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Doc#: 1123448016 Fee: \$54.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/22/2011 02:30 PM Pg: 1 of 10

## CIRCUIT COURT OF COOK COUNTY ILLINOIS-FIRST DISTRICT

CITIMORTGAGE, INC. SUCCESSOR BY MERGER TO  
ABN AMRO MORTGAGE GROUP, INC.

PLAINTIFF

CASE #10 CH 044185

VS.

JOHN LEWOSZ, et al,  
DEFENDANT

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John; Lewosz

Third Party Plaintiff

IN ADMIRALTY

Vs.

CODILIS & ASSOCIATES, P.C., et al,

ADMINISTRATOR/DARRYL SIMKO

Third Party Defendants

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### AFFIDAVIT OF NEGATIVE AVERMENT, OPPORTUNITY TO CURE, AND COUNTERCLAIM

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Comes now **John Lewosz**, Third Party Plaintiff, have stood before the court seeking a remedy in Admiralty as is provided by "The Saving to the Suitors Clause" at USC 28 - 1333(1). I am standing in my unlimited commercial liability as a Secured Party Creditor and request that the Third Party Defendants do the same and waive all of their immunities. I respectfully request the indulgence of this court as I am not schooled in law. This is provided by the precedent set by Haines vs. Kerner at 404 U.S. 519.

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**AS TO COUNT 1: I, John Lewosz, the Third Party Plaintiff, a Natural man, created by God, Demand that CITIMORTGAGE, INC. SUCCESSOR BY MERGER TO ABN AMRO MORTGAGE GROUP, INC. produce their Proof of Claim. I demand to inspect the "Original Mortgage Application and Promissory Note", and demand the CUSIP**

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NUMBER assigned to the Application with the wet ink signatures, along with the Title Page that shows whether or not the mortgage has been satisfied. I believe that CITIMORTGAGE, INC is not the Holder in Due Course as the original promissory note was sold and the proposed lender failed to credit my account. This note was created on my credit and signature, and was not an asset of CITIMORTGAGE, INC. SUCCESSOR BY MERGER. I believe the Third party defendants have not been damaged and have no legal right to a claim. As you well know, Proof of Claim must be established by law. Only the Original Mortgage Application and Promissory Note with the Alonge Page attached, will be accepted as proof of claim. If the Third Party Defendants have the original mortgage application and promissory note let them bring it forth and offer their Proof of Claim for my inspection. I believe the Third Party Defendants DO NOT have lawful Proof of Claim and there is no evidence to the contrary. This is Dishonor in Commerce, Theft, Fraud, Conspiracy, Securities Fraud and Racketeering and I believe there is no evidence to the contrary.

AS TO COUNT 2: I, John Lewosz tendered a lawful Promissory Note on 11/14/2005 to ABN AMRO MORTGAGE to settle this debt. ABN AMRO MORTGAGE, FSB and CITIMORTGAGE, INC has chosen to dishonor my lawful Note and have refused to zero the account. It is a fact that our Country has been Bankrupt since March 9<sup>th</sup>, 1933, so Lawful Money no longer exists, nor, available for payment of debt in our economic system. Notes are considered Legal Tender for debts, according to the Code. This is a Dishonor in Commerce, Fraud, Theft of Public Funds, Racketeering, Securities Fraud and Conspiracy, and I believe there is no evidence to the contrary.

AS TO COUNT 3:1 I, John Lewosz have researched my Promissory Note Number 14067337 signed on 11/24/2005 at the closing with ABN AMRO MORTGAGE and the Court Case Number of 10 CH 44185 and found that CUSIP NUMBER 316048107 was assigned and traded with Fidelity Municipal Money Market Fund and currently valued at \$23,024,930,000 that would be billions.

AS TO COUNT 4:1, I John Lewosz have concluded that it is impossible to receive a "fair and impartial hearing" and "due process of law" in any courtroom in your system due to the "conflict of interest" which is associated with the monetization of promissory notes and court case numbers for the benefit of your retirement account directly through CAFR Funds, and I believe there is no evidence to the contrary.

