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

CARLA LEKICH AND CHICAGO
TITLE AND TRUST LAND TRUST
NUMBER 52912,

Plaintiffs,

v.

JONATHAN MARCHETTI *et al.*,

Defendants.

No. 08 CH 40184



Doc#: 1211716077 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/26/2012 03:58 PM Pg: 1 of 6

ORDER (Page 1)

This matter coming before the Court on Plaintiffs' Motion for Partial Summary Judgment, all parties having due notice, and the Court being fully advised,

THE COURT FINDS as follows:

1. That since November 20, 1968, title to the real property located at 3905 S. Lake Park Avenue, Chicago, Cook County, Illinois 60653 (hereinafter the "Property"), the legal description of which is attached hereto as Exhibit "A," is vested in, and through the date of this Order, remains vested in Chicago Land Title and Trust Company, as Trustee under Trust Agreement dated November 20, 1968 and known as Trust Number 52912 (hereinafter "the Trust)
2. That as of the date of this Order, Plaintiff Carla Lekich is the sole beneficiary of the Trust;
3. That the following instruments recorded against the Property are clouds against the title to the Property, are of no force and effect:
 - a. The Quit Claim Deed recorded in the Office of the Cook County Recorder of Deeds on November 15, 2007 as Document No. 0731910134, wherein Charles E.

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- Gross and Rose Gross, as grantors, purported to convey the Property to Callie Pruitt, as grantee;
- b. The Warranty Deed recorded in the Office of the Cook County Recorder of Deeds on November 11, 2007 as document No. 0731910135, wherein Callie Pruitt, as grantor, purported to convey the Property to Seville Development Corp., as grantee;
- c. The Warranty Deed recorded in the Office of the Cook County Recorder of Deeds on June 3, 2008 as Document No. 0815511050, wherein Seville Development Corp., as grantor, purported to convey the Property to Jonathan Marchetti and Kathryn Marchetti, as grantees;
- d. The Mortgage recorded in the Office of the Cook County Recorder of Deeds on June 3, 2008 as Document 0815511051, wherein Peotone Bank and Trust Company, as mortgagor, purported to record it's interest in the Property in connection with the purchase of the Property by Jonathan Marchetti and Kathryn Marchetti, as mortgagees, and all subsequent assignments, modifications and/or extensions of said mortgage;
- e. The Assignment of Rents recorded in the Office of the Cook County Recorder of Deeds on June 3, 2008 as Document 0815511052, wherein Jonathan Marchetti and Kathryn Marchetti, as assignors, assigned to Peotone Bank and Trust Company, as assignee, all right, title and interest to rents received in connection with the Property;
- f. The Modification & Extension Agreement recorded in the Office of the Cook County Recorder of Deeds on December 22, 2008 as Document 0835722038,

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wherein Peotone Bank and Trust Company, as mortgagor, and Jonathan Marchetti and Kathryn Marchetti, as mortgagees, modified and extended the Mortgage recorded in the Office of the Cook County Recorder of Deeds as Document 0815511051 and the Assignment of Rents dated May 15, 2008 and recorded as Document 0815511052;

- g. The Modification & Extension Agreement recorded in the Office of the Cook County Recorder of Deeds on June 17, 2009 as Document 0916829009, wherein Peotone Bank and Trust Company, as mortgagor, and Jonathan Marchetti and Kathryn Marchetti, as mortgagees, modified and extended Mortgage recorded in the Office of the Cook County Recorder of Deeds as Document 0815511051, the and the Assignment of Rents dated May 15, 2008 and recorded as Document 0815511052, and the Modification and Extension dated December 22, 2008 as Document 0835722038;
- h. The Modification & Extension Agreement recorded in the Office of the Cook County Recorder of Deeds on January 8, 2010 as Document 1000818001, wherein Peotone Bank and Trust Company, as mortgagor, and Jonathan Marchetti and Kathryn Marchetti, as mortgagees, modified and extended Mortgage recorded in the Office of the Cook County Recorder of Deeds as Document 0815511051, the and the Assignment of Rents dated May 15, 2008 and recorded as Document 0815511052, the Modification and Extension dated December 22, 2008 as Document 0835722038, and the Modification and Extension dated June 17, 2009 and recorded as Document 0916829009;
- i. The Assignment of Real Estate Mortgage recorded in the Office of the Cook

