

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,)
INC., AS NOMINEE FOR AND AS AUTHORIZED BY)
SUTTON FUNDING, L.L.C., AS TRUSTEE SUCCESSOR)
TO EQUIFIRST CORPORATION Plaintiff,) 08 ch 30049
vs.)
ANTONIO HERNANDEZ, GRACIELA HERNANDEZ;)
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,)
INC., AS NOMINEE FOR EQUIFIRST CORPORATION)
SUBORDINATE MORTGAGEE RECORDED AS DOC#)
0707145048 Defendants,)

Doc#: 1001916054 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/19/2010 02:15 PM Pg: 1 of 3



ORDER APPROVING REPORT OF SALE AND DISTRIBUTION,
CONFIRMING SALE, AND ORDER FOR POSSESSION

This cause coming to be heard on Plaintiff's motion by its attorneys Jaros, Tittle & O'Toole, Ltd., and on the Report of Sale and Distribution of the Selling Officer for the entry of an order approving the Report of Sale and Distribution, confirming the sale of the mortgaged real estate legally described as:

LOT 5 IN BLOCK 4 IN DUNHURST SUBDIVISION UNIT NO. 1 OF PART OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON MAY 5, 1955 AS DOCUMENT NUMBER 1591895, IN COOK COUNTY, ILLINOIS. Commonly known as 677 N. Wayne Place, Wheeling, IL 60090. P.I.N. 03-10-205-012.

The real property that is the subject matter of this proceeding is a single family residence.

The real property was last inspected by movant or movant's agent on: 11/16/09

Due notice of said motion having been served, the Court having reviewed said report, no cause to the contrary having been shown and being fully advised in the premises, FINDS:

That the periods of redemption and reinstatement expired without same having been made;

That the proceeds of the sale were insufficient to satisfy the amounts due under the Judgment, leaving a sale deficiency of (\$117,597.69);

That this Court obtained personal jurisdiction over those defendants who are personally liable to the Plaintiff for the deficiency from said sale;

That, by reason of the above sale deficiency bid, the Special Right of Redemption pursuant to Section 1604 of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1604) is applicable hereunder;

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That all notices required by Section 1507(a) of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1507(c)) were given;

That the advances made by the Plaintiff after the entry of the Judgment and prior to sale were fair and reasonable and are allowed;

That said sale was fairly and properly made;

That Intercounty Judicial Sales Corporation, hereinafter "Sale Officer", has in every respect proceeded in due form of law and in accordance with the terms of this Court's Judgment;

That the successful bidder is entitled to a deed of conveyance and possession of the mortgaged real estate, and; That justice was done.

IT IS THEREFORE ORDERED:

That the sale of the mortgaged real estate involved herein, and the Report of Sale and Distribution filed by the Selling Officer and the distribution of the proceeds set forth therein are hereby approved, ratified and confirmed;

That the proceeds of the sale shall be distributed in accordance with the Report of Sale and Distribution;

That the Mortgagee's advances, fees and costs arising between the entry of the Judgment of Foreclosure and Sale and the date of sale are approved, ratified and confirmed;

That upon confirmation herein and upon request by the successful bidder, and provided that all required payments have been made pursuant to Section 15-1509(a) of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1509(a)) the Selling Officer shall execute and deliver to the successful bidder, a deed sufficient to convey title;

That an IN REM judgment in the amount of the sale deficiency of (\$117,597.69), with interest thereon as provided by statute, is entered against the property and that execution on said IN REM judgment shall issue as of law;

That the Special Right of Redemption, pursuant to Section 1604 of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1604) shall expire thirty (30) days after the entry of this Order.

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IT IS FURTHER ORDERED:

That the successful bidder, is entitled to and shall have possession of the mortgaged real estate as of a date no sooner than 30 days from the entry of this Order, without further Order of Court, as provided in Section 15-1701 of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1701);

That in the event possession is so withheld, the Sheriff of Cook County is directed to evict and dispossess, no sooner than 30 days from the entry of this Order Antonio Hernandez, Graciela Hernandez from the mortgaged real estate commonly known as 677 N. Wayne Place, Wheeling, IL 60090 without further order of court or notice, and;

No occupants other than individuals named in the Order of Possession may be evicted without a Supplemental Order of Possession or an order from the Forcible Entry and Detainer Court.

That the Deed to be issued hereunder is a transaction that is exempt from all transfer taxes either state or local and the County Recorder of Deeds is ordered to permit immediate recordation of the Judicial Sale Deed issued hereunder without any exemption stamps.

Plaintiff is prohibited from taking any further action on its note to collect the IN REM deficiency.

A copy of this order shall be mailed to the borrower(s) at his/her last known address within seven (7) days.

ENTER:

Judge

Dated: _____

Property of Cook County Clerk's Office
JAN 19 2011
Circuit Court - 1953

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