AS TO COUNT 5:1, I, John Lewosz, have concluded that the Attorney Firm and all Agents are acting in concert by committing "Fraud upon the Court". I have demanded "Validation of Debt", however, to date, Codilis and Associates Attorney Firm have not honored my request and continue to move against me without validation of the debt, and I believe there is no evidence to the contrary.

AS TO COUNT 6:1, I, John Lewosz have concluded that Administrator/ Judge Darryl Simko is complicit in fraud by practicing law from the bench. Judge Simko does not even try to give the appearance of a "fair and unbiased hearing". I also believe there is a conflict of interest as Judge Darryl Simko is exponentially compensated for every foreclosure he orders and I believe there is no evidence to the contrary.

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## OPPORTUNITY TO CURE

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The Third Party Defendants have 21 calendar days to cure their Dishonor by the following:

1. Dismiss any and all claims against the Third Party Plaintiff, John Lewosz without prejudice and cancel the Deed of Trust aka Mortgage Agreement with a Release of Lien properly filed with the Court and Cook County Recorder's Office.
2. Pay all damages as indicated by the counterclaim contained herein with Real Money, Surrender any and all Public Hazard Bonds, other Bonds, Insurance Policies, 801K, CAFR Funds, etc. as needed to satisfy counterclaim herein, OR,
3. Prove your claims against me by providing me with lawfully documented evidence that is certified true and correct, by the Clerk of the Court, in their unlimited commercial liability, while Under Oath, on and For the Official Record, under penalties of the law including Perjury. This evidence must prove your case by preponderance or the greater weight of evidence and must answer each and every averment, Point by Point individually. If any and all points are not answered fully and accompanied by lawfully documented evidence, as provided herein, that will be Default on the part of the Third Party defendants. Non Response according to the conditions herein will be default. Incomplete answers and/ or lack of documented evidence as outlined herein will be Default. If the Third Party Defendants fail to respond as outlined herein, within 21 calendar days, this will be Default. Non Response will be a Self Executing Confession of Judgment by all Third Party Defendants, and will be complete agreement with all the statements, terms, and conditions of this contract. This is a contract in Admiralty. Any officer of the court that interferes or involves himself/herself with this claim will be added to this claim and become a Third Party Defendant. All Third Party Defendants are jointly and severally liable for this claim.

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## COUNTERCLAIM

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THE FOLLOWING DAMAGES HAVE BEEN ASSESSED AGAINST YOU SHOULD YOU FAIL TO MEET THE REQUIREMENTS AS PROVIDED IN THE OPPORTUNITY TO CURE CONTAINED HEREIN:

1. Failure to state a claim upon which relief can be granted \$100,000.00 (One Hundred Thousand US Dollars) per count, per violation, Per Third Party Defendant.
2. Failure to respond as outlined herein \$100,000.00 (One Hundred Thousand US Dollars) per count, per violation, per Third Party Defendant.
3. Default by non response or incomplete response \$100,000.00 (One Hundred Thousand Dollars) per count, per violation, Per Third Party Defendant.

