

UNOFFICIAL COPY

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

TENROCK CAPITAL FUND, LP, a Delaware)
Limited Partnership.)

Plaintiff,)

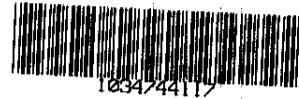
v.)

TC SOUTH RHODES PARTNERS, LLC, a)
Delaware Limited Liability Company; 7100 S.)
RHODES LLC, an Illinois Limited Liability)
Company; 7100 SOUTH RHODES)
CONDOMINIUM ASSOCIATION, an Illinois)
Not-for-Profit Corporation; CORVAX)
RHODES LLC; CHICAGO UNITED)
MORTGAGE; UNKNOWN OWNERS AND)
NON-RECORD CLAIMANTS,)

Defendants.

Case No. 08 CH 35841

7100 South Rhodes, Chicago, Illinois



Doc#: 1034744117 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/13/2010 03:54 PM Pg: 1 of 6

CONSENT JUDGMENT OF FORECLOSURE

THIS CAUSE COMING ON TO BE HEARD for hearing on the Motion of Tenrock Capital Fund, LP ("TenRock") for Judgment of Consent Foreclosure ("Motion"), the Court having jurisdiction over the parties and the subject matter, Chicago United Mortgage having withdrawn its objection to the Motion; and the Court having considered the pleadings and otherwise being fully advised in the premises, finds as follows:

1. In its Motion, TenRock offers to waive any and all rights to a personal judgment for deficiency against the mortgagor TC South Rhodes Partners, LLC ("TC South Rhodes") and against all other persons liable for the indebtedness or other obligation secured by the mortgage in the event a consent foreclosure judgment is ordered in this action.

2. Pursuant to the Stipulation filed with the Motion, Defendant TC South Rhodes discharged and waived any and all claims, encumbrances, liens or interest in the Property.

UNOFFICIAL COPY

3. Due notice of the presentation of this Judgment of Consent Foreclosure has been given to all parties entitled to notice, including all parties who have not previously been found in default for failure to appear, answer or otherwise plead.

5. The Mortgage described in the Complaint and hereby foreclosed was made by 7100 S. Rhodes LLC, Mortgagor, to TenRock Capital LLC, and subsequently assigned to TenRock Capital Fund, LP. The Mortgage is dated August 6, 2007, and appears of record in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 0723344005, recorded August 21, 2007. The legal description and a common address, sufficient to identify the Property with reasonable certainty is as follows:

ALL OF LOTS 1 TO 4, BOTH INCLUSIVE, IN BLOCK 2 IN WALTER S. DRAY'S ADDITION TO PARK MANOR, IN THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 NORTH, <R 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL):

UNITS 205, 208, 314 AND 316 IN THE 7100 SOUTH RHODES CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOTS 1 TO 4, BOTH INCLUSIVE, IN BLOCK 2 IN WALTER S. DRAY'S ADDITION TO PARK MANOR, (EXCEPT THAT PART OF SAID LOTS LYING BELOW AN ELEVATION OF 23.23 FEET (CITY OF CHICAGO DATUM) OF THE FOLLOWING DESCRIBED TRACT: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 4, THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID LOTS 3 AND 4 (SAID LINE ALSO BEING THE WEST WALL OF A BRICK BUILDING), 38.07 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH FACE OF AN INTERIOR WALL; THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID FACE, 43.90 FEET TO A POINT ON THE EAST FACE OF AN EXTERIOR WALL; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID FACE, 6.94 FEET TO A POINT ON THE SOUTH FACE OF AN EXTERIOR WALL, THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID FACE, 36.30 FEET TO A POINT ON THE WEST FACE OF AN EXTERIOR WALL; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID FACE, 6.70 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH FACE OF AN INTERIOR WALL;

UNOFFICIAL COPY

THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID FACE, 19.20 FEET TO A POINT ON THE EAST FACE OF AN EXTERIOR WALL; THENCE SOUTH 00 DEGREES 00 MINUTES 21 SECONDS EAST, ALONG SAID FACE, 27.14 FEET TO A POINT ON THE NORTH FACE OF AN INTERIOR WALL; THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID FACE AND EASTERLY EXTENSION THEREOF, 24.31 FEET TO A POINT ON THE EAST FACE OF AN EXTERIOR WALL; THENCE NORTH 00 DEGREES 03 MINUTES 48 SECONDS EAST, ALONG SAID FACE, 82.38 FEET TO A BUILDING CORNER; THENCE NORTH 45 DEGREES 24 MINUTES 43 SECONDS WEST, ALONG THE NORTHEAST FACE OF AN EXTERIOR WALL, 8.40 FEET TO A BUILDING CORNER; THENCE SOUTH 89 DEGREES 47 MINUTES 49 SECONDS WEST, ALONG THE NORTH FACE OF AN EXTERIOR WALL, 110.78 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST FACE OF AN INTERIOR WALL; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID FACE, 17.52 FEET TO A POINT ON THE SOUTH FACE OF AN INTERIOR WALL; THENCE SOUTH 89 DEGREES 44 MINUTES 18 SECONDS WEST, ALONG SAID FACE, 0.30 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID FACE, 17.62 FEET TO A POINT ON THE SOUTH FACE OF AN INTERIOR WALL; THENCE SOUTH 89 DEGREES 44 MINUTES 18 SECONDS WEST, ALONG SAID FACE, 6.74 FEET TO THE AFORESAID WEST LINE OF SAID LOT 3; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID WEST LINE, 26.38 FEET TO THE POINT OF BEGINNING; ALSO EXCEPTING THAT PART OF SAID LOTS 1 TO 4 LYING BELOW AN ELEVATION OF 13.40 FEET (CITY OF CHICAGO DATUM) OF THE FOLLOWING DESCRIBED TRACT: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID LOTS 3 AND 4 (SAID LINE ALSO BEING THE WEST WALL OF A BRICK BUILDING), 38.07 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH FACE OF AN INTERIOR WALL; THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID FACE, 43.90 FEET TO A POINT ON THE EAST FACE OF AN EXTERIOR WALL; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID FACE, 6.94 FEET TO A POINT ON THE SOUTH FACE OF AN EXTERIOR WALL; THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID FACE, 36.30 FEET TO A POINT ON THE WEST FACE OF AN EXTERIOR WALL; THENCE SOUTH 00 DEGREES 00 MINUTES 21 SECONDS EAST, ALONG SAID FACE, 7.75 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH FACE OF AN INTERIOR WALL AND A POINT OF BEGINNING; THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG SAID EXTENSION AND FACE, 18.15 FEET TO A POINT ON THE WEST FACE OF AN INTERIOR WALL; THENCE SOUTH 00 DEGREES 00 MINUTES 00

