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Jay R. Goldberg
Field and Goldberg, LLC
10 S. LaSalle Street, #2910
Chicago, IL 60603



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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/01/2008 11:25 AM Pg: 1 of 8

JUDGMENT OF FORECLOSURE BY CONSENT

Property Address: 6506 10 North Ashland Avenue, Chicago, IL 60626

Permanent Index Number: 11-31-415-014-0000

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Property of Cook County Clerk's Office

Box 400-CTCC

UNOFFICIAL COPY**Attorney No. 38348****IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

MB FINANCIAL BANK, N.A.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2008 CH 24023
)	
GUS DOMENECH; ET AL.,)	Mortgage and Security
)	Agreement Foreclosure
Defendants.)	and Other Relief

JUDGMENT OF FORECLOSURE BY CONSENT

THIS CAUSE having been heard by this court for entry of this Judgment of Foreclosure by Consent upon the Stipulation for Consent Foreclosure, proper and timely notice having been given, and the court being fully advised in the premises, the court FINDS THAT:

1. MB FINANCIAL BANK, N.A. ("Bank") filed its Verified Complaint in Chancery (the "Complaint") to foreclosure its mortgage and security agreement (the "Mortgage") on certain real estate and personal property described therein.
2. All of the Defendants in this cause, Gus Domenech ("Gus"); Unknown Owners and Non-record Claimants (Gus, Unknown Owners and Non-record Claimants are individually and collectively referred to herein as the "Defendants"), have been duly and properly brought before this court either through their appearance, service of summons and complaint, or publication and mailing, all in the manner provided by law, and that this court now has personal jurisdiction over all of the parties to this cause and the subject matter hereof.
3. The affidavit required to make Unknown Owners and Non-record Claimants parties to this action was duly filed and the affidavit to serve Unknown Owners and Non-

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record Claimants by publication was duly filed herein and said Unknown Owners and Non-record Claimants have been duly and regularly made parties to this action in the manner provided by law.

4. Gus has executed a stipulation agreeing to the entry by this court of this judgment pursuant to 735 ILCS 5/15-1402 satisfying the indebtedness evidenced by that certain Promissory Note dated October 5, 2005 (the "2005 Note"), that certain Promissory Note dated April 5, 2007 (the "April, 2007 Note") which April, 2007 Note is a restatement, replacement and substitute for the 2005 Note and that certain Promissory Note dated November 5, 2007 (the "November, 2007 Note") which November, 2007 Note is a restatement, replacement and substitute for the April, 2007 Note (the 2005 Note, April, 2007 Note and November, 2007 Note are herein individually and collectively referred to as the "Note") and secured by the Mortgage (the "Mortgage") and Assignment of Rents (the "Assignment of Rents"), all such documents attached to the Complaint filed herein, by vesting absolute title to the mortgaged real estate and the personal property described in paragraph 6 herein (the mortgaged real estate and the personal property described in paragraph 6 herein shall at times be referred to herein as the "Ashland Property") in Bank, free and clear of all rights, title, interest, claims or liens, if any, of Gus, Non-record Claimants and Unknown Owners, including all rights of reinstatement and redemption.

5. In accordance with 735 ILCS 5/15-1402(c), Bank waives any right to a personal judgment for deficiency against Gus or any other person or entity who is or may be liable for the indebtedness evidenced by the Note or other obligations secured by the Mortgage and Assignment of Rents.

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6. The Mortgage appears on file in the Office of the Recorder of Deeds, Cook County, Illinois, as Document No. 0528005042. The Ashland Property herein referred to includes the real estate commonly known as 6506-6510 North Ashland Avenue, Chicago, Illinois which is legally described in Exhibit A attached hereto and hereby incorporated by reference, and the personal property described in Exhibit B attached hereto and hereby incorporated by reference.

7. An order of default has been properly entered against Non-record Claimants and Unknown Owners and the Complaint is taken as confessed by them.

8. The Defendants' rights, title, interest, claims or liens, if any, in the Ashland Property are inferior to the lien of the Mortgage and are terminated by this Judgment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AND JUDGMENT IS HEREBY ENTERED as follows:

A. Absolute title to the Ashland Property as defined above and which property includes the real estate commonly known as 6506-6510 North Ashland Avenue, Chicago, Illinois which is legally described in Exhibit A attached hereto, and the personal property described in Exhibit B attached hereto is hereby vested in Bank, free and clear of all rights, title, interest, claims or liens, if any, of Gus, Non-record Claimants and Unknown Owners.

B. The indebtedness evidenced by the Note and secured by the Mortgage and Assignment of Rents is deemed satisfied.

C. Bank is barred from obtaining a deficiency judgment against Gus, or any other person or entity who is or may be liable for the indebtedness evidenced by the Note or other obligations secured by the Mortgage and Assignment of Rents.

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D. All rights of reinstatement and redemption are barred.

E. Each party shall pay its respective attorneys' fees and costs.

F. The Receiver's Final Report is approved. The Receiver shall pay to Bank, upon the entry of this Judgment, all funds in its possession and control it collected from the Ashland Property in excess of usual and ordinary expenses and, upon such payment the Receiver is discharged and released without any further obligations herein.

G. Gus waives- all rights to modify, vacate, set aside, or appeal this Judgment. Bank waives all rights to modify, vacate, set aside or appeal this Judgment, except as may be necessary to vest absolute title to the Ashland Property pursuant to the terms of this Judgment.

ENTER:

JUDGE

Dated: _____

Jay R. Goldberg
Justin Newman
FIELD AND GOLDBERG, LLC
10 South LaSalle Street
Suite 2910
Chicago, Illinois 60603
(312) 408-7200

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EXHIBIT A

Legal Description:

Lot 12 (except the North 5.00 Feet thereof) and all of Lots 13 and 14 in Block 1 in Becker's Addition to Rogers Park, a Subdivision of part of Lots 2, 3 and 4 in the partition of the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Address of Property: 6506-6510 North Ashland Avenue
Chicago, Illinois

Permanent Index No.: 11-31-415-014-0000

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EXHIBIT B

Personal Property

All of Gus's equipment, fixtures and other articles of personal property owned by Gus, attached or affixed to the real property legally described in Exhibit A attached to this Judgment (the "Real Property"); together with all accessions, parts and additions to, all replacements of, and all substitutions for any such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Real Property (or portion thereof) and personal property; and all rents, revenues, income, issues, royalties, profits and other benefits derived from the Real Property and personal property.

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

SEP 23 2008

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

