

UNOFFICIAL COPY
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION

DIAMOND BANK, FSB,)
)
Plaintiff,)
)
vs.)
)
FIAS PROPERTIES, LLC., GEORGE)
SAMUTIN, VALERIE SAMUTIN, SCHMIDT,)
SALZMAN & MORAN, LTD. BOARD OF)
MANAGERS OF PARK PLACE)
CONDOMINIUM UNIT OWNERS,)
UNKNOWN OWNERS, NON-RECORD)
CLAIMANTS, UNKNOWN TENANTS and)
OCCUPANTS,)
)
Defendants.)

No. 10 CH 41600

Property Address:
1124 E. Hyde Park Blvd., #1N
Chicago, IL

Calendar 55



Doc#: 1201710099 Fee: \$76.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/17/2012 03:50 PM Pg: 1 of 6

CONSENT JUDGMENT OF FORECLOSURE

THIS CAUSE being heard on the complaint filed herein and on the motion of the plaintiff, pursuant to Section 15-1402(a) of the Mortgage Foreclosure Law (735 ILCS 5/2-1402(a)) for Consent Judgment of Foreclosure and for Default Judgment against non-appearing defendants, and the court being fully advised on the premises:

The Court makes the following findings:

1. The following Defendants have appeared:

- (a) Fias Properties, LLC
- (b) George Samutin
- (c) Valerie Samutin

2. Defendants Schmidt, Salzman & Moran, Ltd. Board of Managers of Park Place Condominium Unit Owners have been served with process and have failed to appear. Defendants, Unknown Owners, Non Record Claimants, Unknown Tenants and Occupants have been served by publication and none have appeared.

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3. It has jurisdiction over the parties to the subject matter of this lawsuit.

4. Attached to the complaint as Exhibit A is a copy of the Mortgage sought to be foreclosed in these proceedings and attached to the Complaint as Exhibit B is the Note which the Mortgage secures.

5. Information regarding the Mortgage sought to be foreclosed:

- | | | |
|-----|-----------------------------------------|------------------------------------------------|
| (A) | Name of Instrument: | Mortgage |
| (B) | Date of the Mortgage | June 1, 2007 |
| (C) | Name of the Mortgagor | Fias Properties, LLC |
| (D) | Name of Mortgagee | Diamond Bank, FSB |
| (E) | Date and Place of Recording | June 5, 2007, Cook
County Recorder of Deeds |
| (F) | Identification of Recording | 0715641128 |
| (G) | Estate Conveyed: | Fee Simple |
| (H) | Amount of Original Indebtedness: | \$152,000.00 |
| (I) | Legal Description of Mortgage Premises: | |

PARCEL A:

UNIT 1124-1N IN THE PARK PLACE ON THE BOULEVARD CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1:

THE PART OF A TRACT OF LAND COMPRISED OF LOT 6 (EXCEPT THE NORTH 115.5 FEET THEREOF) IN BLOCK 17 IN LYMAN LARNED AND WOODBRIDGE'S SUBDIVISION OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ AND THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN: AND LOTS 2, 3, 4, 5, 6, 7 AND 8 (EXCEPT THE SOUTH 17 FEET OF LOTS 3 TO 8 TAKEN FOR STREET) IN SUBDIVISION OF LOTS 7 TO 10 INCLUSIVE IN BLOCK 17 IN LYMAN, LARNED AND WOODBRIDGE'S SUBDIVISION, AFORESAID; AND THE PART OF ORIGINAL LOTS 7 AND 10 IN BLOCK 17 IN LYMAN, LARNED AND WOODBRIDGE'S SUBDIVISION AFORESAID, LYING BETWEEN THE LIMITS OF THE ALLEYS SHOWN UPON THE PLAT OF THE SUBDIVISION OF LOTS 7 TO 10, INCLUSIVE, IN BLOCK 17, DESCRIBED AS FOLLOWS:

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COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT; THENCE WEST ALONG THE SOUTH LINE THEREOF 105 FEET TO A POINT; THENCE NORTH 150 FEET TO A POINT; THENCE NORTHEASTERLY TO A POINT IN A LINE 160 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID TRACT AND 95 FEET WEST OF THE EAST LINE OF SAID TRACT; THENCE EAST TO A POINT 35 FEET WEST OF THE EAST LINE OF SAID TRACT; THENCE NORTH TO A POINT 10 FEET SOUTH OF THE NORTH LINE AND 35 FEET WEST OF THE EAST LINE OF SAID TRACT; THENCE EAST PARALLEL WITH THE SOUTH LINE 35 FEET TO THE EAST LINE OF SAID TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.
AND

PARCEL 2:

