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Cook County Recorder 35.50



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PLACITA (This form replaces CCM1-150A8)

(Rev. 1/19/00) CCG 0076

UNITED STATES OF AMERICA

STATE OF ILLINOIS
COUNTY OF COOK

} ss:

THOMAS P. DURKIN-474

PLEAS, before the Honorable

one of the Judges of the Circuit Court of Cook County, in the State of Illinois, holding a branch Court of
said Circuit Court, at the Court House in said County and State, on July 25 2000.

THOMAS P. DURKIN-474

PRESENT: The Honorable

Judge of the Circuit Court of Cook County

Attest: AURELIA PUCINSKI, Clerk.

After recording return to:

Robert M. Fishman
Shaw Gussis

1144 W. Fulton #200

Chicago, IL 60607

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

2000

00708915

BERKSHIRE LIFE INSURANCE COMPANY,
a Massachusetts corporation,

Plaintiff,

v.

Case No. 00 CH 1156

AMERICAN NATIONAL BANK AND TRUST
COMPANY OF CHICAGO, as Trustee under
Trust Agreement dated July 11, 1988 and known
as Trust No. 105942-08; VERSAILLES
PARTNERSHIP, an Illinois general partnership;
RICHARD KRAUTSACK; KENNETH
RALSTON; UNKNOWN OWNERS and
NONRECORD CLAIMANTS,

Defendants.

Calendar #8

ENTERED

JUL 25 2000

JUDGE

THOMAS P. DURKIN - 474

JUDGMENT OF CONSENT FORECLOSURE

This cause having been heard by this Court upon the joint motion of the parties for entry of this Judgment of Consent Foreclosure, proper and timely notice having been given, and the Court being fully advised in the premises, the Court finds as follows:

1. Plaintiff, Berkshire Life Insurance Company ("Berkshire"), filed its Verified Complaint for Mortgage Foreclosure and Other Relief to foreclose a Mortgage and Security Agreement (the "Mortgage") on certain real estate and personal property described therein.

2. All of the Defendants in this cause (the "Defendants") have been duly and properly brought before this Court, and this Court now has personal jurisdiction over all of the parties to this cause and the subject matter hereof. The Defendants have not objected to the entering of this Judgment.

3. LaSalle Bank N.A., as Successor Trustee to American National Bank & Trust Company of Chicago, as Trustee under the Trust Agreement dated July 11, 1988 and known as Trust No. 105942-08 (the "Trustee"), Versailles Partnership including all general and limited

E.S.



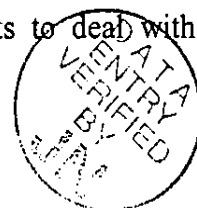
partners thereof ("Versailles"), Richard Krautsack ("Krautsack") and Kenneth Ralston ("Ralston"), have executed a Settlement Agreement agreeing to the entry by this Court of this judgment pursuant to Section 15-1402 of the Illinois Code of Civil Procedure (735 ILCS 5/15-1402) satisfying the indebtedness evidenced by that certain Promissory Note dated August 31, 1993 (the "Note") and secured by the Mortgage, all such documents attached to the Complaint filed herein, by vesting absolute title to the mortgaged real estate and the personal property described in paragraph 5 herein (the mortgaged real estate and the personal property described in paragraph 5 herein shall at times be referred to herein as the "Property") in Berkshire.

4. In accordance with 735 ILCS 5/15-1402(c), Berkshire waives any right to a personal judgment for deficiency against the Trustee, Versailles, Krautsack or Ralston, or any other person or entity who is or may be liable for the indebtedness evidenced by the Note or other obligations secured by the Mortgage.

5. The Mortgage appears on file in the Office of the Recorder of Deeds, Cook County, Illinois as Document No. 93929876. The Property herein referred to includes the real estate commonly known as Huntington Plaza II, Hoffman Estates, Illinois, which is legally described in Exhibit A attached hereto and hereby incorporated by reference and the personal property described in Exhibit B attached hereto and hereby incorporated by reference.

6. All of the rights, title, interest, claims or liens, if any, of all of the Defendants herein in the Property are inferior to the lien of Berkshire's Mortgage and are terminated by this Judgment.