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4. Dishonor In Commerce - \$1,000,000.00 (One Million Dollars) per count, per violation, Per Third Party Defendant.
5. Fraud - \$100,000.00 (One Hundred Thousand US Dollars) per count, per violation, Per Third Party Defendant.
6. Conspiracy - \$100,000.00 (One Hundred Thousand US Dollars) per count, per violation, Per Third Party Defendant.
7. Failure to pay Counterclaim in full within (30) Thirty Calendar Days of Default as contained herein. \$100,000.00 (One Hundred Thousand US Dollars), per month, and interest of 1.5 % per month compounded daily for the first (30) Thirty Days from the date of default. After (30) Thirty Days beginning on the (31<sup>st</sup>) Thirty first Day after Default, the penalties for Failure to pay will increase by \$100,000.00 (One Hundred Thousand Us Dollars Per Day) for each calendar day that this counterclaim is not paid in full, plus interest. After (90) calendar days, beginning on the 91<sup>st</sup> day of the date of Default, the penalties for Failure to Pay Counterclaim will increase by \$5,000,000.00 (Five Million US Dollars) per calendar month, that the Counterclaim is not paid in full, plus interest as indicated herein.
8. All Claims are stated in US Dollars which means that a US Dollar will be defined, for the purposes of this counterclaim, as, a One Ounce Silver coin of .999 fine silver, or the equivalent par value as established by law or the exchange rate as set by the US Mint, whichever is the higher amount, for a certified One Ounce Silver Coin at the time of the first day of default as outlined herein, if the claim is to be paid in Federal Reserve Notes or other certified funds these funds will only be accepted at Par Value as indicated above.
9. Punitive damages will be assessed as the total amount of the damages as outlined herein times three. Punitive damages will be added to the original amount of damages.

  
 \_\_\_\_\_  
 John Lewosz, P.R.

Date: July 22 2011

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### JURAT

STATE ILLINOIS )  
COUNTY COOK ) ss.

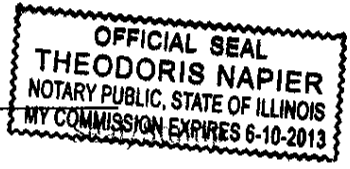
On the 22 day of Aug, 2011 A.D., the above signed Secured Party Creditor personally appeared before me with this Administrative Affidavit of Specific Negative Averment, Opportunity to Cure, and Counterclaim, and proved to me on the basis of satisfactory evidence and identification to be the man whose name is subscribed to the within instrument, and acknowledged to me that he or she executed the same in his authorized capacity, and that by his signature on the instrument, the person or the entity upon behalf of which the person acted, signed under oath or asseveration, and accepts the truth thereof.

Theodoris Napier  
Printed Notary Name

Theodoris Napier  
Notary Signature

Maywood / Illinois  
Notary City and State

6-10-2013  
My commission expires



Certified Copy to Darryl Sunko-Administrator/Judge 7010 0290 0000 8163 1121

Certified Copy to Codilis and Associates 7010 0290 0000 8163 1145

Certified Copy to GTMORTGAGE CFO 7010 0290 0000 8163 1206

Certified Copy to Cynthia Y. Cobbs-Director/Administrative Office of the Illinois Courts

#### Contents of Package:

1. Negative Averment, Opportunity to Cure and Counterclaim
2. UJMP Numbers for this Court Case.
3. Trading information on my Processory Note 14067337—proving payment in full at the time of closing.

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### Enter Ticker Symbol(s):

10 CH 44185

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Scroll down or click on the symbol to see a detailed quote. Quotes are not automatically updated. The date and time of the quote is indicated in the As Of field.

SYMBOL	LAST	CHANGE	BID/NAV	ASK/POP	VOLUME	HIGH	LOW	DATE/TIME
<a href="#">FIVE</a>	1.00	0.00	1.00	1.00	N/A	N/A	N/A	08/19/2011
<a href="#">CH</a>	17.8500	3.2200	N/A	N/A	28,586	18.2000	17.6900	08/19/2011 04:02pm
<b>44185</b>	Unknown symbol. You may <a href="#">edit</a> the symbol.							

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### MONEY MARKET FUND QUOTE

[Top](#)

FIDELITY MUNICIPAL MONEY MARKET (FPMX)

As of: 08/19/2011

NAV	<b>1.00</b>	7-Day Yield	0.01%
Net Change	0.00	Previous NAV	1.00
Net Change %	0.00%	Offer Price (POP)	1.00
Fund Number	10	<a href="#">Trade</a>	<a href="#">Research</a>

Past performance is no guarantee of future results. Yield will vary.

An investment in a money market fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although a money market fund seeks to preserve the value of your investment at \$1.00 per share, it is possible to lose money by investing in the fund.

