



1122131003

Doc#: 1122131003 Fee: \$38.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 08/09/2011 10:19 AM Pg: 1 of 2

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

Case No. 10 CH 51775

CitiMortgage, Inc. successor by merger to ABN Amro  
Mortgage Group, Inc.,

Plaintiff,

vs.

Manuel Serrano; Maria Serrano; Teodoro Serrano;  
Capital One Bank (USA), N.A. f/k/a Capital One Bank;  
State of Illinois - Department of Healthcare and Family  
Services; City of Chicago; Phoenix Capital Holdings,  
Inc. f/k/a Centurion Capital Corp.; Unifund CCR  
Partners assignee of Palisades Acquisition XVI; Village  
of Skokie; Village of Lincolnwood; Ivette Ortiz;  
American General Financial Services of Illinois, Inc.;  
Unknown Owners and Non-Record Claimants,

Defendants.

ORDER OF REFORMATION

THIS CAUSE coming on to be heard on Plaintiff's Motion for Default Judgment AND Petition for Reformation of Mortgage, 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 to Reform and Foreclose Mortgage (the "Complaint").
2. All material allegations of Count I the Complaint have been proved and are true.
3. On August 9, 2002, Defendants Manuel Serrano ("Manuel"), Maria Serrano ("Maria") and Teodoro Serrano ("Teodoro") appeared in the offices of Chicago Title Insurance Company for the purpose of closing a refinance (the "Closing") of a prior mortgage lien interest (the "Prior Mortgage") recorded against the real property located at 5821 S. Albany Avenue, Chicago, Illinois (the "Premises") legally described as follows:

LOT 38 IN BLOCK 2 IN WEYBURN'S SUBDIVISION OF BLOCK 6 IN MAHAN'S SUBDIVISION OF  
THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 13,  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS:

5821 S. Albany Avenue  
Chicago, IL 60629

TAX PARCEL NUMBER: 19-13-126-008

4. At the same time and place, Manuel and Maria executed and delivered an \$83,000.00 promissory note (the "Note") and Manuel, Maria and Teodoro signed the corresponding mortgage (the "Mortgage") to ABN Amro Mortgage Group, Inc. ("ABN Amro"). In exchange, ABN Amro paid off the Prior Mortgage.

## UNOFFICIAL COPY

5. The Mortgage was recorded by the Cook County Recorder of Deeds on August 20, 2002 as Document No. 0020913761.
6. Unbeknownst to ABN Amro, subsequent to execution but prior to recording, a typed notation was added to Page 14 of the Mortgage reflecting that Teodoro was executing the document "for the purpose of waiving homestead rights".
7. Plaintiff CitiMortgage, Inc. successor by merger to ABN Amro Mortgage Group, Inc. ("CitiMortgage") is the current holder of the Note and Mortgage.
8. The equities of this case are with CitiMortgage and an Order should be entered reforming the Mortgage to delete the notation appearing on Page 14 of the Mortgage and provide for Teodoro's unconditional grant of a mortgage lien interest in the Premises.

## IT IS HEREBY ORDERED:

1. Defendants Teodoro Serrano; Capital One Bank (USA), N.A. f/k/a Capital One Bank; State of Illinois - Department of Healthcare and Family Services; City of Chicago; Phoenix Capital Holdings, Inc. f/k/a Centurion Capital Corp.; Urifund CCR Partners assignee of Palisades Acquisition XVI; Village of Skokie; Village of Lincolnwood; Ivette Ortiz and American General Financial Services of Illinois, Inc. are all hereby found to be in default as a result of their failure to appear in this action.
2. The August 9, 2002 Mortgage signed and delivered by Manuel Serrano, Maria Serrano and Teodoro Serrano is hereby reformed so as to delete the notation appearing on Page 14 of the Mortgage and provide for Teodoro Serrano's unconditional grant of a mortgage lien interest in the Premises.

Judge Alfred M. Swanson, Jr.

AUG 08 2011

ENTERED:

Circuit Court 2035

  
 Dated: \_\_\_\_\_, 2011

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