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Prepared by: Mail to:

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



Doc#: 1030116045 Fee: \$40.00 Eugene "Gene" Moore RHSP Fee: \$10.00 Cook County Recorder of Deeds Date: 10/28/2010 01:12 PM Pg: 1 of 3

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

THE FIRST COMMERCIAL BANK, Plaintiff, vs. 3702 CENTRAL AVE., L.L.C., MIHAELA A. PRESECAN; FUTURE BUILDERS & DEVELOPERS CONSTRUCTION COMPANY; UNKNOWN OWNERS and NONRECORD CLAIMANTS, Defendants.)) No. 09 CH 49261)) Judge: Pamela Hughes Gillespie) Calendar 56) Room: 2808)
Delendants.	,

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, 3702 CENTRAL AVE., L.L.C.; MIHAELA A. PRESECAN; FUTURE BUIDERS & DEVELOPERS CONSTUCTION COMPANY 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.

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- 2. That the principal balance due under the Note and Mortgage securing the Note as of December 9, 2009 is \$916,034.45.
- 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 \$2,012.50 is due for said attorney's fees, through February 26, 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 \$1,897.00.
- 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 0712033041 as modified by Doc. No. 0834442010, and the property herein referred to is described as follows:

LOT 270 IN ARTHUR T. MCINTOSH AND COMPANY'S FIRST ADDITION TO GLENVIEW COUNTRYSIDE, BEING A SUBDIVISION OF PARTS OF SECTIONS 32 AND 33, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY JILLINOIS.

PIN(S): 04-33-302-020-0000

Commonly known as 3702 Central Road, Glenview, Illinois of 025

- 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

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absolute title in the Plaintiff, as of this date, pursuant to 735 I.L.C.S. 5/15-1402.

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 <u>in personam</u> deficiency against the mortgagor, 3702 CENTRAL AVE., L.L.C. and the guarantor MIHALLA A. PRESECAN, 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 nereby 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 there is no reason for delaying the enforcement of this Judgment or an appeal therefrom.

0/	DATE:	
7	ENTERED:	
	JUDCE	es Gillespie
	JUDCE Servicial Walth Pamelia Hugh OCT 27	5010

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