

# UNOFFICIAL COPY



Doc#: 1028605031 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/13/2010 09:19 AM Pg: 1 of 4

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

10-045181

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

WELLS FARGO BANK, N.A.  
PLAINTIFF,

-vs-

TIMOTHY W. GARRITY A/K/A TIMOTHY GARRITY;  
COLLEEN M. GARRITY; RIVER VILLAGE  
TOWNHOMES HOMEOWNERS ASSOCIATION;  
UNKNOWN OWNERS AND NON-RECORD  
CLAIMANTS

DEFENDANTS

NO. 10 CH 43546

**NOTICE OF FORECLOSURE**  
**LIS PENDENS**

I, the undersigned, do hereby certify that the above entitled cause was filed in the above Court on October 13th, 2010, for Foreclosure and is now pending in said Court.

**AND FURTHER SAYETH:**

1. Names of Title Holders of Record:

Timothy W. Garrity

2. The following Mortgage is sought to be foreclosed:

Mortgage made by Timothy W. Garrity to World Savings Bank, FSB and recorded June 5, 2007 as Document No. 0715611131 and re-recorded on October 2, 2007 as Document No. 0727505184 in the Cook County Recorder's Office, having a legal description and common address as follows:

PARCEL 1- DWELLING UNIT NO 8  
THAT PART OF LOT 1 IN OWNERS RESUBDIVISION OF BLOCK 92 IN ELSTON'S ADDITION  
TO CHICAGO IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD

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PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 59 DEGREES 52 MINUTES, 15 SECONDS EAST, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 1, BEING THE NORTHWESTERLY LINE OF WEST OAK STREET, 124.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY, ALONG THE PROLONGATION OF THE LAST DESCRIBED LINE, 18.00 FEET, THENCE NORTH 30 DEGREES, 04 MINUTES, 30 SECONDS WEST, 49.56 FEET, THENCE SOUTH 59 DEGREES, 57 MINUTES, 25 SECONDS WEST, 18.00 FEET; THENCE SOUTH 30 DEGREES, 04 MINUTES, 30 SECONDS EAST, 49.57 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2 NON-EXCLUSIVE EASEMENTS FOR USE, ENJOYMENT, INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AFORESAID, AS CREATED BY THE DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR RIVER VILLAGE TOWNHOMES HOMEOWNERS ASSOCIATION DATED AUGUST 15, 2003 AND RECORDED AUGUST 19, 2003, AS DOCUMENT NO. 0323139068.

Commonly known as 636 West Oak Street, Chicago, IL 60610

Permanent Index No.: 17-04-316-017-0000

3. Parties against whom foreclosure is sought:

Timothy W. Garrity a/k/a Timothy Garrity; Colleen M. Garrity; River Village Townhomes Homeowners Association; Unknown Owners and Non-Record Claimants

4. The following reformation is sought:

- a) The Mortgage dated May 25, 2007 and recorded on June 5, 2007 as Document No. 0715611131 and re-recorded October 2, 2007 as Document No. 0727505184 contains an inadvertent error in the legal description. The legal description on the Mortgage inadvertently contains an error or omits a phrase from the actual legal description (identified in bold). The accurate legal description that should be on the Mortgage is:

PARCEL 1- DWELLING UNIT NO 8  
 THAT PART OF LOT 1 IN OWNERS RESUBDIVISION OF BLOCK 92 IN ELSTON'S ADDITION TO CHICAGO IN SECTION 4, TOWNSHIP 30 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 59 DEGREES 52 MINUTES, 15 SECONDS EAST, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 1, BEING THE NORTHWESTERLY LINE OF WEST OAK STREET, 124.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY, ALONG THE PROLONGATION OF THE LAST DESCRIBED LINE, 18.00 FEET, THENCE **NORTH 30 DEGREES**, 04 MINUTES, 30 SECONDS WEST, 49.56 FEET, THENCE SOUTH 59 DEGREES, 57 MINUTES, 25 SECONDS WEST, 18.00 FEET; THENCE SOUTH 30 DEGREES, 04 MINUTES, 30 SECONDS EAST, 49.57 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.  
 PARCEL 2 NON-EXCLUSIVE EASEMENTS FOR USE, ENJOYMENT, INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AFORESAID, AS CREATED BY THE DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR RIVER VILLAGE TOWNHOMES HOMEOWNERS ASSOCIATION DATED AUGUST 15, 2003 AND RECORDED AUGUST 19, 2003, AS DOCUMENT NO. 0323139068.

SIGNATURE: \_\_\_\_\_

Attorney of Record

PREPARED BY AND MAIL TO:  
 Randal S. Berg (6277119)  
 Ian Botnick (6299145)

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Benjamin N. Burstein (6299216)  
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 Marcos J. Prosser (6295359)  
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 Laura A. Wolf (6297000)  
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Fisher and Shapiro, LLC  
 Attorneys for Plaintiff  
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 Bannockburn, IL 60015  
 (847)291-1717  
 Attorney No: 42168

(IN COOK COUNTY: MAIL TO BOX 254)

**COOK COUNTY**  
**RECORDER OF DEEDS**  
**SCANNED BY \_\_\_\_\_**

Property of Cook County Clerk's Office

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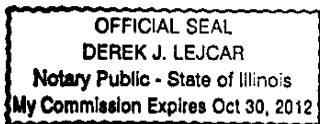
## CERTIFICATE OF SERVICE

The undersigned being first duly sworn on oath, deposes and states that he/she has mailed or will promptly mail or overnight mail, upon receipt, a copy of the recorded Lis Pendens attached hereto to the Illinois Department of Financial and Professional Regulation, Division of Banking, at 122 S. Michigan Avenue, 19<sup>th</sup> Floor, Chicago, Illinois 60603, Attn: HB4050 Pilot Program. A proof of mailing or overnight mailing will be maintained by the preparer.

Steph J. G...

Signed and Sworn to before me  
this 4 day of October, 2010.

Derek J. Lejcar  
Notary Public



Cook County Clerk's Office