE DISCHARGE OF SAME MAY BE PRESENTED AT CLOSING, OR, IN LIEU THEREOF, ALL OF THE FOLLOWING ACTIONS MUST BE PERFORMED:**

### Pre-Closing

- a) Execution by the subject borrower of an “EquityLine/Future Advance/Revolving Line of Credit Mortgage – Notice of Account Suspension and Request for Payoff Statement” form (“**Account Suspension/Payoff**” form) at least five (5) business days before the closing date.
- b) Delivery by the Company of the executed Account Suspension/Payoff form to the current mortgagee at least five (5) business days before the closing date by telecopier.
- c) Retention by the Company of a copy of the Account Suspension/Payoff form delivered to the current mortgagee and a copy of the telecopier “confirmation”.
- d) Receipt by the Company of the Payoff Statement from the current mortgagee.

### Closing

- e) Execution by the subject borrower of an “Equity Line/Future Advance/Revolving Line of Credit Mortgage – Notice of Account Closure and Request for Discharge of Mortgage form (“**Account Closure/Discharge**” form).
- f) Delivery by the Company of the executed Account Closure/Discharge form to the current mortgagee by:
  - i) telecopier, at the time of disbursement and
  - ii) overnight mail, immediately following disbursement.
- g) Retention by the Company of a copy of the Account Closure/Discharge form delivered to the current mortgagee and a copy of the telecopier “confirmation”.

**EQUITY LINE/FUTURE ADVANCE/REVOLVING LINE OF  
CREDIT MORTGAGE**

**NOTICE OF ACCOUNT SUSPENSION AND REQUEST FOR PAYOFF  
STATEMENT**

**Date:**

**To:** (lender/address)

**Re: Borrower(s):**

**Loan No.**

**Company Commitment No.**

To Whom It May Concern:

The undersigned borrower(s) hereby demands the following:

- a. Immediate suspension of the above-identified loan account such that there shall be no further disbursement of funds for or on account of borrower(s), and
- b. Immediate issuance of a payoff statement.

Please immediately contact the undersigned if anything further is required in this regard.

\_\_\_\_\_  
(borrower)

\_\_\_\_\_  
(borrower)

**EQUITY LINE/FUTURE ADVANCE/REVOLVING LINE OF CREDIT MORTGAGE**

**NOTICE OF ACCOUNT CLOSURE AND REQUEST FOR DISCHARGE OF  
MORTGAGE**

**Date:**

**To:** (lender/address)

**Re: Borrower(s):**

**Loan No.**

**Company Commitment No.**

To Whom It May Concern:

The undersigned borrower(s) hereby demands the following:

- a. Immediate closure of the above-identified loan account, and
- b. Immediate issuance and recordation of a properly executed Discharge of Mortgage.

Please immediately contact the undersigned if anything further is required in this regard.

\_\_\_\_\_

(borrower)

\_\_\_\_\_

(borrower)

# LEGAL BULLETIN

An information bulletin  
for the LandAmerica  
family of companies

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No. 06-8

**DATE:** February 24, 2006  
**TO:** All Illinois Retail and Agency Offices  
**FROM:** Samuel A. Shiel, Illinois Agency Underwriting Counsel  
**RE:** Name searches for buyers

**LandAmerica will no longer require that a name search be conducted on buyers regarding liens, judgments and bankruptcy matters. We have determined that there is low risk of any losses that may result from not doing name searches on buyers.**

**For those of you who order your searches through TitleWave please be advised that our production office will no longer do name searches for buyers on orders placed in TitleWave. Name searches will still be done on sellers and borrowers on refinances.**

**Name searches for liens, judgments and bankruptcy matters will still be required on sellers and borrowers in refinance transactions.**

**If you have any questions please contact me at (312) 553-8613 or by email at [sshiel@landam.com](mailto:sshiel@landam.com).**

**WHAT YOU NEED TO KNOW**  
**When Closing on Any Property In**  
**The City of Chicago**

**Very Important to Read**

Compliments of:  
Heritage Title Company of McHenry County  
4405 Three Oaks Rd  
Crystal Lake, IL 60014  
Ph: 815-479-8400  
Fax: 815-479-0811