UNOFFICIAL COPY

SECONDS WEST, ALONG SAID FACE, 26.30 FEET TO A POINT ON THE NORTH FACE OF AN INTERIOR WALL; THENCE SOUTH 89 DEGREES 44 MINUTES 18 SECONDS WEST, ALONG SAID FACE, 18.15 FEET TO A POINT ON AN AFORESAID WEST FACE OF AN EXTERIOR WALL; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID FACE, 26.30 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM SAID SECOND TRACT EXCEPTION, THE EAST 4.33 FEET OF THE SOUTH 4.31 FEET LYING ABOVE AN ELEVATION OF 11.21 FEET (CITY OF CHICAGO DATUM) AND BELOW AN ELEVATION OF 13.40 FEET (CITY OF CHICAGO DATUM); ALL IN THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 NORTH, <R 14, EAST OF THE THIRD PRINCIPAL MERIDIAN,

WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0723515059, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COCK COUNTY, ILLINOIS.

- (B) The common address of the Mortgaged Real Estate is:
7100 South Rhodes, Chicago, Illinois
- (C) The Permanent Index No. is, 20-27-202-018-0000

6. The Mortgage foreclosed herein is subject to the provisions of the Illinois Mortgage Foreclosure Law.

7. TenRock has complied with all of the notice requirements of the Illinois Mortgage Foreclosure Law.

8. No other party, by answer or response to the Motions, has objected to entry of a judgment of consent foreclosure. Further, no party has asserted a mortgage or other interest in the property at issue prior to or superior to that of TenRock, and this Court finds that TenRock's mortgage is prior to and superior to all other mortgages, claims of interest and liens upon said real estate.

NOW, THEREFORE, IT IS HEREBY ORDERED:

- A. The Motion is granted.

UNOFFICIAL COPY

B. This Court's execution of this Consent Judgment of Foreclosure shall be sufficient to pass title in the mortgaged real estate to TenRock. Such conveyance shall be an entire bar of (i) all claims of parties to the foreclosure, and (ii) all claims of any non-record claimant or unknown owner who is given notice of the foreclosure, as provided by statute. Therefore, absolute title to the Property, as hereinabove described, is hereby vested in the plaintiff, TenRock, free and clear of all liens, claims, encumbrances and interests of TC South Rhodes Partners, LLC, 7100 S. Rhodes LLC, 7100 South Rhodes Condominium Association, Corvax Rhodes LLC, Chicago United Mortgage, Unknown Owners and Non-Record Claimants. All indebtedness secured by the Mortgage be and the same is hereby deemed satisfied.

C. With the execution of this Consent Judgment of Foreclosure, TenRock is authorized to take exclusive possession of the mortgaged real estate which is the subject of this action.

D. The Court hereby retains jurisdiction of the subject matter of this cause and of all of the parties hereto for the purpose of enforcing this Judgment.

E. Plaintiff has waived any and all rights to a personal judgment for deficiency and shall be and is hereby barred from obtaining such a deficiency judgment against defendants and each of them, or against any other persons liable for the indebtedness or other obligations secured by the Mortgage. Any prior liens, claims and interests of the City of Chicago are not affected by this judgment.

~~F. The Court expressly finds that there is no just reason for delaying either enforcement of or appeal from this Judgment, or both.~~

UNOFFICIAL COPY

Dated: _____, 2010

Entered:

ENTERED	
JUDGE JESSE REYES - 1753	
Honorable Jesse G. Reyes	DEC 13 2010
Circuit Judge	
DOROTHY BROWN CLERK OF THE CIRCUIT COURT OF COOK COUNTY, IL	

Honorable Jesse G. Reyes
Circuit Judge

Order prepared by:

Matthew T. Gensburg
 GREENBERG TRAUIG
 77 W. Wacker Dr., Suite 3100
 Chicago, IL 60601
 Phone: (312) 456-8400
 Fax: (312) 456-8435
 Attorney No. 36511

Property of Cook County Clerk's Office