

UNOFFICIAL COPY

Prepared by:
Mail to:

Holly L. Carto, *Esq.*
MARTIN & KARCAZES, LTD.
161 N. Clark Street- Suite 550
Chicago, IL 60601
(312) 332-4550



Doc#: 0835131033 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/16/2008 02:23 PM Pg: 1 of 3

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

THE FIRST COMMERCIAL BANK,
Plaintiff,

vs.

MARCEL M. GAMO; RALPH PORRATA;
CITY OF CHICAGO; ROMINA TAMARAZ
a/k/a ROMINA TAMRAZ; UNKNOWN
OWNERS and NONRECORD CLAIMANTS,
Defendants.

)
)
) No. 08 CH 22948
)
)

) Judge: Margaret A. Brennan
) Calendar: 62
)
)
)

CONSENT JUDGMENT OF FORECLOSURE

Plaintiff, THE FIRST COMMERCIAL BANK, by and through its attorneys, Martin & Karcazes, Ltd., and in support of the entry of a Consent Judgment of Foreclosure states as follows:

Plaintiff commenced this action by filing its Complaint and First Amended Complaint to Foreclose Mortgage against the Defendants, MARCEL M. GAMO; RALPH PORRATA; CITY OF CHICAGO; ROMINA TAMARAZ a/k/a ROMINA TAMRAZ 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 First Amended Complaint are true and proven.
2. The total amount due and owing Plaintiff herein is \$815,129.17, including

UNOFFICIAL COPY

attorneys fees and costs of this suit as of October 24, 2008.

3. Pursuant to the subject Mortgage, Plaintiff has a valid and subsisting first lien on the subject property in the amount stated above.

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 \$2,520.00 has been included in the above indebtedness for said attorney's fees, through October 24, 2008, 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 \$1,757.05.

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 0435241077, and the property herein referred to is described as follows:

LOT 453 IN AUSTIN'S THIRD ADDITION TO AUSTINVILLE,
A SUBDIVISION OF THE EAST 17 ACRES OF THE
SOUTHWEST ¼ OF THE SOUTH EAST ¼ OF SECTION 5,
TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN(S): 16-05-419-015-0000

Commonly known as 5801-03 W. Walton Street, Chicago, Illinois 60651.

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.

UNOFFICIAL COPY

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, MARCEL M. GAMO, and any other person liable for the indebtedness or other obligations secured by the mortgage, if any, be and is hereby waived and released by Plaintiff.

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: 12-16-81ENTERED: 

JUDGE

MARTIN & KARCAZES, LTD.
Attorney for Plaintiff
161 N. Clark Street, Suite 550
Chicago, IL 60601
(312) 332-4550
Attorney No. 80461