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(Rev. 12/4/00)

LIS PENDENS NOTICE CCG 0066

IN THE CIRCUIT COURT OF
COOK COUNTY, ILLINOIS

THELMA FIGUEROA

plaintiff

Doc#: 0402134183

Eugene "Gene" Moore Fee: \$30.50

Cook County Recorder of Deeds

Date: 01/21/2004 03:52 PM Pg: 1 of 4

LOUIS GONZALEZ

defendant

No. 04 CH 00884

LIS PENDENS NOTICE

I, the undersigned, do hereby certify that the above entitled cause was filed in my office on the 16 th
day of January, 2004 and is now pending in said court and that the property affected
by said cause is described as follows:

THE EAST 60 FEET OF LOT 13 IN BLOCK 3 IN MCNEILL'S ADDITION TO EVANSTON IN THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST
OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

in Cook County, Illinois.

Witness my hand and the seal of said court.

Atty. No.: 15900

Name: Mary Rita Luecke

Atty. for: Plaintiff

Address: 3330 Lake Street

City/State/Zip: Evanston, Illinois 60203

Telephone: 947-679-4922

Clerk of the Circuit Court

By _____
Deputy Clerk

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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

THELMA FIGUEROA,)
)
Plaintiff)
)
v.)
)
LOUIS GONZALEZ,)
)
Defendant)

04/16/03

No.

04/16/03

COMPLAINT

Plaintiff, THELMA FIGUEROA, by her attorney, complains of defendant, LOUIS GONZALEZ, for specific performance of their contract for the sale of real estate, and states as follows:

1. Defendant is the owner of, and holds title to, real property located at 1817 Foster Avenue, Evanston, Illinois, that is legally described as follows:

THE EAST 60 FEET OF LOT 13 IN BLOCK 3 IN MCNEILL'S ADDITION TO EVANSTON IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. On June 1, 2003, plaintiff entered into a contract with defendant to purchase the property for the sum of Two Hundred Thirty-nine Thousand Dollars (\$239,000.00). A copy of the contract is attached hereto as Exhibit A.
3. On July 15, 2003, Defendant agreed to a modification of the contract pursuant to the Attorney Approval provision. Said modification included, inter alia, that defendant would tender the property free and clear of any existing leases to the first floor apartment. A copy of that modification is attached hereto as Exhibit B.
4. Plaintiff's financing of the property is conditioned upon owner occupancy of the premises.
5. Defendant willfully delayed taking the legal action necessary to remove a delinquent tenant from the property until he commenced an eviction proceeding on November 5, 2003, case number 2003 M2 002845.

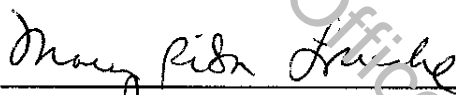
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6. On January 6, 2004, defendant notified plaintiff that he would not perform under the terms of the contract.
7. Plaintiff made a demand for closing on January 8, 2004, setting a deadline of January 9, 2004 for compliance by defendant of the terms stated therein. A copy of said demand is attached hereto as Exhibit C.
8. Defendant has failed and refused to respond or comply with Plaintiff's Demand for Closing.
9. Plaintiff has performed the conditions of the agreement that were to be performed by her, except those that defendant's actions prevented her from performing.
10. At all relevant times, plaintiff has been ready, willing, and able to fulfill her obligations under the terms of the contract and has demanded of defendant that he comply with the terms of the contract.
11. The plaintiff has no adequate remedy at law.

WHEREFORE, plaintiff, THELMA FIGUEROA, prays that this Court grant the following relief:

- A. Enter judgment in favor of plaintiff and against defendant, directing defendant to specifically perform and fulfill the terms of the contract;
- B. Enter a temporary restraining order and preliminary injunction enjoining defendant from conveying title in the property to anyone other than plaintiff;
- C. Award costs of this suit, and any other relief the court deems just and equitable, to plaintiff.

THELMA FIGUEROA

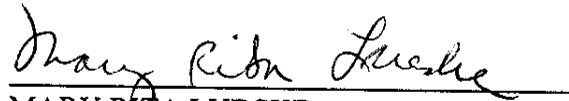
By: 
 MARY RITA LUECKE
 Attorney for the Plaintiff

3330 Lake Street
 Evanston, Illinois 60203-1919
 (847) 679-4922
 (847) 679-6781 – fax
 Attorney ID #: 15900

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VERIFICATION

Under penalties as provided by law pursuant to §1/109 of the Code of Civil Procedure, the undersigned verifies that the statements set forth in the attached complaint are true and correct.



MARY RITA LUECKE

Property of Cook County Clerk's Office