

# UNOFFICIAL COPY

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Complaint and Confession of Judgment - Other than Lease

(Rev. 4/3/03) CCG 0010 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

NEW CITY BANK

Plaintiff

v.

DONALD KINDWALD

Defendant

No. \_\_\_\_\_

Amount claimed \$ 163,590.90



Doc#: 0911718066 Fee: \$40.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 04/27/2009 04:42 PM Pg: 1 of 3

## COMPLAINT

1. Plaintiff, New City Bank, 900 S. Michigan Ave., Chgo., IL 60605, owns each of the following instruments, executed and delivered, for value received, by defendant, Donald Kindwald, 21 Brunswick Ln. Lincolnshire, IL 60069

	Date	Amount
Commercial Guaranty	February 17, 2008	
Promissory Note	February 17, 2006	\$500,000.00
Change in Terms Agreement	February 17, 2008	\$325,000.00
Change in Terms Agreement	October 30, 2008	\$167,000.00 (All Loan No. 324-10)
Mortgage	August 16, 2006	

Each instrument is attached as an exhibit.

- \*2 (a) Each instrument was executed in this county.
- (b) One or more of the defendants reside in this county.
- (c) One or more of the defendants own property, real or personal, located in this county.

\*\*3. ~~Plaintiff is the actual bona fide owner of the attached instrument by assignment from~~ \_\_\_\_\_

Dated \_\_\_\_\_

4. There is due from defendant:

Principal \$ <u>167,108.20</u>	Less rebate <u>\$9,002.30</u>	Balance \$ <u>158,105.90</u>
		Interest \$ <u>1,122.12</u>
		Attorney's fee \$ <u>9,270.00</u>
		Late Charges \$ <u>92.88</u>
		Total: \$ <u>163,590.90</u>

Plaintiff asks judgment against defendant for the amount due.

\_\_\_\_\_  
Attorney for plaintiff

See attached affidavit of Michael Debre on oath states that the allegation in this complaint are true.

Signed and sworn to before me \_\_\_\_\_, \_\_\_\_\_ Notary public

\*Strike (a) (b) or (c) not applicable. At least one of said subdivisions must remain.

\*\*Strike if not applicable.

(OVER)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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**09-L-050463**

NEW CITY BANK

Vs.

KINDWALD DONALD

**1**

**28695**

CONFESSION OF JUDGMENT



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Property of Cook County Clerk's Office

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(Rev. 4/3/03) CCG 0010 B

## CONFESSION

Defendant, Donald Kindwald, by Edward M. Burnes his/her attorney, waives service of process and confesses that there is due from defendant to plaintiff:

Principal \$ <u>167,108.20</u>	Less rebate <u>9,002.30</u>	Balance \$ <u>158,105.90</u>
		Interest \$ <u>1,122.12</u>
		Attorney's fee \$ <u>4,270.00</u>
		Late Charges \$ <u>92.88</u>
		Total: \$ <u>163,590.90</u>

Defendant agrees that judgment may be entered against him/her for the total above and for costs, releases and waives all rights as authorized in the warrant of attorney.

Edward M. Burnes  
Attorney for defendant

## JUDGEMENT ORDER

It is ordered that plaintiff New City Bank recover from defendant Donald Kindwald \$ 163,590.90 and costs of suit. Execution may issue.

Plaintiff may withdraw the original documents upon filing certified copies with the clerk.

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

Date APR 27 2009  
Dorothy Brown  
Clerk of the Circuit Court  
of Cook County, IL



ENTER:

[Signature] Judge

Judge's No.

Atty. No.: 28695  
Name: Davis McGrath LLC  
Atty. for: Plaintiff  
Address: 125 S. Wacker Dr., Suite 1700  
City/State/Zip: Chicago, Illinois 60606  
Telephone: 312.332.3033

**Judge Lawrence O'Garra**  
**APR 22 2009**  
**Circuit Court-1859**