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

BMO Harris Bank N.A., f/k/a Harris N.A., as)
successor in interest to Harris Trust and Savings)
Bank,)
Plaintiff,) Case No. : 2010 CH 35697
v.)
Victor Garcia; Banco Popular North America;) Property Address:
Lupe's Body Shop, Inc.; and Unknown Owners) 2440 S. Kedzie Avenue
and Non-Record Claimants,) Chicago, IL 60623
Defendants.)

Doc#: 1205244115 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 02/21/2012 04:28 PM Pg: 1 of 4



ORDER CONFIRMING SALE (ORDER APPROVING) AND ORDER OF POSSESSION

This cause coming to be heard on Plaintiff's motion for entry of an order approving the Report of Sale and Distribution, an order confirming the sale of the mortgaged real estate that is the subject of the matter of the cause captioned above, for an order of possession against Victor Garcia and Lupe's Body Shop, Inc., and for entry of a deficiency judgment against Victor Garcia and Lupe's Body Shop, Inc., due notice been given and the Court fully advised:

THE COURT FINDS that:

1. That the real property that is the subject matter of the foreclosure count in the above captioned cause is legally described as:

LOTS 1 TO 5, INCLUSIVE, IN BLOCK 1 IN KEDZIE AVENUE LAND ASSOCIATION SUBDIVISION, BEING A SUBDIVISION OF THE SOUTH 30 ACRES (EXCEPT THE SOUTH 83 FEET THEREOF) OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 2440 S. Kedzie Avenue, Chicago, IL 60623

P.I.N.: 16-26-223-036-0000 (hereinafter referred to as the "Property.")

2. That the period of redemption and the right of reinstatement expired without same having been made;
3. That all notices required by section 1507(c) of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1507(c)) were given;

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4. That said sale was fairly and properly made;
5. That the Sheriff of Cook County, hereinafter "Sale Officer" has in every respect proceeded in accordance with the terms of this Court's Judgment;
6. That the successful bidder, BMO Harris Bank N.A., or its assignee, is entitled to a deed of conveyance and possession of the mortgage real estate; and that justice was done;
7. The address of BMO Harris Bank N.A., or its assignee is c/o – Steven Kloberdanz, 111 W. Monroe Street, 4th Floor, Chicago, Illinois, and its phone number is (312) 461-6969;
8. That the real property that is the subject matter of this proceeding is a mixed commercial and residential building.

IT IS HEREBY ORDERED that:

1. That the sale of the Property involved herein, and the Report of Sale and Distribution filed by the Selling Officer, is hereby ratified and confirmed;
2. That the proceeds of the sale be distributed in accordance with the Report of Sale and Distribution;
3. That the BMO Harris Bank N.A.'s advances, fees and costs arising between the entry of Judgment of Foreclosure and Sale and the date and sale as stated in the Report of Sale, are ratified and confirmed;
4. That the proceeds of said sale were insufficient to satisfy the judgment and an IN PERSONAM deficiency judgment is entered in favor of BMO Harris Bank N.A. and against Victor Garcia and Lupe's Body Shop, Inc., jointly and severally, in an amount of \$186,306.76;
5. That upon confirmation herein and upon request by the successful bidder, BMO Harris Bank N.A., and provided that all required payments have been made pursuant to Section 15-1509(a) of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1509(a)), the Selling Officer shall execute and deliver to BMO Harris Bank N.A., or its assignee a Deed sufficient to convey title to the Property;
6. That the deed to be issued to BMO Harris Bank N.A., or its assignee hereunder is a transaction that is exempt from all transfer taxes either state or local and the Cook County Recorder of Deeds is ordered to permit immediate recordation of the Judicial Sale deed issued hereunder without any exemption stamps;
7. That BMO Harris Bank N.A., or its assignee is entitled to and shall have possession of the property no sooner than 30 days from the entry of this Order, without further Order of

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Court, as provided in Section 15-1701 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1701).

- 8. That in the event possession is so withheld, the Sheriff of Cook County is directed to evict and dispossess, no sooner than 30 days from entry of this Order, Victor Garcia and Lupe's Body Shop, Inc.;
- 9. No occupants other than Victor Garcia and Lupe's Body Shop, Inc. may be evicted without a Supplemental Order of Possession or an order from the Forcible Entry and Detainer Court;
- 10. The last day of inspection done on the Property is April 12, 2011;
- 11. A copy of this Order shall be mailed to all named Defendants at their last known address within seven days of entry of this Court

12. Dan McKay's Trust Report is approved and he is discharged as Receiver and he is entitled to a discharge of his bond without offset.

ENTER: _____
Judge

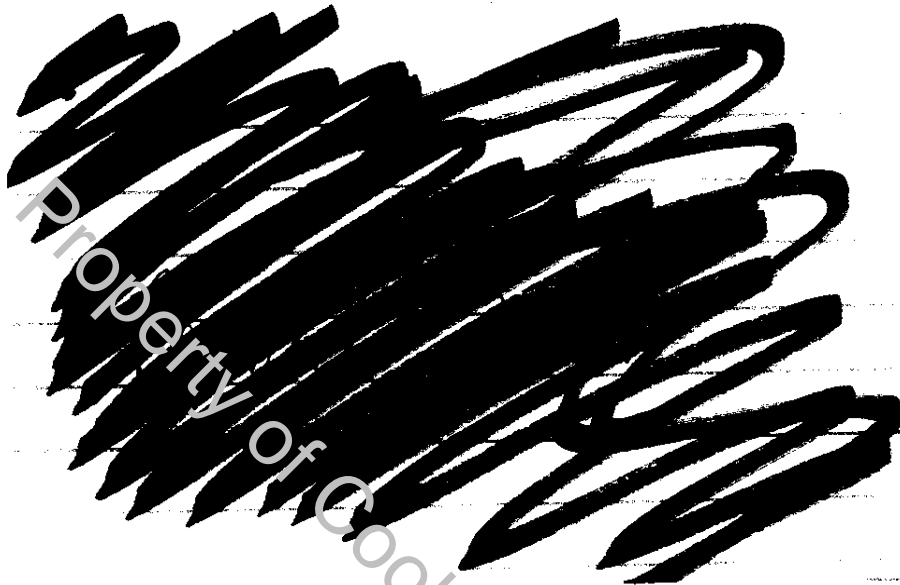
DATE: _____

Daniel Rubin

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Firm ID: 46359

Judge Daniel Patrick Brennan
JAN 25 2012
Circuit Court 1932

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Property of Cook County Clerk's Office

I hereby certify that the document to which this certification is affixed is a true copy.

Dorothy Brown
Dorothy Brown 1-27-12
Clerk of the Circuit Court
of Cook County, IL