### STOCK QUOTE

[Top](#)

GREENSHIELD FUND, INC. (NYSE) COMMON STOCK (CH)

As of: 08/19/2011 04:02pm

Last Trade [tick]	<b>17.8500</b>	Volume	28,586
Net Change	+\$0.2500	52 Week High	26.5600 on 11/08/2010
Net Change %	+1.40%	52 Week Low	16.0700 on 08/08/2011
Bid	N/A	Ex. Dividend Date	
Bid Size	N/A	Dividend Pay Date	
Ask	N/A	Dividend Rate	
Ask Size	N/A	P/E Ratio	0.0000
Bid Exchange	N/A	Yield	11.49171%
Ask Exchange	N/A	Split Factor	0.00
Last Trade Exchange	American	EPS	0.00
Open	17.7100	Currency	USD
Day High	18.2000	Primary Exchange	American
Day Low	17.6900		
Prev Close Price	18.1000	<b>Stock Research (CH)</b>	
Prev Close Date	08/18/2011	<b>Get (CH) Snapshot</b>	<input type="button" value="Go"/> <input type="button" value="Trade"/>

*John  
JASE*

Cook County Clerk's Office

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Sunday, August 21, 2011

Research > Mutual Funds

## Fidelity Municipal Money Market Fund (FTEXX)

**No Transaction Fee <sup>1</sup>**

[Overview](#) [Performance](#) [Risk](#) [Strategy](#) [Composition](#) [Holdings](#) [Facts](#) [Factsheet](#)

### Strategy & Objective (FTEXX)

#### Strategy

Normally investing in municipal money market securities. Normally investing at least 80% of assets in municipal securities whose interest is exempt from federal income tax.

#### Objective

Seeks as high a level of interest income exempt from federal income tax as is consistent with liquidity and stability of principal.

### Fund Facts (FTEXX)

**Fiscal Year End**  
August

**CUSIP**  
316048107

**Fund Inception**  
01/02/1980

**Net Assets as of 07/31/2011 (\$M)**  
23,024.93000

**Fund Number**  
10

**Fund Symbol**  
FTEXX

#316048107  
CUSIP NUMBER  
Billions

### Holdings (FTEXX)

#### Composition by Instrument (%) as of 06/30/2011

Municipal Notes	1.97
Municipal Bonds	2.13
Tender Bonds	1.24
Commercial Paper	11.88
Variable Rate Demand Notes	22.78
Other Money Market Investments	0.0

#### Portfolio Data

	as of 08/18/2011	22 Days
	as of 08/18/2011	22 Days
<b>Subject to Alternative Minimum Tax (%)</b>		
Max Allowed		100
	as of 06/30/2011	40.8

#### Quality as of 06/30/2011

First Tier	98.07
Second Tier	1.93

— For the latest information on a fund's complete holdings, see the most recently dated Holdings Report, Semi-Annual Report or Annual Report.

### Historical Information (FTEXX)

#### Historical Fund Information

10/19/2007- Merger with Florida Municipal Money Market

<sup>1</sup> No Transaction Fee: All fund shares are available without paying a trading fee to Fidelity. This applies to the fund, however, the fund may charge a short-term trading or redemption fee to short-term investors or long-term shareholders of the fund. Shares are subject to the fund's management and investing expenses. See Expenses & Fees for more information.

Before investing, consider the fund's investment objectives, risks, charges and expenses. Fund information is available at [www.fidelity.com](#). Prospectus containing this information may be obtained by visiting [www.fidelity.com](#).



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11/19/11

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- To quote or lookup a fixed income security, click [here](#).

### Enter Ticker Symbol(s):

140 67 337

Quote

[Find Symbol](#)

Scroll down or click on the symbol to see a detailed quote. Quotes are not automatically updated. The date and time of the quote is indicated in the As Of field.

