

# UNOFFICIAL COPY



Doc#: 1002504156 Fee: \$50.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 01/25/2010 10:30 AM Pg: 1 of 8

## ORDER AUTHORIZING RECEIVER TO ENTER INTO SALES AGREEMENT AND SELL REAL ESTATE

CASE NO.: 08CH40492  
PLAINTIFF: BANK OF AMERICA, N.A.  
DEFENDANT: NEUMANN HOMES, INC., ET AL.  
DATE: OCTOBER 30, 2009  
CKA: SE CORNER CHURCH STREET & MAPLE AVE  
HANOVER PARK, IL

AFTER RECORDING  
MAIL TO:

Jessica Cugenat  
Coud & Finner, LLP  
200 N. LaSalle St.  
Suite 800  
Chicago, IL 60601

Box 400-CTCC

**UNOFFICIAL COPY****IN THE CIRCUIT COURT FOR COOK COUNTY, ILLINOIS  
CHANCERY DIVISION**BANK OF AMERICA, N.A., a national )  
banking association, )

Plaintiff, )

v. )

Case No. 08 CH 40482

NEUMANN HOMES, INC.; *et al.*, )

Defendants. )

**ORDER AUTHORIZING RECEIVER TO ENTER  
INTO SALES AGREEMENT AND SELL REAL ESTATE**

**THIS MATTER** having come before the Court on October 29, 2009 for an evidentiary hearing on the Receiver's Motion for Authority to Enter Into Sales Agreement and to Sell Real Estate Free and Clear of Liens, Claims and Encumbrances (the "Motion"), the Court having heard the testimony of Andrew J. Bolnick, receiver herein (the "Receiver"), having conducted an *in camera* review of a copy of a complete appraisal of the real property which is the subject of the M/I Sale Agreement (as that term is defined in the Motion), having heard the statements of counsel for the Receiver, the Plaintiff, and several of the mechanic lien defendants, due notice having been given and the Court being duly advised in premises;

**THE COURT HEREBY MAKES THE FOLLOWING FINDINGS OF FACT:**

1. The Receiver is qualified to provide his opinion in regard to, among other things, the value of the real estate to be sold (as more fully identified in the legal description attached hereto and hereinafter referred to as the "Subject Real Estate");

2. Based on both his general experience and his specific involvement with the Subject Real Estate and the bidding process with regard to same described in his testimony, in the Receiver's opinion, the M/I Offer and the M/I Sale Agreement (as those terms are defined in

# UNOFFICIAL COPY

2000 CH 140 MOW

the Motion) are fair and reasonable and represent the highest and best offer that could be obtained given the condition of the Subject Real Estate, the circumstances surrounding the sale of the Subject Real Estate and the general market conditions surrounding sales of real property;

3. The Court reviewed, *in camera*, a commercial appraisal in regard to the Subject Real Estate, including all of the assumptions, analysis and qualifications of the appraisers contained therein, and finds said appraisal credible;

4. The Court communicated the findings in said appraisal with regard to the value of the Subject Real Estate to all parties in open court;

5. There has been a competitive bidding process over a period of several months regarding the Subject Real Estate as described in Mr. Bolnick's testimony in open court, resulting in the submission of the M/I Offer as embodied in the M/I Sale Agreement for Court approval;

6. The Receiver recommends the sale of the Subject Real Estate pursuant to the M/I Offer and the M/I Sale Agreement; and

7. Based on the evidence in the record, the Court approves the sale of the Subject Real Estate pursuant to the M/I Offer as embodied in the M/I Sale Agreement.

**IT IS HEREBY ORDERED that:**

- A. The Motion is hereby granted in its entirety;
- B. The Receiver is hereby authorized to enter into the M/I Sale Agreement or a sale agreement substantially similar thereto containing the revisions approved in open court;
- C. The Receiver is hereby authorized to convey title to the Subject Real Estate to M/I Homes of Chicago, LLC, free and clear of any and all liens, claims and encumbrances with any and all such liens, claims and encumbrances to attach to the proceeds of sale;

42 46

# UNOFFICIAL COPY

D. The Receiver is hereby authorized to assign and transfer to MA Homes of Chicago, LLC any and all architectural, landscape, and civil engineering plans for the Cook County Real Estate, along with any applicable specifications; and the rights of the Declarant under the Declaration of Covenants, Conditions and Restrictions, together with the applicable Articles of Incorporation, budgets, rules and regulations and any notices, lien rights and all financial and accounting records for the Church Street Station development homeowners' association, the rights to which were granted to the Receiver pursuant to Court Order; and

E. Upon his receipt of the proceeds of sale, the Receiver shall deposit the proceeds into a separately maintained, interest-bearing account of his choosing (excluding any account that may be subject to early withdrawal penalties) and only distributed thereafter pursuant to further Order of this Court.

