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

Cal 11

CITIFINANCIAL MORTGAGE COMPANY;)
)
) Plaintiff,))
 vs.)
)
) ROBERT J. FITZGERALD, SANDRA J. FITZGERALD;)
) STEWART TITLE OF ILLINOIS, INC., FIRST)
) ALLIANCE MORTGAGE, FIDELITY FEDERAL BANK, FSB))
) NON RECORD CLAIMANTS; UNKNOWN TENANTS AND)
) UNKNOWN OWNERS;) Defendants,)

00 CH 4262



Doc#: 0506205053
Eugene "Gene" Moore Fee: \$50.00
Cook County Recorder of Deeds
Date: 03/03/2005 10:12 AM Pg: 1 of 3

ORDER APPROVING FORECLOSURE REPORT OF SALE AND DISTRIBUTION
AND ORDER FOR POSSESSION AND DEED

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NOW COMES the Plaintiff herein, by and through its Attorneys, Kluever & Platt, L.L.C., on its Motion for Confirmation of Sale and Right to Possession and the Court, finding due notice of said Motion having been given, having examined the Report of Sale, and it appearing that no objections have been filed, and being fully advised in the premises, FINDS:

1. That the Sale and distribution of Sale proceeds was conducted in accordance with the Judgment for Foreclosure and Sale entered herein and applicable law;

2. The Notice of Sale required in accordance with 735 ILCS 5/15-1507(c), has been given; the terms of the Sale were fair and conscionable; the Sale was conducted fairly and without fraud;

IT IS THEREFORE ORDERED:

A. Said Report of Sale is approved and confirmed and the Foreclosure Sale Officer's Commission is approved for distribution.

B. That after the above costs of Sale, the proceeds of Sale shall be distributed as follows:

The amount due Citifinancial Mortgage Company, the Plaintiff, in accordance with the Report of Sale and Distribution and that the sale surplus of \$12,231.74 shall be deposited with the Clerk of the Circuit Court and held, pursuant to Section 1512 (d) of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1512(d)), by the Clerk of the Court until further order of this Court or until, in the absence of an order, the surplus is forfeited to the state.

The Selling Officer shall immediately turn over the surplus funds to the Clerk of the Court.

That the Plaintiff will not pursue collection of the note;

That a copy of this order shall be mailed to the mortgagors and lien holders or their attorneys within five business days.

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When mailing a copy of this Order Approving Sale, counsel for plaintiff shall notify the mortgagor, in a cover letter, of the existence of the surplus funds. The cover letter shall specify that the funds may be obtained upon presentation to the Presiding Judge (room 2403) of a Petition for Turnover of Surplus Funds. A copy of the current Petition form shall be included in the mailing.

C. A Deed shall be issued by the Officer conducting this Sale immediately following entry of this Order and after full payment of the bid amount, to the holder of the Certificate of Sale or its assigns, conveying title pursuant to 735 ILCS 5/15-1509;

D. The holder of the Certificate of Sale and Deed, or assignee thereof, shall be entitled to possession of the subject premises 20 days after entry of this Order, without further Order of Court, as provided in 735 ILCS 5/15-1701;

E. That 735 ILCS 5/9-117 of the Illinois Code of Civil Procedure is not applicable to this Order.

F. That the Sheriff of Cook County is directed to place the holder of the Certificate of Sale and Deed, or assignee thereof, in possession of the premises commonly known as:

11133 South Spaulding, Chicago, IL 60655

G. That the Sheriff is further ordered to evict:

Robert J. Fitzgerald; Sandra J. Fitzgerald; now in possession of the premises commonly known as:

11133 South Spaulding, Chicago, IL 60655

~~H. There is no reason to delay enforcement of or appeal from this final appealable Order.~~

DATED: _____

Assoc. Judge JESSE G. KEYS

FEB 16 2005

Circuit Court - 17th

ENTER: _____

JUDGE _____

Kluever & Platt, L.L.C.
Attorneys for Plaintiff
65 East Wacker Place
Suite 1700
Chicago, Illinois 60601
Attorney Code #6187248
(312) 236-0077

File Number: TM134449

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LEGAL DESCRIPTION

Lot 67 and the South 12.5 feet of Lot 68 in Block 2 in the Subdivision of Block 2 in Bond's Subdivision of the North 60 acres in the Northeast 1/4 (except school lot) of Section 23, Township 37 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 11133 South SPAULDING Avenue
CHICAGO IL 60655

Property of Cook County Clerk's Office