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Doc#: 112618082 Fee: \$38.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 05/08/2011 04:44 PM Pg: 1 of 2

CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT—CHANCERY DIVISION

Case No. 10 CH 52277

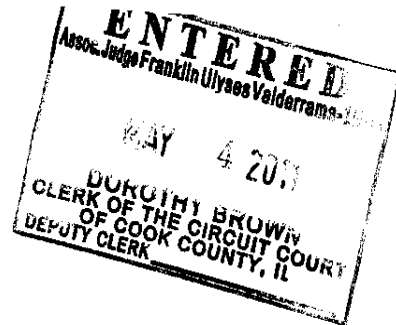
ARCH BAY HOLDINGS, LLC SERIES 2009C,

Plaintiff,

v.

JULIAN SALGADO; ANDRES SALGADO; JUANA SALGADO; VICENTE SALGADO; TOWN OF CICERO; HOUSEHOLD FINANCE CORPORATION III; VILLAGE OF HANOVER PARK; CAPITAL ONE BANK (USA), N.A. F/K/A CAPITAL ONE BANK; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS,

Defendants.



DECLARATORY JUDGMENT

THIS CAUSE coming on to be heard on Plaintiff's Motion for Default Order and Declaratory Judgment, all parties with notice, the Court with jurisdiction and being fully apprised in the premises;

THE COURT HEREBY FINDS:

1. This Court has jurisdiction over the parties in this case and subject matter of Plaintiff's Complaint for Declaratory Relief and to Foreclose Mortgage (the "Complaint").
2. All material allegations of the Complaint have been proved and are true.
3. On January 12, 2007, Julian Salgado ("Julian") and Andres Salgado ("Andres") participated in a closing (the "Closing") in which they presented a Quit Claim Deed purporting to vest title to 5940 W. Patterson Avenue, Chicago, Illinois 60634 (the "Premises") in themselves. The Closing took place in the offices of Chicago Title and Trust Company ("Chicago Title") at 5680 N. Elston Avenue in Chicago, Illinois.
4. The Premises are more particularly described as:

LOT 2 IN HERMAN L. MAGNUSONS RESUBDIVISION OF LOT 114 IN KOESTER AND ZANDERS ADDITION TO WEST IRVING PARK, A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1922 IN BOOK OF PLATS 172, PAGE 34 AS DOCUMENT 7749673 IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 5940 W. Patterson Avenue
Chicago, Illinois 60634

TAX PARCEL NUMBER: 13-20-224-023

5. At the time of the Closing, Julian executed and delivered a \$360,000.00 Adjustable Rate Note (the "Note") to Argent Mortgage Company, LLC ("Argent"). In addition, as security for sums advanced under the Note, Julian and Andres executed a mortgage (the "Mortgage") conveying to Argent a mortgage lien interest in the Premises.

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- 6. The Mortgage was recorded by the Cook County, Illinois Recorder of Deeds on February 9, 2007 as Document No. 0704011084.
- 7. Plaintiff Arch Bay Holdings, LLC Series 2009C is the current holder of the Note and Mortgage.
- 9. The equities of this case are with Arch Bay and an Order should be entered declaring Julian and Andres to have fee simple title to the Premises, subject to the lien interest conveyed under the Mortgage.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 1. Defendants Julian Salgado, Andres Salgado, Juana Salgado, Vicente Salgado, Town of Cicero, Household Finance Corporation III, Village of Hanover Park, Capital One Bank (USA), N.A. f/k/a Capital One Bank, Unknown Owners and Non-Record Claimants are all hereby found to be in default as a result of their failure to appear in this action.
- 2. Defendants Julian Salgado and Andres Salgado are hereby deemed the owners in fee simple to the Premises legally described as follows:

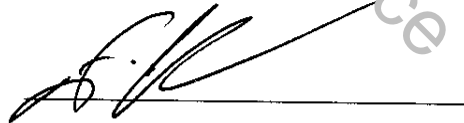
LOT 2 IN HERMAN J. MAGNUSONS RESUBDIVISION OF LOT 114 IN KOESTER AND ZANDERS ADDITION TO WEST IRVING PARK, A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1922 IN BOOK OF PLATS 172, PAGE 34 AS DOCUMENT 7749673 IN COOK COUNTY, ILLINOIS.

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- 3. In accordance with the January 12, 2007 Mortgage recorded on February 9, 2007 as Document No. 0704011084, Plaintiff Arch Bay Holdings, LLC Series 2009C is deemed to possess a valid and subsisting mortgage lien interest in the Premises with priority effective as the aforementioned February 9, 2007 date of perfection.

ENTERED:



Dated: _____, 2011

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