Dated: October 30, 2009

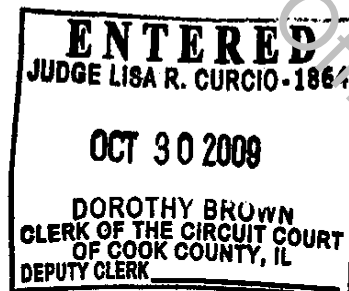
ENTERED:

By

Circuit Court of Cook County Judge

Order Prepared By:

Brian M. Graham  
William S. Hackney  
Bryan E. Minier  
Ean L. Kryska  
SMITHAMUNDSEN, LLC, FIRM NO. 42907  
150 North Michigan Avenue  
Suite 3300  
Chicago, Illinois 60601  
Telephone: 312.894.3200  
Facsimile: 312.894.3210



# UNOFFICIAL COPY

## EXHIBIT A

### LEGAL DESCRIPTION

#### **The Property (including the Partially Completed Townhomes):**

##### **PARCEL 1:**

LOTS 2-1 TO 2-6, 3-1 TO 3-5, 4-1 TO 4-4, 5-1 TO 5-5, 6-1 TO 6-8, 18-1 TO 18-8, 19-1 TO 19-5, 20-1 TO 20-4, 21-1 TO 21-6, 22-1 TO 22-6, 23-1 TO 23-5, AND 24-1 TO 24-4 (ALL INCLUSIVE) AND LOTS 25 AND 26 IN CHURCH STREET STATION SUBDIVISION IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 2005 AS DOCUMENT 0527039099, IN COOK COUNTY, ILLINOIS,

##### **PARCEL 2:**

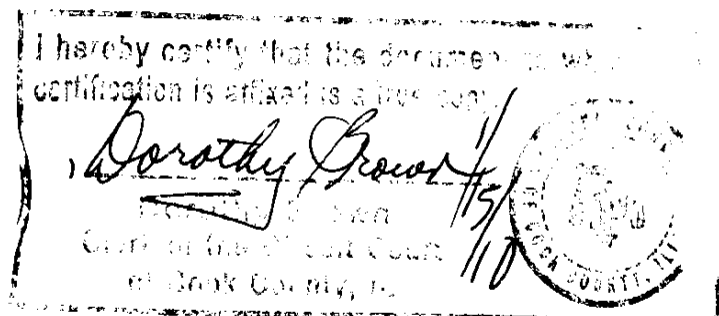
PERMANENT NON-EXCLUSIVE ACCESS EASEMENT OVER LOT 26 FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY PLAT OF CHURCH STREET STATION SUBDIVISION RECORDED AS DOCUMENT NUMBER 0527039099.

#### **The Partially Completed Townhomes:**

- See attached - Lots 18-1, 18-2, 18-3, 18-4, 18-5, 18-6, 18-7 and 18-8.

