

# UNOFFICIAL COPY



Prepared by:  
Mail to:

Holly L. Carto, *Esq.*  
MARTIN & KARCAZES, LTD.  
161 N. Clark Street- Suite 550  
Chicago, IL 60601  
(312) 332-4550

Doc#: 1005539041 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 02/24/2010 01:47 PM Pg: 1 of 4

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

THE FIRST COMMERCIAL BANK, )  
Plaintiff. )  
vs. ) No. 09 CH 37330  
)  
V.H. REMODELING, INC.; VIOREL HORVAT; ) Calendar: 57  
VOICHITA HORVAT; FAIRFIELD/ARTHUR ) Judge: Jesse G. Reyes  
CONDOMINIUM ASSOCIATION; UNKNOWN ) Room: 2809  
OWNERS and NONRECORD CLAIMANTS )  
Defendants. )

## CONSENT JUDGMENT OF FORECLOSURE

Plaintiff, THE FIRST COMMERCIAL BANK, by and through its attorneys, Martin & Karcazes, Ltd., and in support of the entry of a Consent Judgment of Foreclosure states as follows:

Plaintiff commenced this action by filing its Complaint and First Amended Complaint to Foreclose Mortgage against the Defendants, V.H. REMODELING, INC.; VIOREL HORVAT and VOICHITA HORVAT; FAIRFIELD/ARTHUR CONDOMINIUM ASSOCIATION and UNKNOWN OWNERS AND NON RECORD CLAIMANTS. The affidavits required to make such unknown parties defendants to this action were duly filed and UNKNOWN OWNERS and NON RECORD CLAIMANTS have been duly and regularly made parties defendant to this action in the manner provided by law.

This cause now coming to be heard upon agreement of the parties for entry of a Consent Judgment of Foreclosure, and the Court being fully advised in the premises, finds as follows:

1. That all the material allegations of the Complaint are true and proven.

# UNOFFICIAL COPY

2. The total amount due and owing Plaintiff herein is \$1,688,949.72, including attorneys fees and costs of this suit as of February 5, 2010.

3. Pursuant to the subject Mortgage, Plaintiff has a valid and subsisting first lien on the subject property in the amount stated above.

4. That pursuant to said mortgage it is provided that the attorneys for Plaintiff are entitled to reasonable attorney's fees.

5. That the sum of \$2,850.00 has been included in the above indebtedness for said attorney's fees, through February 5, 2010, as provided in the mortgage.

6. The attorneys fees requested are reasonable and said sum is hereby allowed.

7. That under the provisions of the mortgage the costs of this foreclosure are an additional indebtedness for which the Plaintiff should be reimbursed, and that such expenses are hereby allowed to the Plaintiff. The costs of this suit are \$1,939.00.

8. That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Deeds of Cook County, Illinois as document number 0533235061 as modified by Doc. No. 0834542013, and the property herein referred to is described as follows:

LOT 1 IN BLOCK 3 IN DEVON CALIFORNIA ADDITION TO ROGERS PARK A SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE EAST 696.75 FEET) IN COOK COUNTY, ILLINOIS.

N/K/A

PARCEL 1:

UNIT NUMBER(S) 2737-2, 2743-5, 2743-3, 2745-1, 2745-2, 2745-3, 6456-2, 6456-3, 6458-1, AND 6458-3 IN THE FAIRFIELD/ARTHUR CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 1 IN BLOCK 3 IN DEVON CALIFORNIA ADDITION TO ROGERS PARK A SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 696.75 FEET): WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0627110000 TOGETHER WITH ITS

# UNOFFICIAL COPY

UNDIVIDED INTEREST IN THE COMMON ELEMENTS, ALL  
IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE (EXCLUSIVE) RIGHT TO THE USE OF S-7, AS A  
LIMITED COMMON ELEMENTS AS DELINEATED ON THE  
SURVEY ATTACHED TO THE DECLARATION AFORESAID  
RECORDED AS DOCUMENT NUMBER 0627110000

PIN(S): 10-36-424-010-0000 (UNDERLYING) N/K/A 10-36-424-035-  
1003; 10-36-424-035-1004; 10-36-424-035-1006; 10-36-424-035-1008;  
10-36-424-035-1011; 10-36-424-035-1015; 10-36-424-035-1016; 10-36-  
424-035-1017; 10-36-424-035-1018; 10-36-424-035-1019

Commonly known as 6456-58 N. Fairfield Ave/2737-55 W. Arthur Ave.,  
Units 2737-2, 2743-5, 2743-3, 2745-1, 2745-2, 2745-3, 6456-2, 6456-3,  
6458-1, and 6458-3, Chicago, Illinois 60645

9. That the rights and interest of all the other parties to this cause in and to the property hereinbefore described are inferior to the lien of the Plaintiff heretofore mentioned.

10. That the mortgage sought to be foreclosed was executed after August 7, 1961.

11. That Plaintiff specifically waives its right to seek any personal deficiency against Defendants in this cause.

12. That, Defendants herein, have filed with the Court their stipulation for the entry of a Consent Judgment of Foreclosure without right of redemption and vesting absolute title in the Plaintiff, as of this date, pursuant to 735 I.L.C.S. 5/15-11402.

NOW THEREFORE IT IS HEREBY ORDERED that absolute title to the real estate is vested in Plaintiff, free and clear of all claims, liens and interests of the mortgagors and of all persons claiming by, through or under the mortgagor and of all the Defendants in this cause.

IT IS FURTHER ORDERED AND ADJUDGED that any in personam deficiency against the mortgagor, V.H. REMODELING, INC. and the guarantors VIOREL HORVAT and VOICHITA HORVAT, and any other person liable for the indebtedness or other obligations secured by the mortgage, if any, be an is hereby waived and released by Plaintiff.

The Court hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto, for the purpose of enforcing this Judgment and expressly finds that

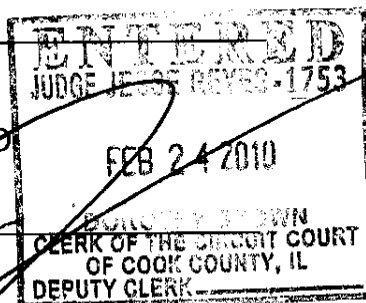
# UNOFFICIAL COPY

there is no reason for delaying the enforcement of this Judgment or an appeal therefrom.

DATE:

ENTERED

JUDGE



MARTIN & KARCAZES, LTD.  
Attorney for Plaintiff  
161 N. Clark Street, Suite 550  
Chicago, IL 60601  
(312) 332-4550  
Attorney No. 80461

Property of Cook County Clerk's Office