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



Doc#: 0429332080
Eugene "Gene" Moore Fee: \$30.50
Cook County Recorder of Deeds
Date: 10/19/2004 03:55 PM Pg: 1 of 4

NOTICE OF DEFAULT AND FORECLOSURE SALE

To: See Attached Service List

WHEREAS, on October 28, 1992, a certain Mortgage was executed by Donald J. Ward, Jr. and Cheryl D. Ward, husband and wife, as Mortgagor in favor of Bank of United of Texas FSB, as Mortgagee and was recorded on November 16, 1992, as document number 92854698 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., for the purpose of providing single family housing, and

WHEREAS, the Mortgage is now owned by the Secretary, pursuant to an assignment dated June 18, 1996, and recorded June 21, 1996, document number 96478616, and re-recorded on May 20, 2002 as document number 0020571645 in the Office of Recorder of Deeds, Cook County, Illinois; and

WHEREAS, a default has been made in the covenants and conditions of the Mortgage in the payment due on March 1, 2001 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 November 18, 2004 is \$137,027.56; 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 27, subpart B, 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 November 18, 2004 at 9:00 a.m. local time, all real and personal property at or used in

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connection with the following described premises located at 267 Muskegon Avenue, Calumet City, IL 60409 (Property"), and legally described as follows:

LOT 1 IN CALHOUN SUBDIVISION, BEING A RESUBDIVISION OF LOTS 12 TO 17, BOTH INCLUSIVE, AND LOTS 40 TO 45, BOTH INCLUSIVE, AND LOTS 68 TO 73, BOTH INCLUSIVE, IN THE RESUBDIVISION OF PART OF VACATED INGRAM'S ADDITION TOHEGEWISCH IN THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER PLAT THEREOF RECORDED OCTOBER 3, 1978 AS DOCUMENT 24654697, IN COOK COUNTY, ILLINOIS.

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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 November 18, 2004, at 9:00 a.m. local time. The Secretary of Housing and Urban Development will bid \$137,027.76.

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

When make their bid, all bidders except the Secretary must submit a deposit totaling \$13,702.76 [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 \$10% of the oral bid must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days 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 delivery of the remainder of payment 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 \$500.00, 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.


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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 mortgage 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 scheduled sale is \$56,572.73 as of November 18, 2004, 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: October 19, 2004


Foreclosure Commissioner

Prepared by:
Mail to:

Martha J. White
Law Office of Martha J. White, P.C.
47 West Polk Street, Suite 100-316
Chicago, IL 60605
(312) 922-0070 telephone
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SERVICE LIST:

Donald J. Ward, Jr. a/k/a Donald Juan Ward, Jr. and Cheryl D. Ward a/k/a Cheryl Ward
a/k/a Cheryl Denise Ward
267 Muskegon Avenue
Calumet City, IL 60409

The spouse, if any of Donald J. Ward, Jr. a/k/a Donald Juan Ward, Jr.
Last Known Address is Unknown

The spouse, if any, of Cheryl D. Ward a/k/a Cheryl Ward a/k/a Cheryl Denise Ward
Last Known Address is Unknown

Michael D. Fabing
330 South Wells, Suite 1220
Chicago, IL 60606

