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Cook County Recorder 27.50

THIS IS AN ATTEMPT TO
COLLECT A DEBT. ANY
INFORMATION WE
OBTAIN WILL BE USED
FOR THAT PURPOSE.



NOTICE OF DEFAULT AND FORECLOSURE SALE

To: See Attached List

WHEREAS, on October 15, 1990, a certain Mortgage was executed by Beatrice Davis, a Widow and Not Since Remarried, Car. E. Davis, Married to Elaine Davis, Geraldine Fuller, Married to Winslow Fuller, and Zita Montgomery, a Spinster as Mortgagor in favor of First Mortgage Corporation as Mortgagee, and was recorded on October 18, 1990, as document number 90-511475 in the Office of the Recorder of Deeds, **Cook County, Illinois**; and

WHEREAS, the Mortgage was insured by the United States Secretary of Housing and Urban Development (the Secretary) pursuant to the National Housing Act, 12 U.S.C. sections 1702 et seq. and 1707 et seq., for the purpose of providing single family housing; and

WHEREAS, the Mortgage is now owned by the Secretary pursuant to an assignment dated April 18, 1997, and recorded on June 16, 1997, document number 97-427393, in the Office of the Recorder of Deeds, **Cook County, Illinois**; and

WHEREAS, a default has been made in the covenants and conditions of the Mortgage in that the payment due on October 1, 1995, was not made and remains wholly unpaid as of the date of this notice, and no payment has been made sufficient to restore the loan to currency; and

WHEREAS, the entire amount delinquent as of March 1, 2000 is \$ 25,447.79; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Mortgage to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR Part 29, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on **August 1, 1996**, as Document

Number **96591885**, notice is hereby given that on March 8, 2000 at 9:00 a.m. local time, all real and personal property at or used in connection with the following described premises located at 12851 South Union Avenue, Chicago, IL 60628 ("Property"), and is legally described as follows:

LOT 37 (EXCEPT THE SOUTH 20 FEET THEREOF) AND LOT 38 ALL IN BLOCK 13 IN NEW ROSELAND BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 33 NORTH OF THE INDIAN BOUNDARY LINE AND PART OF FRACTIONAL SECTION 28 AND SECTION 33 SOUTH OF THE INDIAN BOUNDARY LINE IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 25-33-112-058

will be sold at public auction to the highest bidder.

The sale will be held at 47 West Polk Street, Atrium Level, Chicago, Illinois on March 8, 2000, at 9:00 a.m. local time. The Secretary of Housing and Urban Development will bid \$ 71,264.65.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorata share of any real estate taxes that have been paid on the project by the Secretary to the date of the foreclosure sale.

When making their bid, all bidders except the Secretary must submit a deposit totaling \$ 7,126.46 [10% of the Secretary's bid] in the form of a certified check or cashier's check made out to the Secretary of HUD. Each oral bid need not be accompanied by a deposit. If the successful bid is oral, a deposit of \$ 7,126.46 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 24 hours of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the high bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveyancing fees, all real estate and other taxes that are due on or after the date of closing and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$150.00, paid in advance. The extension fee shall be paid in the form of a certified or cashier's check made payable to the Secretary of Housing and Urban Development. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD Field Office Representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD Field Office Representative, offer the Property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The amount that must be paid if the Mortgage is to be reinstated prior to the schedule sale is \$ 25,447.79 as of March 1, 2000, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Dated: February 7, 2000

Martha J. White

Foreclosure Commissioner

Prepared by:
Mail to:

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SERVICE LIST:

Unknown Heirs or Devisees of Beatrice Davis
12851 South Union Avenue
Chicago, IL 60628

Carl E. Davis
12851 South Union Avenue
Chicago, IL 60628

Elaine Davis
12851 South Union Avenue
Chicago, IL 60628

Geraldine Fuller
12851 South Union Avenue
Chicago, IL 60628

Zita Montgomery
12851 South Union Avenue
Chicago, IL 60628

Property of Cook County Clerk's Office