## Your guide to the following services

### Chicago Water Department

Water Certifications  
Liens, Release Letters  
Legal Department  
Foreclosure Adjustments

### Secretary of State's Office

Letters of Good Standing  
Corporate Payments  
Corporate Filings

### Cook County Vital Statistic Office

Birth, Death and Marriage Certificates

### Cook County Recorders Office

All recorded documents from the City, County  
And some for the State of Illinois

### Cook County Clerks Office

Redemptions  
Legal Descriptions  
Refunds  
Current Tax Bills  
Payment of County Taxes

### Building Department

Building Registrations (4 units or more)  
Violations  
Legal Units  
Permits  
Vacant Building Registration  
Lis Pendens

The content of this booklet was created for the benefit of those who are applying for a water certification, for the purpose of closing on property located in the City of Chicago ONLY.

Avoid rejections for the Water Department, answer all the vital questions needed to complete the certification in a timely manner.

Providing a water account number sometimes eliminates the need for a legal description, plus it shortens the turnaround time.

A good reliable access person and phone number. A cell phone number is great. No pagers. Instruct access person to keep cell phone on and absolutely no out of town numbers.

Brokers, agents and law firms generally start their day at 9 a.m., cell phone numbers are suggested.

We all can read our own handwriting, others may not. Good penmanship is important, especially with account and phone numbers

## Water Certification Information

### Metered & Non-Metered Accounts:

\*\* Non-Metered Accounts are billed twice a year

1<sup>st</sup> billing ends 4/30..... Billed 5/1

2<sup>nd</sup> billing ends 10/30....Billed 11/1

(Also known as Assessed Accounts)

Normal turnaround time: 1 Day

\*\* Metered Accounts are individually read by schedule. Most home have remote meters that are attached outside of the buildings. These are read electronically. All inside and vault meters (located next to the building), must be read for final readings, if necessary.

No access person is required for vault meters, unless property has a locked security fence.

Allow at least 10 to 12 days for Certification

## Water Certification Application Form

Answer all the questions that are required by the water department. Having the account number is beneficial; the need for a legal is sometimes waived.

Meter readers call between 7-9 a.m. to set up their appointments. A person with a cell phone who has access to the property should be available at that time.

No pagers or out of town numbers are accepted.

If the meter is not read, a certification will not be issued.

A legal description is required for ALL properties, industrial and large vacant lots. Railroads require a plat of survey.

Corner properties require legal descriptions.

Non-metered accounts and Vault meters, (found in the ground with a sewer-type cover located in the park-way or gang-way,) do not need an access person.

Final readings are taken only from the meter in the building or in the ground. Remote readings are not accepted. (Remote meters are attached to the outside of the building for monthly scheduled meter readings.)

### New Construction

It is required by the water department that all meters installed must be in control prior to construction.

#### What must be done:

\*\*The developer informs the plumber to pick up the meter at the meter shop

\*\*When the meter is installed, the plumber must call meter shop to inspect the installation

\*\*When the inspection is completed, the plumber is issued an "M.I.O. Card" (meter installation order). He completes the card and mails it to the meter shop. When the card is received by the shop, the information is entered into the system and is considered "In Control".

If this is done correctly, allow about 10 days for certification.

Condominiums  
New Construction or Condo Conversions

New Certification Ruling:

No certification is needed for the first 74% of the units sold by the developer. If one of the 74% is resold, then a certification is needed.

When 75% of the units are sold, then each unit must be certified, with the developer as the seller and the condo associations as the buyer until all units are sold.

Assessment letters are required when an owner of a unit is selling their unit.

Building Department Registration

Buildings containing 4 or more units must register yearly

Condo's, Co-op's, Commercial, Industrial and Vacant lots are exempt

Turnaround time is generally 1-2 days

\*\*For emergency purposes, Buyer's name and a 24/7 phone number is required, along with current an address

If ordering violations, permits or legal units from the Building Department, it generally takes about 5 days

Zoning.....Chicago Only

New Zoning Requirements

Seller must identify the EXACT location of each family unit (from 1-5 units) on their property.