UNOFFICIAL COPY

Property of Cook County Clerk's Office



# UNOFFICIAL COPY

## Church Street Station Property (Cook County) – Vacant Lots

<b>PIN No:</b>	<b>Common Address:</b>
06-36-410-006	1780 Persimmon St., Hanover Park, Illinois
06-36-410-007	1776 Persimmon St., Hanover Park, Illinois
06-36-410-008	1772 Persimmon St., Hanover Park, Illinois
06-36-410-009	1768 Persimmon St., Hanover Park, Illinois
06-36-410-010	1764 Persimmon St., Hanover Park, Illinois
06-36-410-011	1760 Persimmon St., Hanover Park, Illinois
06-36-410-012	1736 Persimmon St., Hanover Park, Illinois
06-36-410-013	1732 Persimmon St., Hanover Park, Illinois
06-36-410-014	1728 Persimmon St., Hanover Park, Illinois
06-36-410-015	1724 Persimmon St., Hanover Park, Illinois
06-36-410-016	1720 Persimmon St., Hanover Park, Illinois
06-36-410-017	6522 Lilac Blvd., Hanover Park, Illinois
06-36-410-018	6518 Lilac Blvd., Hanover Park, Illinois
06-36-410-019	6514 Lilac Blvd., Hanover Park, Illinois
06-36-410-020	6510 Lilac Blvd., Hanover Park, Illinois
06-36-410-021	6556 Lilac Blvd., Hanover Park, Illinois
06-36-410-022	6552 Lilac Blvd., Hanover Park, Illinois
06-36-410-023	6548 Lilac Blvd., Hanover Park, Illinois
06-36-410-024	6544 Lilac Blvd., Hanover Park, Illinois
06-36-410-025	6540 Lilac Blvd., Hanover Park, Illinois
06-36-410-026	1759 Dogwood Ln., Hanover Park, Illinois
06-36-410-027	1755 Dogwood Ln., Hanover Park, Illinois
06-36-410-028	1751 Dogwood Ln., Hanover Park, Illinois
06-36-410-029	1747 Dogwood Ln., Hanover Park, Illinois
06-36-410-030	1743 Dogwood Ln., Hanover Park, Illinois
06-36-410-031	1739 Dogwood Ln., Hanover Park, Illinois
06-36-410-032	1735 Dogwood Ln., Hanover Park, Illinois
06-36-410-033	1731 Dogwood Ln., Hanover Park, Illinois
06-36-410-089	1649 Dogwood Ln., Hanover Park, Illinois
06-36-410-090	1645 Dogwood Ln., Hanover Park, Illinois
06-36-410-091	1641 Dogwood Ln., Hanover Park, Illinois
06-36-410-092	1637 Dogwood Ln., Hanover Park, Illinois
06-36-410-093	1633 Dogwood Ln., Hanover Park, Illinois
06-36-410-094	1629 Dogwood Ln., Hanover Park, Illinois
06-36-410-095	1625 Dogwood Ln., Hanover Park, Illinois
06-36-410-096	1621 Dogwood Ln., Hanover Park, Illinois
06-36-410-097	1689 Maple Ave., Hanover Park, Illinois
06-36-410-098	1687 Maple Ave., Hanover Park, Illinois
06-36-410-099	1685 Maple Ave., Hanover Park, Illinois
06-36-410-100	1683 Maple Ave., Hanover Park, Illinois
06-36-410-101	1681 Maple Ave., Hanover Park, Illinois
06-36-410-102	1677 Maple Ave., Hanover Park, Illinois
06-36-410-103	1675 Maple Ave., Hanover Park, Illinois

# UNOFFICIAL COPY

06-36-410-104	1673 Maple Ave., Hanover Park, Illinois
06-36-410-105	1671 Maple Ave., Hanover Park, Illinois
06-36-410-106	1640 Persimmon St., Hanover Park, Illinois
06-36-410-107	1636 Persimmon St., Hanover Park, Illinois
06-36-410-108	1632 Persimmon St., Hanover Park, Illinois
06-36-410-109	1628 Persimmon St., Hanover Park, Illinois
06-36-410-110	1624 Persimmon St., Hanover Park, Illinois
06-36-410-111	1620 Persimmon St., Hanover Park, Illinois
06-36-410-112	1680 Persimmon St., Hanover Park, Illinois
06-36-410-113	1676 Persimmon St., Hanover Park, Illinois
06-36-410-114	1672 Persimmon St., Hanover Park, Illinois
06-36-410-115	1668 Persimmon St., Hanover Park, Illinois
06-36-410-116	1664 Persimmon St., Hanover Park, Illinois
06-36-410-117	1660 Persimmon St., Hanover Park, Illinois
06-36-410-118	6527 Lilac Blvd., Hanover Park, Illinois
06-36-410-119	6523 Lilac Blvd., Hanover Park, Illinois
06-36-410-120	6519 Lilac Blvd., Hanover Park, Illinois
06-36-410-121	6515 Lilac Blvd., Hanover Park, Illinois
06-36-410-122	6511 Lilac Blvd., Hanover Park, Illinois
06-36-410-123	6507 Lilac Blvd., Hanover Park, Illinois
06-36-410-124	6549 Lilac Blvd., Hanover Park, Illinois
06-36-410-125	6545 Lilac Blvd., Hanover Park, Illinois
06-36-410-126	6541 Lilac Blvd., Hanover Park, Illinois
06-36-410-127	6537 Lilac Blvd., Hanover Park, Illinois
06-36-410-128	6533 Lilac Blvd., Hanover Park, Illinois