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Doc#: 1001910024 Fee: \$44.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds

Cook County Recorder of Deeds

Date: 01/19/2010 09:32 AM Pg: 1 of 5

space reserved for recording information

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 03617 Deutsc'ie Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2006-5 v. Szalajko, Mark, et al., an order was entered reforming the legal description of the mortgage recorded May 3, 2006 as document 0612341178. A copy of the order is attached here.

Plaintin,

OFFICIAL SEAL
H. LAYMAN
HOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPLIES 5-18-2010

Subscribed and sworn to before

me this

, day of

Maklia

Notary Public

Prepared by and return to:

This instrument was prepared by/return to:

of its Attorneys

Fisher and Shapiro, LLC 4201 Lake Cook Road Northbrook, IL 60062

(847) 291-1717

1001910024 Page: 2 of 5

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08-015655

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

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2006-5 PLAINTIFF,

-VSMARK SZALAJKO; JOANNA
KOWALEWSKA; CITY OF CHICAGO, AN
ILLINOIS MUNICIPAL CORPORATION;
JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, AS ASSIGNEE OF
FEDERAL DEFOS!T INSURANCE
CORPORATION AS RECEIVER FOR
WASHINGTON MUTUAL BANK,
SUCCESSOR IN INTEREST TO LONG
BEACH MORTGAGE COMPANY; 2143 W.
EVERGREEN CONDOMINIUM
ASSOCIATION
DEFENDANTS

NO. 09 CH 03617

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 April 28, 2006, Mark Szalajko executed a morigage 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, with said errors, as follows:

See attached Exhibit A

3. That the Subject Mortgage correctly purports to affect the property with a common street address of 2143 West Evergreen Avenue, Unit 101, Chicago, IL 60622,

1001910024 Page: 3 of 5

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bearing a permanent index number of 17-06-120-056-1001. The accurate legal description is:

UNIT 101 IN THE 2143 W. EVERGREEN CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY: LOT 17 IN BLOCK 15 IN DAVID S. LEE'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE NORTHEAST 1/4 AND EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0611831043, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

- 4. It was the intent of the parties that the mortgage be an encumbrance against the property commonly known as 2143 West Evergreen Avenue, Unit 101, Chicago, IL 60622, bearing permanent index No. 17-06-120-056-1001 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 2143 West Evergreen Avenue, Unit 101, Chicago, IL 60622.
- 7. Notwithstanding this inadvertent omission, the mortgage still encombers, and is a valid lien upon the property commonly known as 2143 West Evergreen Avenue, Unit 101, Chicago, IL 60622.

IT IS THEREFORE ORDERED:

A) That the Mortgage dated April 28, 2006 and recorded May 3, 2006 as document number 0612341178, is and remains a valid lien against the property commonly known as 2143 West Evergreen Avenue, Unit 101, Chicago, IL 60622.

1001910024 Page: 4 of 5

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B) That the Mortgage dated April 28, 2006 and recorded May 3, 2006 as document number 0612341178, together with any subsequent assignments thereof, are hereby reformed to reflect the correct legal description, which is as follows:

UNIT 101 IN THE 2143 W. EVERGREEN CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY: LOT 17 IN BLOCK 15 IN DAVID S. LEE'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE NORTHEAST 1/4 AND EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 063 831043, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

- C) That the plaintiff is authorized to record this order to reflect the correct legal description for the property commonly known as 2143 West Evergreen Avenue, Unit 101, Chicago, IL 60622, bearing a permanent index number of 17-06-120-056-1001; and
- D) That the Court finds no just reason to delay either enforcement or appeal of this order pursuant to III. Supreme Court Rule 304(a).

		JUDGE JOHN C. GRIFFIN-1981
Dated:	Entered:	DEC 3 3 2009
		Judge DOROTHY BROWN CLERK OF THE CIR 20 T COURT OF COOK COUNTY, IL DEPUTY CLERK

Shara Netterstrom Fisher and Shapiro, LLC Attorneys for Plaintiff 4201 Lake Cook Rd Northbrook, IL 60062-1060 (847)291-1717 (847) 770-4284 Attorney No: 42168 the

1001910024 Page: 5 of 5

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0612341178 Page; 16 of 21

FILE NO.: 2007094

UNIT 101 IN THE 2143 N W. EVERGREEN CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

LOT 17 IN BLOCK 15 IN DAVID S. LEE'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE NORTHEAST 1/4 AND EAST OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0811831043, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

P.I.N. 17-05-17 J-007-0000 (AFFECTS UNDERLYING:LAND).

"MORTGAGOR ALSO MEREBY GRANTS TO THE MORTGAGEE, ITS SUCCESSORS AND ASSIGNS, AS RIGHTS AND EASEMENTS APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE, THE RIGHTS AND EASEMENTS FOR THE BENEFIT OF SAID PROPERTY SET FORTH IN THE DECLARATION OF CONDOMINIUM."

"THIS MORTGAGE IS SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS CONTAINED IN SAID DECLARATION THE SAME AS THOUGH THE PROVISIONS OF SAID DECLARATION VERE RECITED AND STIPULATED AT LENGTH HEREIN."

ANT THE THE THE STATE OF THE ST

(2067094.PFD/2067094/32)

EXHIBIT A