Example: If a unit is above a store front, it is considered the 2<sup>nd</sup> floor and so on. If 2 units or more are on a given floor, state front, back or other, (specify)

If a coach house is in use, declare amount of existing units, MISTAKES ARE NOT REFUNDABLE. A new application and fee may be required.

Turnaround time for a single family is generally 1 day; for 2-5 units, it is generally 6 working days. Applying day is not included.

Note: Denials are the decisions of the Zoning Department. All inspections are eliminated.

### Alternative Requirements:

- (1) A Building permit for additional units must be available
- (2) A disclaimer letter signed by the buyer must be submitted

## Cook County Taxes

### Redemptions

Provide the address or owner's name  
Provide the property index number (P.I.N.)  
Provide volume number (if available)  
Turnaround time is generally 1-5 days

### Open Items

Turnaround time is generally 1-7 days

### Special Assessments (streets and alleys)

Turnaround time is generally 1-5 days

### Current Tax Bill

Turnaround time is generally 1 day

Taxes due on properties prior to 1985 are considered un-collectable, unless otherwise stated.

Tax sales are usually scheduled between March & May of each year. If requesting redemption during this period, allow 6 to 8 weeks turnaround time

Note: All taxes due to the City of Chicago are collectible regardless of date.

# CITY OF CHICAGO

State City County Services  
120 West Madison, Ste. 1216  
Chicago, IL 60602

Office: (312) 346-3350  
Fax: (312) 346-8540  
Email: [SCCS1216@sbcglobal.net](mailto:SCCS1216@sbcglobal.net)

Use this Order Form to secure your Water/Zoning Certification(s). We will complete all original forms and return to you by way of mail, hold for pickup or messenger to locations within the Loop area free of charge. Parent Title Co. will overnight deliver to satellite office for closing.

## Premise Information

Closing Date: / /

## Buyer Information

Property Address: \_\_\_\_\_

Buyer Name: \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Buyer Address: \_\_\_\_\_

Property Index No.: \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Water Account No.: \_\_\_\_\_

New Address: \_\_\_\_\_

### Property Type

<input type="checkbox"/> Single Family	<input type="checkbox"/> Apt. Bldg. - # of Units <input type="text"/>
<input type="checkbox"/> Condo - Fax	<input type="checkbox"/> -or- Letter
<input type="checkbox"/> New Condo Conversion	<input type="checkbox"/> New Construction
<input type="checkbox"/> Townhouse	<input type="checkbox"/> Industrial
<input type="checkbox"/> Vacant Lot	<input type="checkbox"/> Railroad Prop
<input type="checkbox"/> Mixed Use (commercial/residential)	<input type="checkbox"/> Commercial
	<input type="checkbox"/> Co-Op
	<input type="checkbox"/> Other

State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_

ATTORNEYS NAME: \_\_\_\_\_

PHONE: \_\_\_\_\_

## Access Information Only

Name: \_\_\_\_\_

Home: ( ) -

Office: ( ) -

Cell: ( ) -

Email: \_\_\_\_\_

Special Instructions: Need to obtain final readings.  
Must be able to make contact between 7:00 a.m. and  
3:30 p.m., Mon-Fri (if you reschedule PLEASE ALLOW  
ANOTHER TEN (10) DAYS.

## Seller Information

Seller Name: \_\_\_\_\_

Seller Address: \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_

New Address: \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_

Attorneys Name: \_\_\_\_\_

Attorney's Fax: \_\_\_\_\_

Attorney's Email: \_\_\_\_\_

### Special Instructions for SCCS

Order Zone Certification YES  NO   
Hold for Pick Up  Mail  Pay Water Bill

Form Completed By: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

MAIL TO:

HERITAGE TITLE

4405 Three Oaks Rd

Crystal Lake, IL 60014

Attn: Trice File # \_\_\_\_\_