

# UNOFFICIAL COPY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

LARRY HOCHMUTH, )  
 Plaintiff, )  
 vs. )  
 DORTY H. SCOTT and JANICE A. )  
 SCOTT, )  
 Defendants )

No.

**06CH08468**

## COMPLAINT FOR CONSTRUCTIVE TRUST AND/OR ACCOUNTING

Now comes Larry Hochmuth, by and through his attorney, Edwin J. Belz, and complains of the Defendants, Dorty Scott and Janice Scott as follows:

- 1) That for a long time prior to January 9, 1992, Plaintiff has made certain payments towards mortgage of real property which is the subject of this suit, specifically: 1217 W. Nelson, Chicago, IL; P.I.N. #14-29-115-016; Legal Description:  
 LOT 439 ON JOHN P. ALTGELD'S SUBDIVISION OF BLOCKS 1,2,3,4,7 AND THE NORTH HALF OF BLOCK 6 IN THE SUBDIVISION OF THAT PART LYING NORTH EASTERLY OF THE CENTER LINE OF LINCOLN AVENUE OF THE NORTH-WEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;
- 2) Plaintiff was married to Defendants' daughter, Linda Scott;
- 3) Plaintiff resided in aforesaid property for a long period of time, up to and including, the date that his wife died in 2004;
- 4) Since January 9, 1992, the parties hereto had an agreement that any funds that Plaintiff expended for payment of mortgage, including principal and interest, would be repaid to him at sale of said house and/or he would have the house deeded to him;

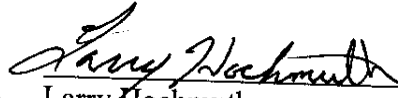


Doc#: 0611832030 Fee: \$28.50  
 Eugene "Gene" Moore RHSP Fee: \$10.00  
 Cook County Recorder of Deeds  
 Date: 04/28/2006 10:17 AM Pg: 1 of 3

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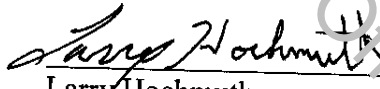
- 5) Plaintiff, on information and belief, knows that there is a contract for sale of said house and he declares to have a constructive trust for same for reasons set forth above;
- 6) That in the event the aforesaid real property is sold and closing takes place, that an accounting is made for Plaintiff and he be reimbursed for aforesaid mortgage payments and the cost of this lawsuit;

Wherefore Plaintiff prays that a competent, disinterested person be appointed as Trustee of interest of Plaintiff and have Trustee convey to Plaintiff whatever interest he has in aforesaid property and/or make an accounting for any proceeds of property and said proceeds due and owing to the Plaintiff be delivered to him.

  
 Larry Hochmuth

## VERIFICATION

Plaintiff, Larry Hochmuth, being first duly sworn, states under oath that he has personal knowledge of the facts and statements alleged in the foregoing instrument and that they are true and correct, except for those stated to be on information and belief, and those he believes to be true and correct.

  
 Larry Hochmuth

Subscribed and sworn to before me  
 on this the 27th day of April, 2006


  
 \_\_\_\_\_  
 Notary Public



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## CERTIFICATION

I, Edwin J. Belz, state that I have complied with Supreme Ct. Rule 137.

  
\_\_\_\_\_  
Edwin J. Belz

Property of Cook County Clerk's Office

Edwin J. Belz, Atty.  
4407 N. Elston Ave.  
Chicago, IL 60630  
773-282-9129  
Atty. 25663

