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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT – LAW DIVISION

MIDWEST BANK AND TRUST COMPANY,)
as successor by merger with Mount Prospect)
National Bank,)

Plaintiff,)

v.)

No. 2010 L 000909)

THOMAS H. ROTH and KATHY A. ROTH,)

Defendants,)

AMERICAN MIDWEST BANK, as Trustee)
u/t/a dated 1/11/77 a/k/a Trust No. 544,)

Citation Defendants.)



Doc#: 1217934078 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/27/2012 03:23 PM Pg: 1 of 4

ORDER

This matter coming to be heard on the motion of **FIRSTMERIT BANK, N.A.**, (“Judgment Creditor”), by and through its attorneys, **LATIMER LEVAY FYOOCK LLC** due notice having been given, the Judgment Creditor having requested that this Court impose a lien on a certain beneficial interest in a land trust held by Thomas Roth and Kathy A. Roth (the “Judgment Debtors”), pursuant to Section 2-1402 of the Illinois Code of Civil Procedure, 735 ILCS 5/2-1402 and in the alternative, to record a lien against the property described on Exhibit “1” attached hereto (“Property”), it is hereby ordered as follow:

1. American Midwest Bank was served with a Citation to Discover Assets, not personally, but as trustee under a certain trust agreement dated January 11, 1977 and known as trust number 544. American Midwest Bank, as Trustee under trust agreement dated January 11, 1977 and known as trust number 544 is hereinafter referred to as the “Land Trustee” and the

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beneficial interest in such trust number 544 shall hereinafter be referred to as the "Beneficial Interest."

2. The Judgment Creditor obtained a judgment against the Judgment Debtor on September 20, 2011, in the amount of \$1,115,913.30 ("Judgment"). As of May 15, 2012, the Judgment Debtor owes the Judgment Creditor full Judgment, plus interest at the statutory rate of nine percent (9%) since the date of Judgment, plus costs and this Court imposes a lien in favor of the Judgment Creditor on all of Judgment Debtor's right, title and interest in and to the Beneficial Interest of the Property as the case may be, in such amount, *subject to any homestead exemption of Judgment Debtors to which they may be entitled under applicable law.*

3. The Judgment Debtor is entitled to the imposition of a lien upon the Beneficial Interest for the use and benefit of the Judgment Creditor in the amount of \$1,115,913.30 plus interest and costs, and the Judgment Creditor may pursue a levy against the Property pursuant to the judgment.

4. This Court will maintain jurisdiction over the Beneficial Interest, the Judgment Debtor and Land Trustee, subject to the lien imposed hereunder or further court order, as justice may require.

5. This order may be recorded with the Office of the Cook County Recorder of Deeds to preserve the right of the Judgment Creditor to a lien on the Property.

6. That the Court retain jurisdiction of this proceeding to enforce the terms and provisions of this Order; *and the Court finds that there is no just reason to delay enforcement or an appeal of this Order.*

ENTERED
JUDGE ALEXANDER WHITE-0241
JUN 07 2012
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

JUDGE: _____

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Sheryl A. Fyock
LATIMER LeVAY FYOCK LLC
55 West Monroe Street, Suite 1100
Chicago, Illinois 60603
(312) 422-8000
(312) 422-8001 (Fax)
Attorney I.D. No. 47473

Property of Cook County Clerk's Office

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EXHIBIT 1

LOT 78 IN ORCHARD ADDITION TO TEMPLE WOODS OF INVERNESS, BEING A SUBDIVISION OF PART OF THE EAST ½ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED JULY 7, 1961 AS DOCUMENT NO. 18209047.

Common Address: 1709 Appleby Road, Inverness, Illinois 60067-4603

PROPERTY IDENTIFICATION NUMBER: 02-20-204-016-0000

Property of Cook County Clerk's Office