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Cook County Recorder of Deeds  
Date: 09/08/2009 11:47 AM Pg: 1 of 4

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## RECORDING COVER SHEET NOTICE OF COURT ORDER REFORMING MORTGAGE

This notice is being recorded to provide notice to all parties that a court order was entered in case 09 CH 6989 **DEUTSCHE BANK NATIONAL TRUST COMPANY v. GREG MONTGOMERY, et al.**, an order was entered reforming the legal description of the mortgage recorded **June 3, 2005** as document **0515435244**. A copy of the order is attached hereto.

Plaintiff,

By: 

One of its Attorneys

Subscribed and sworn to before  
me this 4, day of  
Sep, 2009.

  
Notary Public

### Prepared by and return to:

This instrument was prepared by/return to:  
Fisher and Shapiro, LLC  
4201 Lake Cook Road  
Northbrook, IL 60062  
(847) 291-1717



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THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION  
OBTAINED WILL BE USED FOR THAT PURPOSE

09-016942

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

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS INDENTURE TRUSTEE,  
FOR NEW CENTURY HOME EQUITY  
LOAN TRUST 2005-4

PLAINTIFF,

-vs-

GREG MONTGOMERY A/K/A GREGORY  
MONTGOMERY; ARROW FINANCIAL  
SERVICES, LLC; PORTFOLIO RECOVERY  
ASSOCIATES, LLC; CITY OF CHICAGO,  
AN ILLINOIS MUNICIPAL CORPORATION;  
UNKNOWN OWNERS AND NON-RECORD  
CLAIMANTS

DEFENDANTS

NO. 09 CH 6989

CALENDAR NO: 62

**ORDER OF REFORMATION**

THIS CAUSE coming before the Court upon Plaintiff's Motion for Judgment on the portion of its Complaint seeking the reformation of a mortgage, due notice having been given, and the Court being fully advised in the premises;

THE COURT FINDS:

1. On or about May 25, 2005 Greg Montgomery executed a mortgage granting a security interest in the Mortgaged Premises to Plaintiff or Plaintiff's predecessor herein.
2. The legal description on the Subject Mortgage contains errors and is stated on the mortgage as follows:

**THE EAST 12 ½ FEET OF LOT 44 AND ALL OF LOT 45 IN THE SUBDIVISION OF THE NORTH ½ OF THE EAST ½ OF THE WEST ½ OF THE NORTHEAST ¼ 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.**

3. That the Subject Mortgage correctly purports to affect the property with a common street address of 1643 North Moody Avenue, Chicago, IL 60639, bearing a

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permanent index number of 13-32-319-005, however, it contains an error within the legal description. The accurate legal description is:

LOT 39 (EXCEPT THE SOUTH 8 1/2 FEET) AND THE SOUTH 15 FEET OF LOT 40 IN BLOCK 10 IN GALE AND WELCH'S RESUBDIVISION OF LOTS 27 TO 30 AND LOTS 4 TO 12 IN BLOCK 31 AND ALL OF BLOCKS 46 TO 50 TOGETHER WITH VACATED STREETS AND ALLEYS IN GALE'S SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 31 AND THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

4. It was the intent of the parties that the mortgage encumber the property commonly known as 1643 North Moody Avenue, Chicago, IL 60639, bearing permanent index No. 13-32-319-005 and that the legal description on the mortgage be accurate.

5. The error/omission appearing in the mortgage legal description was inadvertent and without the knowledge of either of the parties to the mortgage.

6. Notwithstanding this inadvertent omission, the mortgage still contains sufficient information necessary to identify the property commonly known as 1643 North Moody Avenue, Chicago, IL 60639.

7. Notwithstanding this inadvertent omission, the mortgage still encumbers, and is a valid lien upon the property commonly known as 1643 North Moody Avenue, Chicago, IL 60639

**IT IS THEREFORE ORDERED:**

A) That the Mortgage dated May 25, 2005 and recorded June 3, 2005 as document number 0515435244 together with any subsequent assignments thereof, are hereby reformed to reflect the correct legal description, which is as follows:

LOT 39 (EXCEPT THE SOUTH 8 1/2 FEET) AND THE SOUTH 15 FEET OF LOT 40 IN BLOCK 10 IN GALE AND WELCH'S RESUBDIVISION OF LOTS 27 TO 30 AND LOTS 4 TO 12 IN BLOCK 31 AND ALL OF BLOCKS 46 TO 50 TOGETHER WITH VACATED STREETS AND ALLEYS IN GALE'S SUBDIVISION OF THE

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SOUTHEAST 1/4 OF SECTION 31 AND THE SOUTHEAST 1/4 OF SECTION 32,  
TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

B) That the plaintiff is authorized to record this order to reflect the correct legal description for the property commonly known as 1643 North Moody Avenue, Chicago, IL 60639 bearing a permanent index number of 13-32-319-005 and

C) That the Court finds no just reason to delay either enforcement or appeal of this order pursuant to Ill. Supreme Court Rule 304(a).

Dated: \_\_\_\_\_

Entered: \_\_\_\_\_

Judge  
SEP - 1 2009

Fisher and Shapiro, LLC  
Attorneys for Plaintiff  
4201 Lake Cook Road  
Northbrook, IL 60062-1060  
847-291-1717  
Attorney No. 6244552

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