7. The entry of this judgment shall not terminate Berkshire's rights to any real estate tax abatements relating to the Property. Further, Berkshire retains all rights to deal with Walgreens regarding a potential tenancy at the Property.



IT IS THEREFORE ORDERED, ADJUDGED AND DECREED and JUDGMENT
IS HEREBY ENTERED as follows: 0000041 0523
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A. Absolute title to the Property as defined above and which property includes the real estate commonly known as Huntington Plaza II, Hoffman Estates, Illinois which is legally described in Exhibit A attached hereto, and the personal property described in Exhibit B hereto, is hereby vested in Berkshire, free and clear of all rights, title, interest, claims or liens, if any, of all Defendants, the Trustee, Versailles, Krautsack, Ralston, Nonrecord Claimants and Unknown Owners.

B. The indebtedness evidenced by the Note and secured by the Mortgage is deemed satisfied.

C. Berkshire is barred from obtaining a deficiency judgment against the Trustee, Versailles, Krautsack, Ralston, or any other person or entity who is or may be liable for the indebtedness evidenced by the Note or other obligations secured by the Mortgage.

D. All rights of reinstatement and redemption are barred.

E. Each party shall pay its respective attorneys' fees and costs, except as provided in the Settlement Agreement executed by the parties (the "Settlement Agreement").

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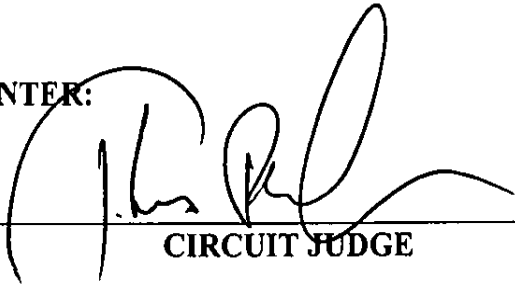
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F. The Trustee, Versailles, Krautsack and Ralston waive all rights to modify, vacate, set aside, or appeal this Judgment. Berkshire waives all rights to modify, vacate, set aside, or appeal this Judgment, except as may be necessary to vest absolute title to the Property in Berkshire pursuant to the terms of this Judgment and the Settlement Agreement.

Dated: _____

7/25/00

ENTER:



CIRCUIT JUDGE

DRAFT ORDER PREPARED BY:

Marc S. Joseph
Scott E. Becker
D'Ancona & Pflaum LLC (Atty. No. 36510)
111 East Wacker Drive
Suite 2800
Chicago, Illinois 60601
(312) 602-2000

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EXHIBIT A ATTACHED TO AND MADE A PART OF THE JUDGMENT OF
CONSENT FORECLOSURE PERTAINING TO HUNTINGTON PLAZA, PHASE II

(legal description)

LOT 4 IN HUNTINGTON PLAZA, BEING A SUBDIVISION OF PART OF THE
WEST 1/2 OF THE NORTHWEST 1/4 SECTION 30, TOWNSHIP 42 NORTH,
RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE
PLAT THEREOF RECORDED AS DOCUMENT NO. 87401887 IN COOK COUNTY,
ILLINOIS.

Property of Cook County Clerk's Office

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EXHIBIT B ATTACHED TO AND MADE A PART OF ~~THE~~²⁰⁰⁰ JUDGMENT OF
CONSENT FORECLOSURE PERTAINING TO HUNTINGTON PLAZA, PHASE II

(personal property)

None.

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Property of Cook County Clerk's Office

STATE OF ILLINOIS
COUNTY OF COOK

I, AURELIA PUCINSKI, Clerk of the Circuit Court of Cook County, in and for the State of Illinois and the keeper of the records, files and seal thereof, do hereby certify the above and foregoing to be true, perfect and complete

COPY OF A CERTAIN JUDGEMENT MADE AND ENTERED OF RECORD IN SAID COURT

in a certain cause lately pending in said Court, between

BERKSHIRE LIFE INS CO plaintiff, petitioner
and AMERICAN NATIONAL BANK + TRUST defendant/respondent

IN WITNESS WHEREOF, I have hereunto set my hand and affixed

the seal of said Court, in said County, this 13TH
day of SEPTEMBER, 2000

Aurelia Pucinski Clerk