SYMBOL	LAST	CHANGE	BID/NAV	ASK/POP	VOLUME	HIGH	LOW	DATE/TIME
00140	Unknown symbol. You may <a href="#">lookup</a> the symbol.							
FSDAX	65.49	↓ 0.33	65.49	65.49	N/A	N/A	N/A	08/19/2011
FMCSX	24.30	↓ 0.00	24.30	24.30	N/A	N/A	N/A	08/19/2011

Quotes are displayed by Date/Time in Eastern time. All Quotes are Delayed

### MUTUAL FUND QUOTE

[Top](#)

FIDELITY SELECT DEFENSE & AEROSPACE (FSDAX)

As of: 08/19/2011

NAV	<b>65.49</b>	Offer Price (POP)	65.49
Net Change		Load %	0.00%
Net Change %		Last Dividend (04/15/2011)	0.1200
Previous NAV	66.15	Last Cap Gain (04/11/2008)	4.7500
Previous NAV Date	08/18/2011	30-Day Yield %	
Fund Number	67		

[Trade](#) | [Chart](#) | [Research](#)

Quotes are displayed by Date/Time in Eastern time.

### MUTUAL FUND QUOTE

[Top](#)

FIDELITY MID CAP STOCK (FMCSX)

As of: 08/19/2011

NAV	<b>24.30</b>	Offer Price (POP)	24.30
Net Change		Load %	0.00%
Net Change %		Last Dividend (12/17/2010)	0.0160
Previous NAV	24.33	Last Cap Gain (06/10/2011)	1.4350
Previous NAV Date	08/18/2011	30-Day Yield %	
Fund Number	337		

[Trade](#) | [Chart](#) | [Research](#)

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Research > Mutual Funds >

## Select Defense and Aerospace Portfolio (FSDAX)

**NO Transaction Fee**<sup>1</sup>

On October 1, 2006 the fund began comparing its performance to a different benchmark and adjusted its investments.

[Home](#) | [Fund Facts](#) | [Holdings](#) | [Strategy](#) | [Composition](#) | [Risk & Returns](#) | [Performance](#) | [Investment](#) | [Management](#) | [Additional Information](#)

### Strategy & Objective (FSDAX)

#### Strategy

Investing primarily in companies engaged in the research, manufacture or sale of products or services related to the defense or aerospace industries. Normally investing at least 80% of assets in securities of companies principally engaged in these activities. Normally investing primarily in common stocks.

#### Objective

Seeks capital appreciation.

### Fund Facts (FSDAX)

**Fiscal Year End**  
**CUSIP**  
**Fund Inception**  
**Net Assets as of 07/31/2011 (\$M)**  
**Fund Number**  
**Fund Symbol**

February  
 316390806  
 05/08/1984  
 697.76000  
 67  
 FSDAX

CUSIP  
 316390806  
 05/08/1984  
 697.76000  
 67  
 FSDAX

### Holdings (FSDAX)

**Top 10 Holdings<sup>2</sup>** as of 06/30/2011

UNITED TECHNOLOGIES CORP  
 BOEING CO  
 PRECISION CASTPARTS CORP  
 GOODRICH CORP  
 HONEYWELL INTL INC  
 ROCKWELL COLLINS INC  
 RAYTHEON CO  
 ESTERLINE TECHNOLOGIES CORP  
 TEXTRON INC  
 TRANSDIGM GROUP INC

Top 10 Holdings  
 Other Holdings

### Country Diversification (%)<sup>2</sup>

Country	Percentage
USA	95.48%
Netherlands	1.59%
Germany	1.16%
Canada	1.05%

### Major Market Sectors (%)<sup>2</sup>

Major Market Sector	06/30/2011	05/31/2011	12/31/2010
Industrials	93.70	95.48	95.22
Materials	2.64	2.14	1.53
Consumer Discretionary	1.20	0.83	0.89
Information Technology	0.46	0.49	1.09
Energy	0.00	0.00	0.00
Consumer Staples	0.00	0.00	0.00
Health Care	0.00	0.00	0.00
Financials	0.00	0.00	0.00
Telecommunication Services	0.00	0.00	0.00
Utilities	0.00	0.00	0.00
Other	0.00	0.00	0.00

