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Doc#: 0801716086 Fee: \$32.00  
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Cook County Recorder of Deeds  
Date: 01/17/2008 02:38 PM Pg: 1 of 5

## RECORDING COVER PAGE

### JUDGMENT OF CONSENT FORECLOSURE

Property commonly known as 5055 W. Erie, Chicago, IL 60644

Legally described as:

Lot 2 in Bertha Cockburn's Resubdivision of Lots 117 to 120 inclusive, in the Subdivision of the North ½ of the East ½ of the West ½ of the Northeast 1/4 of Section 9, Township 39 North, Range 13, East of the Third Principal Meridian (except the North 379.75 feet thereof) in Cook County, Illinois

Permanent Tax Index Number: 16-09-213-002

Mail to and Prepared by:

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Park Ridge, IL 60068

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

AUSTIN BANK OF CHICAGO,	)	
Plaintiff	)	
	)	
v.	)	Case No. 07 CH 24003
	)	
KC BUILDERS INCORPORATED, et al.,	)	
Defendants	)	

JUDGMENT OF CONSENT FORECLOSURE

This cause coming to be heard on the motion of the plaintiff-mortgagee, Austin Bank of Chicago, pursuant to Section 15-1402 of the Illinois Mortgage Foreclosure Law, for judgment of consent foreclosure, due notice of the request for entry of this judgment having been given to all parties who are not in default, and the defendant-mortgagor KC Builders Incorporated having executed a Stipulation for Consent Foreclosure, and the Court being fully advised in the premises,

FINDS:

1. The plaintiff-mortgagee has offered, in connection with obtaining this judgment of foreclosure, to waive any and all rights to a personal judgment deficiency against the defendant-mortgagor, and against all other persons liable for the indebtedness or other obligations secured by the mortgage referred to in the Complaint to Foreclose Mortgage filed herein.
2. The defendant-mortgagor has accepted the offer of the plaintiff-mortgagee, and the plaintiff-mortgagee and the defendant-mortgagor have jointly filed the stipulation with this Court. The stipulation provides that the mortgagee waives its right to a deficiency judgment against the mortgagor in this action. The stipulation also provides that upon entry of this Judgment of Consent Foreclosure, title to the mortgaged real estate shall be vested in the plaintiff-mortgagee or its assignees, free of all claims, liens, and interests of the defendant-mortgagor, including all rights of

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reinstatement and redemption, and of all rights of all other defendants whose interests are subordinate to that of the plaintiff-mortgagee and all unknown owners and non-record claimants.

3. All mortgagors who have an interest in the mortgaged real estate have expressly consented to the entry of this Judgment of Consent Foreclosure.

4. Notice was properly given to all parties who have not previously been found in default for failure to appear, answer or otherwise plead.

IT IS THEREFORE ORDERED:

A. The Judgment of Consent Foreclosure is entered in favor of the plaintiff-mortgagee, Austin Bank of Chicago, satisfying the mortgage indebtedness set forth in the plaintiff's Complaint, and absolute title to the mortgaged real estate commonly known as 5055 W. Erie Street, Chicago, Illinois, and legally described as follows:

**Lot 2 in Bertha Cockburn's Resubdivision of Lots 117 to 120 inclusive in the Subdivision of the North ½ of the East ½ of the West ½ of the Northeast 1/4 of Section 9, Township 39 North, Range 13, East of the Third Principal Meridian (except the North 379.75 Feet thereof) in Cook County, Illinois PIN 16-09-213-002-0000 ;**

is vested in Austin Bank of Chicago, free and clear of all claims, liens (except liens of the United States of America which cannot be foreclosed without judicial sale) and interest of the defendant-mortgagor including all rights of reinstatement and redemption, and of all rights of all other persons made parties in this cause whose interests are subordinate to that of the plaintiff-mortgagee, including the interest of all Unknown Owners and Non-record Claimants given notice.

B. The plaintiff-mortgagee has waived its right to a personal judgment for deficiency, and the plaintiff-mortgagee is barred from obtaining such a deficiency judgment against the

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defendant-mortgagor, KC Builders Incorporated, or any other person liable for the indebtedness or other obligations secured by the mortgage foreclosed in plaintiff's Complaint to Foreclose Mortgage.

C. All existing leases made by defendant-mortgagors, are hereby transferred and assigned to plaintiff-mortgagee.

D. The plaintiff-mortgagee is discharged as mortgagee in possession and all action and conduct of the plaintiff-mortgagee in possession is hereby approved.

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

ENTER: \_\_\_\_\_

<b>ENTERED</b>
JUDGE JESSE REYES-1753
Judge DEC 18 2007
DOROTHY BROWN CLERK OF THE CIRCUIT COURT OF COOK COUNTY, IL DEPUTY CLERK

David T. Arena  
 Richard W. Laubenstein  
 DI MONTE & LIZAK, LLC  
 216 West Higgins Road  
 Park Ridge, IL 60068  
 (847) 698-9600

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

Date DEC 19 2007

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

