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IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT – CHANCERY DIVISION

Case No. 08 CH 01782

HSBC BANK USA, NATIONAL ASSOCIATION, as
Trustee for the Holders of the Certificates Issued by
Deutsche Alt-A Securities Mortgage Loan Trust Series
2006-AR3,

Plaintiff,

v.

EMILIO MENDEZ *a/k/a* Emilio N. Mendez, MICHAEL
C. WOODS, MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., FRANKLIN
FINANCIAL BANKING TRUST, UNKNOWN
OWNERS and NON-RECORDED CLAIMANTS,

Defendants.



Doc#: 0908931117 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 03/30/2009 04:05 PM Pg: 1 of 3

ORDER QUIETING TITLE

THIS CAUSE coming on to be heard on Plaintiff's Motion for Default Order and Order Quieting Title, all parties with notice, the Court with jurisdiction and being fully apprised in the premises;

THE COURT HEREBY FINDS:

1. This Court has jurisdiction over the parties in this case and subject matter of Plaintiff's Amended Complaint to Quiet Title and Foreclose Mortgage (the "Complaint").
2. All material allegations of Count I of the Complaint have been proved and are true.
3. On or about April 4, 2001, Matthew C. Woods ("Matthew") acquired title to the property commonly known as 85 E. 146th Street in Harvey, Illinois (the "Premises"). The Premises are legally described as follows:

Lots 25 and 26 in Block 4 in Young and Ryan's Addition to Harvey, a subdivision of the North ½ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of the Northwest fractional ¼ of Section 8, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook County Illinois

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4. On or about August 5, 2004, Matthew executed a Quit Claim Deed (the "Quit Claim Deed") conveying one-half of the Premises, more specifically Lot 26, to Defendant Michael C. Woods ("Michael").
5. On February 27, 2006, Matthew executed a Warranty Deed (the "Warranty Deed") purporting to transfer title to the entire Premises, including Lot 26, to Defendant Emilio Mendez *a/k/a* Emilio N. Mendez ("Emilio").
6. Due to the prior recording of the Quit Claim Deed, the delivery and recording of the Warranty Deed failed to fully vest Emilio with complete title to the Premises. Specifically, Emilio failed to acquire ownership to Lot 26.
7. On May 22, 2006, Emilio signed and delivered an \$88,000.00 promissory note (the "Note") to Oak

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Street Mortgage, LLC ("Oak Street"). As security for the sums advanced under the Note, on this same date Emilio signed and delivered a mortgage (the "Mortgage") purporting to convey to Oak Street a mortgage lien interest in the entire Premises.

8. The Mortgage was recorded by the Cook County, Illinois Recorder of Deeds on June 15, 2006 as Document No. 0616647052.
9. Plaintiff HSBC Bank USA, National Association, as Trustee for the Holders of the Certificates Issued by Deutsche, Alt-A Securities Mortgage Loan Trust Series 2006-AR3 ("HSBC") is the current holder of the Note and Mortgage
10. The Court finds that delivery of the Quit Claim Deed to Michael was part of a failed attempt by Matthew to refinance a prior mortgage debt that was ultimately satisfied through funds advanced by Emilio.
11. The equities of this case are with HSBC and an Order should be entered quieting title to the Premises in Emilio subject to the lien interest conveyed under the Mortgage.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Defendants Emilio Mendez a/k/a Emilio N. Mendez, Michael C. Woods, Mortgage Electronic Registration Systems, Inc., Franklin Financial Banking Trust, Unknown Owners and Non-Record Claimants are all hereby found to be in default as a result of their failure to appear in this action.
2. Defendant Emilio Mendez a/k/a Emilio N. Mendez is hereby deemed the sole owner in fee simple to the Premises legally described as follows:

Lots 25 and 26 in Block 4 in Young and Ryan's Addition to Harvey, a subdivision of the North ½ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of the Northwest fractional ¼ of Section 8, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois

Common Address: 85 E. 146th Street
Harvey, Illinois 60426

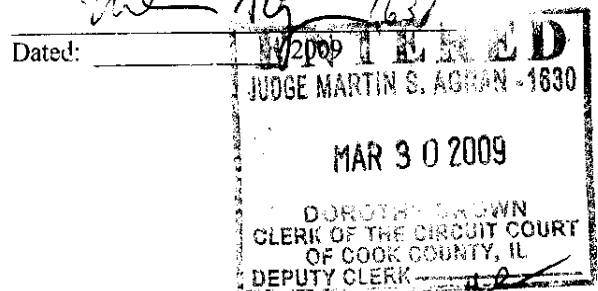
Permanent Index Nos. 29-08-116-023-0000
29-08-116-024-0000

3. In accordance with the May 22, 2006 Mortgage recorded on June 15, 2006 as Document No. 0616647052, HSBC Bank USA, National Association, as Trustee for the Holders of the Certificates Issued by Deutsche, Alt-A Securities Mortgage Loan Trust Series 2006-AR3 is deemed to possess a valid and subsisting mortgage lien interest in the Premises with priority effective as the aforementioned June 15, 2006 date of perfection.

ENTERED:

Dated: _____

James A. Larson, Esq.
Casey B. Hudson, Esq.
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Firm ID: 43068



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

MAR 30 2009

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