74.74% of Portfolio

Total Number of Holdings: 30

### Currency Diversification(%) as of 06/30/2011

Currency	Percentage
US Dollar	97.79
European Monetary Unit (Euro)	1.16
Canadian Dollar	1.05

### Asset Allocation (%)<sup>2</sup>

Asset Allocation	06/30/2011	05/31/2011	12/31/2010
Domestic Equities	93.48	92.70	94.87
International Equities	4.51	6.24	3.87
Developed Markets	3.79	5.42	3.87
Emerging Markets	0.72	0.82	
Cash & Net Other Assets	2.01	1.06	1.26

### Turnover Rate as of 02/28/2011 43%

The percent of net assets invested in both domestic and foreign Equities (common stocks, preferred stocks, rights and warrants, convertible preferred stocks and stock index futures and options), Bond (all debt instruments, including investment grade, non-investment grade, non-rated securities and convertible bonds), and Cash & Net Other Assets (cash, repurchase agreements, receivables and payables).

In addition to fund receivables and payables, "Net Other Assets", "Cash & Other" and "Cash & Net Other Assets" may include notional assets/liabilities of certain derivative

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

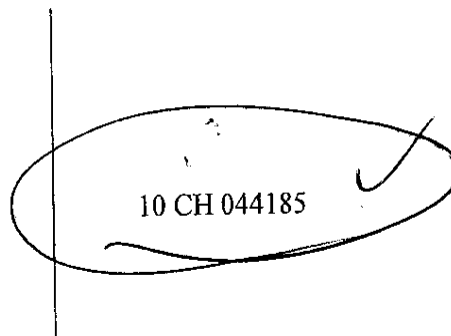
CITIMORTGAGE, INC. SUCCESSOR BY  
 MERGER TO ABN AMRO MORTGAGE  
 GROUP, INC.

Plaintiff,

-v.-

JOHN LEWOSZ, et al

Defendant



NOTICE OF SALE

PUBLIC NOTICE IS HEREBY GIVEN that pursuant to a Judgment of Foreclosure and Sale entered in the above cause on May 25, 2011, an agent of The Judicial Sales Corporation, will at 10:30 AM on August 25, 2011 at the The Judicial Sales Corporation, One South Wacker Drive - 24th Floor CHICAGO, IL, 60606, sell at public auction to the highest bidder, as set forth below, the following described real estate:

LOT 19 (EXCEPT THAT PART THEREOF TAKEN FOR THE WIDENING OF MICHIGAN AVENUE) IN BLOCK 6 OF STONE SUBDIVISION OF THE NORTH 15 ACRES OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as 3545 S. MICHIGAN AVENUE, CHICAGO, IL 60653

Property Index No. 17-34-302-021.

The real estate is improved with a single family residence.

Sale terms: **25% down of the highest bid by certified funds at the close of the auction;** The balance, including the Judicial sale fee for Abandoned Residential Property Municipality Relief Fund, which is calculated on residential real estate at the rate of \$1 for each \$1,000 or fraction thereof of the amount paid by the purchaser not to exceed \$300, in certified funds, is due within twenty-four (24) hours. No fee shall be paid by the mortgagee acquiring the residential real estate pursuant to its credit bid at the sale or by any mortgagee, judgment creditor, or other lienor acquiring the residential real estate whose rights in and to the residential real estate arose prior to the sale. The subject property is subject to general real estate taxes, special assessments, or special taxes levied against said real estate and is offered for sale without any representation as to quality or quantity of title and without recourse to Plaintiff and in "AS IS" condition. The sale is further subject to confirmation by the court.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

Upon payment in full of the amount bid, the purchaser will receive a Certificate of Sale that will entitle the purchaser to a deed to the real estate after confirmation of the sale

The property will **NOT** be open for inspection and plaintiff makes no representation as to the