LOT 3 (EXCEPT THAT PART LYING NORTH OF A LINE 221.39 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF EAST HYDE PARK BOULEVARD) IN BLOCK 17 IN LYMAN, LARNED AND WOODBRIDGE SUBDIVISION OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN ALSO LOTS 2, 3, 4, 5, 6, 7 AND 8 (EXCEPT THE SOUTH 17 FEET THEREOF) IN SUBDIVISION OF LOTS 7 TO 10 INCLUSIVE, BLOCK 17 OF LYMAN, LARNED AND WOODBRIDGE'S SUBDIVISION AFORESAID, ALSO THAT PART OF ORIGINAL LOT 7 TO 10 IN BLOCK 17 IN LYMAN, LARNED AND WOODBRIDGE'S SUBDIVISION AFORESAID LYING BETWEEN THE LIMITS OF THE ALLEYS SHOWN UPON THE PLAT OF SUBDIVISION TO LOTS 7 TO 10 INCLUSIVE, IN BLOCK 17 AFORESAID, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF SAID TRACT 35 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID TRACT OF LAND A DISTANCE OF 61.39 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF HYDE PARK BOULEVARD A DISTANCE OF 60 FEET TO A POINT "A" WHICH IS 160 FEET NORTH OF THE SOUTH LINE AND 95 FEET WEST OF THE EAST LINE OF SAID TRACT OF LAND; THENCE SOUTHWESTERLY 14.15 FEET TO A POINT WHICH IS 150 FEET NORTH OF THE SOUTH LINE AND 105 FEET WEST OF THE EAST LINE OF SAID TRACT OF LAND; THENCE SOUTH 150 FEET TO THE SOUTH LINE OF SAID TRACT OF LAND THENCE WEST 12 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH SAID 150 FOOT LINE A DISTANCE OF 154.97 FEET TO ITS POINT OF INTERSECTION WITH A LINE 12 FEET NORTHWESTERLY OF (MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE HEREINBEFORE DESCRIBED 14.15 FOOT LINE THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 19.12 FEET TO A POINT IN A LINE PERPENDICULAR TO SAID PARALLEL LINE AND WHICH PASSES THROUGH POINT "A" HEREINBEFORE DESCRIBED: THENCE NORTHEASTERLY FROM SAID POINT 57.55 FEET TO A POINT ON THE NORTH LINE OF SAID

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TRACT 80.89 FEET WEST OF THE EAST LINE OF SAID TRACT; THENCE EASTERLY ALONG SAID PARALLEL LINE 45.89 FEET TO A POINT OF BEGINNING; ALL IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0703215110, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL B:

THE EXCLUSIVE RIGHT TO USE STORAGE SPACES S-1 AND S-4, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0703215110.

"MORTGAGOR ALSO HEREBY GRANTS TO THE MORTGAGEE, ITS SUCCESSORS AND ASSIGNS, AS RIGHTS AND EASEMENTS APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE, THE RIGHTS AND EASEMENTS FOR THE BENEFIT OF SAID PROPERTY SET FORTH IN THE DECLARATION OF CONDOMINIUM."

"THIS MORTGAGE IS SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS CONTAINED IN SAID DECLARATION THE SAME AS THOUGH THE PROVISIONS OF SAID DECLARATION WERE RECITED AND STIPULATED AT LENGTH HEREIN."

Commonly known as 1124 East Hyde Park Boulevard, Unit 1N, Chicago, IL

PIN: 20-11-116-006-0000 and 20-11-116-007 (Affects underlying land)

6. The mortgaged real estate is non-residential as defined in §15-1219 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1219).

7. The Note and Mortgage are in default.

8. The Plaintiff/Mortgagee, Diamond Bank, FSB, and the defendants/Mortgagor, Fias Properties, LLC and the defendants/Guarantors, George Samutin and Valerie Samutin, has entered into a Stipulation, which has been filed with the Court, wherein said Mortgagor and Guarantors have agreed and consented to an entry of a consent foreclosure and the Mortgagee has consented that it shall not be entitled to a deficiency judgment against any of those parties either in the present action or any other action for a deficiency and that in consideration of the entry of this judgment the Plaintiff/Mortgagee waives any and all rights for personal judgment for deficiency against the Mortgagors and all other persons liable for the indebtedness, or

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other obligations secured by the Mortgage described therein pursuant to Section 735 ILCS 5/15-1402 (c).

9. No party has filed an objection to the entry of the judgment.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that fee simple title to the property described in paragraph 5 (l) is hereby absolutely vested in the plaintiff, Diamond Bank, FSB.

IT IS FURTHER ORDERED:

1. That all subordinate lien interests, including barring the right to redeem by any party or to object to this Consent Judgment, are terminated.
2. Plaintiff is granted possession of the property described in paragraph 4 (iv) immediately upon the entry of this Consent Judgment.
3. That the Court finds there is no just cause to delay enforcement or appeal from this Consent Judgment of Foreclosure.

ENTER:

Judge Alfred M. Swanson, Jr.

JAN 05 2012
Judge

Circuit Court 2035
Date: _____

THIS ORDER PREPARED BY:

Michael J. Goldstein
Michael J. Goldstein & Associates, Ltd.
Attorney for Plaintiff
17 North State Street, Suite 990
Chicago, Illinois 60602
Telephone: (312) 346-0945
Attorney No. 20137

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Property of Cook County Clerk's Office

I hereby certify that a true and correct copy of the
certification is on file in the office of the
Clerk of Cook County, Illinois.
Karen Brown
Clerk of Cook County, Illinois
1/17/12