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

ANNE KROULAUDIS f/k/a )  
 ANNE GENSIORSKI, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 EDUVINA RIVERA, MORTGAGE )  
 ELECTRONIC REGISTRATION )  
 CORPORATION, an Illinois business )  
 corporation; 4319-33 SOUTH HALSTED, LLC, )  
 an Illinois limited liability company; )  
 CHICAGO COMMUNITY BANK, a state )  
 chartered bank organized and existing under )  
 the laws of the State of Illinois; TICOR TITLE )  
 INSURANCE COMPANY, a foreign )  
 corporation doing business in the )  
 State of Illinois; TRISTAR TITLE, LLC, )  
 an Illinois limited liability company; )  
 and UNKNOWN NONRECORD CLAIMANTS. )  
 Defendants. )

Case No. 06 CH 10549

The Honorable Judge  
James F. Henry

Calendar 6



Doc#: 0713131074 Fee: \$30.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 05/11/2007 01:06 PM Pg: 1 of 4

### FINAL DECLARATORY JUDGMENT

THIS CAUSE, coming on to be heard for status and on the Plaintiff Anne Kroulaidis's Motion to voluntarily dismiss the Defendants 4319-33 South Halsted, LLC, Chicago Community Bank, Tigor Title Insurance Company and Tristar Title, LLC pursuant to Section 2-1009 of the Code of Civil Procedure;

The Defendant Eduvina Rivera having been duly served by publication in accordance with this Court's Order pursuant to Section 2-203.1 of the Code of Civil Procedure, but having failed to appear, answer or otherwise plead;

The Defendant Mortgage Electronic Registration Corporation having been duly served and having been adjudged to be in default by this Court's Order of March 27, 2007 for having failed to file its supplementary appearance in accordance with this Court's Order of March 2, 2007;

The Defendants 4319-33 South Halsted, LLC and Chicago Community Bank having been duly served, but having failed to appear, answer or otherwise plead;

The Defendants Tigor Title Insurance Company and Tristar Title LLC, having been duly served and having filed their appearances by counsel; and,

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Due notice having been given and the Court being fully advised in the Premises,

The Court finds and declares as follows:

1. The Court has jurisdiction of the subject matter and of the parties.
2. The Defendant Eduvina Rivera is hereby adjudged to be in default for her failure to appear, answer or otherwise plead:
3. The Plaintiff Anne Kroulaidis's Motion to voluntarily dismiss the Defendants 4319-33 South Halsted, LLC, Chicago Community Bank, Tigor Title Insurance Company and Tristar Title LLC is hereby granted and the Plaintiff's claims and causes of action against the Defendants 4319-33 South Halsted, LLC, Chicago Community Bank, Tigor Title Insurance Company and Tristar Title, LLC are hereby dismissed with prejudice and without costs.
4. The Plaintiff Anne Kroulaidis was formerly known as Anne Gensiorski and she is a resident of the City of Chicago and County of Cook.
5. On September 4, 1959 Anne Kroulaidis paid valuable consideration for the three parcels of vacant land located at and commonly known as, 3303, 3305 and 3309 South Racine Avenue in the City of Chicago, which are more fully described as follows:
 

Lots 3, 4 and 5 in Tracy's Subdivision of the West 156 Feet of Block 7 in Assessor's Division of the Northwest ¼ of the West ½ of the Northeast ¼ or Section 32, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois

P.I.N. 17-32-216-015-0000 3303 South Racine Avenue  
 P.I.N. 17-32-216-016-0000 3305 South Racine Avenue  
 P.I.N. 17-32-216-017-0000 3309 South Racine Avenue

(collectively, the "Property") and title to the Property became vested in Anne Gensiorski in fee simple absolute by virtue of a deed dated September 4, 1959 and recorded in the Office of the Cook County Recorder of Deeds on September 14, 1959 as Document Number 17656292.
6. On December 20, 2005 a Warranty Deed purportedly signed, sealed, acknowledged and delivered by Anne Gensiorski and purporting to convey the Property to Eduvina Rivera was recorded in the Office of the Cook County Recorder of Deeds as Document Number 0535427096 (hereinafter, the "Warranty Deed").
7. Anne Kroulaidis did not sign, seal, acknowledge or deliver the Warranty Deed, nor did Anne Kroulaidis authorize anybody to sign, seal, acknowledge or deliver the Warranty Deed on her behalf.

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8. The Warranty Deed is a forgery, and is therefore, void *ab initio* and of no force or effect to convey any right, title or interest in the Property to Eduvina Rivera, her successors and assigns.

9. On January 27, 2006, Eduvina Rivera signed, sealed, acknowledged and delivered three (3) Special Warranty Deeds (the "Special Warranty Deeds") purporting to convey the Property to Mortgage Electronic Registration Corporation.

10. The Special Warranty Deeds were recorded in the Office of the Cook County Recorder of Deeds on February 2, 2006 as Document Numbers 0603303119, 0603303120 and 0603303121.

11. Eduvina Rivera acquired no valid right, title or interest in the Property by virtue of the Warranty Deed. Accordingly, the Special Warranty Deeds executed by Eduvina Rivera are likewise void *ab initio* and of no force and effect to convey any right, title or interest in the Property to Mortgage Electronic Registration Corporation, its successors and assigns.

12. Title to the Property is vested in Anne Kroulaidis in fee simple absolute, free and clear of any right, title or interest claimed by any of the Defendants, their heirs, assigns, successors in interest or any of them.

13. This judgment is final.

**JAMES F. HENRY**

**MAY 10 2007**

**Circuit Court - 1526**

ENTER \_\_\_\_\_

Judge

*Attorneys for the Plaintiff:*

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Property of Cook County Clerk's Office

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I hereby certify that the document to which this certification is affixed is a true copy.

Date           MAY 11 2007          

Dorothy Brown  
Clerk of the Circuit Court  
of Cook County, IL