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County Recorder of Deeds on March 16, 2011 as Document 1107557171, wherein the Federal Deposit Insurance Corporation, as receiver for Peotone Bank and Trust Company, as assignor, assigned to 2010-3 SFR Venture, LLC, as assignee, all right, title and interest in Mortgage dated May 15, 2008 recorded as Document 0815511051, and all modifications and extensions subsequently made to this Mortgage;

- j. The Assignment of Assignment of Rents recorded in the Office of the Cook County Recorder of Deeds on March 16, 2011 as Document 1107557172, wherein the Federal Deposit Insurance Corporation, as receiver for Peotone Bank and Trust Company, as assignor, assigned to 2010-3 SFR Venture, LLC, as assignee, all right, title and interest in Assignment of Rents dated May 15, 2008 recorded as Document 0815511052.

IT IS HEREBY DECLARED, ORDERED AND ADJUDGED AS FOLLOWS:

1. The instruments identified in Paragraph 3 of the Findings above be and are hereby declared null and void and are of no force and effect;
2. The grantees identified in the instruments identified in Paragraph 3 of the Findings above do not have, and never had, any interest in the Property;
3. That any claims that said grantees claim, or purport to claim, under the instruments identified in Paragraph 3 of the Findings above be and are hereby declared null and void and are of no force and effect;
4. That since November 20, 1968, title to the real property located at 3905 S. Lake Park Avenue, Chicago, Cook County, Illinois 60653, the legal description of which is attached hereto as Exhibit "A," is vested in, and through the date of this Order, remains vested in Chicago

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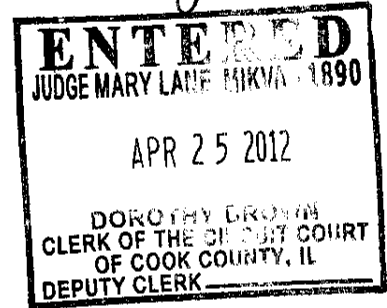
Land Title and Trust Company, as Trustee under Trust Agreement dated November 20, 1968 and known as Trust Number 52912;

5. That as of the date of this Order, Plaintiff Carla Lekich is the sole beneficiary of the Trust;

6. That this Order shall be recorded in the Office of the Cook County Recorder of Deeds.

Dated: _____

Signed: Mary Lane Mikva 1890



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EXHIBIT 'A' Legal Description

THAT PART OF LOTS 10 AND 11 IN BLOCK 3 IN CLEAVERVILLE, A SUBDIVISION OF PART OF SECTION 35 TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF LOT 11 AFORESAID 40 SOTHEASTERLY FROM THE NORTHWEST CORNER OF SAID LOT, THENCE NORTHEASTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOTS TO A POINT WHICH IS 20 FEET SOUTHWESTERLY OF THE ILLINOIS CENTRAL RAILROAD RIGHT OF WAY, THENCE SOUTHEASTERLY PARALLEL WITH SAID RIGHT OF WAY 19 FEET 9 INCHES, THENCE SOUTHWESTERLY THROUGH THE CENTER OF THE PARTY WALL BETWEEN THE BUILDINGS NUMBERS 3905 AND 3907 LAKE PARK AVENUE TO A POINT IN THE WESTERLY LINE OF SAID LOT 11, 20 FEET 3 INCHES SOUTHEASTERLY OF THE POINT OF BEGINNING THENCE NORTHERLY ALONG SAID WESTERLY LINE OF LOT 11 TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

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