

# UNOFFICIAL COPY



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Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 12/15/2006 02:54 PM Pg: 1 of 4

## CONSENT JUDGMENT OF FORECLOSURE

BORROWERS: Shelly Thomas; et al.  
PROPERTY: 908 North Homan Avenue  
Chicago, Illinois 60651

THIS PAGE IS ADDED TO PROVIDE AMPLE SPACE FOR THE RECORDING  
INFORMATION AND MICROFILMING OF THIS DOCUMENT.

RETURN TO:  
PIERCE & ASSOCIATES  
1 North Dearborn, Suite 1300  
Chicago, Illinois 60602  
(312)346-9088

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STATE OF ILLINOIS

ATTY NO. 91220

COUNTY OF COOK

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

BANK OF NEW YORK; AS TRUSTEE FOR ENCORE-	)	
CREDIT RECEIVABLES TRUST 2005-2	)	
	)	
PLAINTIFF	)	NO. 06 CH 7819
	)	
VS	)	JUDGE
	)	Judge Robert Quinn
SHELLY THOMAS; UNKNOWN HEIRS AND	)	
LEGATEES OF SHELLY THOMAS, IF ANY;	)	
UNKNOWN OWNERS AND NON RECORD CLAIMANTS	)	
;	)	
	)	
DEFENDANTS	)	

CONSENT JUDGMENT OF FORECLOSURE

Plaintiff, BANK OF NEW YORK, AS TRUSTEE FOR ENCORE CREDIT RECEIVABLES TRUST 2005-2, by and through its attorneys, Pierce & Associates, P.C., and in support of the entry of a Consent Judgment of Foreclosure states as follows:

Plaintiff commenced this action by filing its Complaint to Foreclose Mortgage against the Defendants, Shelly Thomas, and UNKNOWN OWNERS AND NON RECORD CLAIMANTS. The affidavits required to make such unknown parties defendants to this action were duly filed and UNKNOWN OWNERS and NON RECORD CLAIMANTS have been duly and regularly made parties defendant to this action in the manner provided by law.

This cause now coming to be heard upon agreement of the parties for entry of a Consent Judgment of Foreclosure, and the Court being fully advised in the premises, finds as follows:

1. That all the material allegations of the Complaint are true and proven.
2. The total amount due and owing Plaintiff herein is \$ 232,428.39 including attorneys fees and costs of this suit as of December 12, 2006 .
3. Pursuant to the subject Mortgage, Plaintiff has a valid and subsisting first lien on the subject property in the amount stated above.

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4. That pursuant to said mortgage it is provided that the attorneys for Plaintiff are entitled to reasonable attorney's fees.

5. That the sum of \$ 1,535.00 has been included in the above indebtedness for said attorney's fees as provided in the mortgage.

6. The attorneys fees requested are reasonable and said sum is hereby allowed.

7. That under the provisions of the mortgage the costs of this foreclosure are an additional indebtedness for which the Plaintiff should be reimbursed, and that such expenses are hereby allowed to the Plaintiff. The costs of this suit are \$1,045.00.

8. That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Deeds of Cook County, Illinois as document number 0516613019,

and  
the property herein referred to is described as follows:

LOT 19 IN THE SUBDIVISION OF LOTS 345 AND 368, BOTH INCLUSIVE, IN DICKEY'S THIRD ADDITION TO CHICAGO, OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known as: 908 NORTH HOMAN AVENUE  
CHICAGO, IL 60651

Tax ID# 16-02-418-042-0000

9. That the rights and interest of all the other parties to this cause in and to the property hereinbefore described are inferior to the lien of the Plaintiff heretofore mentioned.

10. That the mortgage sought to be foreclosed was executed after August 7, 1961.

11. That Plaintiff specifically waives its right to seek any personal deficiency against Defendants in this cause.

12. That, Defendants herein, have filed with the Court their stipulation for the entry of a Consent Judgment of Foreclosure without right of redemption and vesting absolute title in the Plaintiff, as of this date, pursuant to 735 I.L.C.S. 5/15-1402.

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NOW THEREFORE IT IS HEREBY ORDERED that absolute title to the real estate is vested in Plaintiff, free and clear of all claims, liens and interests of the mortgagors and of all persons claiming by, through or under the mortgagor and of all the Defendants in this cause.

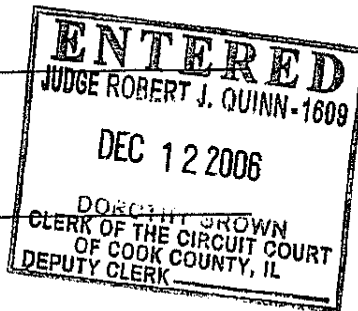
IT IS FURTHER ORDERED AND ADJUDGED that any in personam deficiency against the mortgagor, Shelly Thomas, and any other person liable for the indebtedness or other obligations secured by the mortgage, if any, be an is hereby waived and released by Plaintiff. *and defendants affirmative defense are withdrawn.*

The Court hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto, for the purpose of enforcing this Judgment and expressly finds that there is no reason for delaying the enforcement of this Judgment or an appeal therefrom.

DATE: \_\_\_\_\_

ENTERED: \_\_\_\_\_

JUDGE \_\_\_\_\_



PREPARED BY:  
PIERCE & ASSOCIATES  
Attorneys for Plaintiff  
Thirteenth Floor  
1 North Dearborn  
Chicago, Illinois 60602  
TEL. (312) 346-9088  
FAX (312) 346-1557  
PA0604204

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