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Doc#: 1219945080 Fee: \$52.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/17/2012 01:47 PM Pg: 1 of 8

STIPULATION AND AGREED ORDER REGARDING EXCLUSIVE RIGHT TO PARKING SPOT

Legal Description:

Unit 3S in the 2518-2520 N. Willetts Condominiums as delineated on a survey of the following described real estate: Lots 10 and 11, in Block 2 in Storey and Allen's Milwaukee Avenue Addition to Chicago, being a subdivision of 5.8 acres in the Southwest ¼ of the Southwest ¼ of Section 25, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois; which survey is attached as Exhibit "D" to the Declaration of Condominium recorded as Document Number 0636169980, and as amended, together with its undivided percentage interest in the common elements.

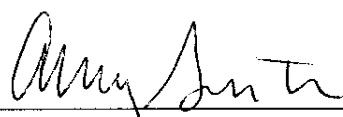
Common Address: 2518 N. Willetts, Unit 3S, Chicago, Illinois 60647

PIN: 13-25-315-022-0000

Relates to Document No. 0733010000

Return to:

Amy Greenstein
Fidelity National Law Group
20 S. Clark Street, Suite 1510
Chicago, IL 60603
(312) 223-2418



Amy Greenstein

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

DAVID N. PRUITT and MARJORIE ANNE T.))
BALTAZAR,)) Case No.: 2012-CH-13030
Plaintiffs,))
)) Calendar: 09
v.))
)) Judge Rita M. Novak
MAX HANSON, STEVE R. WEITZMAN, 2518-20 N.)) <u>Property Address:</u>
WILLETTS CONDOMINIUM ASSOCIATION,)) 2518-20 N. Willets
Defendants.)) Chicago, Illinois 60657
))

STIPULATION

Plaintiffs David N. Pruitt and Marjorie Anne T. Baltazar and Defendants Max Hanson, Steve R. Weitman, and 2518-20 N. Willetts Condominium Association hereby stipulate to this Court entering an order regarding the exclusive right to the use of parking spots G-3N and G-3S. In support, the parties state as follows:

1. On August 30, 2007, the developer of 2518-20 N. Willetts Condominiums, Logan Station, LLC, conveyed Unit 3N and the exclusive right to parking spot G-3N at 2518-20 N. Willetts, Chicago, Illinois 60657 by Special Warranty Deed ("Unit 3N Deed") to Steve R. Weitzman ("Weitzman"). A copy of the Unit 3N Deed, recorded on September 10, 2007 with the Cook County Recorder of Deeds as Document No. 0725342022, is attached as Exhibit 1.
2. On that same date, Logan Station, LLC also conveyed Unit 3S and the exclusive right to parking spot G-3S at 2518-20 N. Willetts, Chicago, Illinois 60657 by Special Warranty Deed ("Unit 3S Deed") to Weitzman. A copy of the Unit 3S Deed, recorded on September 10, 2007 with the Cook County Recorder of Deeds as Document No. 0725342195, is attached as Exhibit 2.

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3. On September 28, 2007, Weitzman conveyed Unit 3S and the exclusive right to parking spot G-3N by Quit Claim Deed to Logan Station LLC. A copy of this Quit Claim Deed, recorded October 17, 2007 at 7:45 am with the Cook County Recorder of Deeds as Document No. 0729042000, is attached as Exhibit 3.
4. That same day, Logan Station LLC conveyed Unit 3S and the exclusive right to the use of parking spot G-3N by Special Warranty Deed to the Pruitts ("Pruitt Deed"). A copy of the Pruitt Deed, recorded October 17, 2007 at 7:46 am with the Cook County Recorder of Deeds as Document No. 0729042001, is attached as Exhibit 4. This Pruitt Deed was later re-recorded with the Cook County Recorder of Deeds as Document No. 0733010000 on November 26, 2007 to add the Pruitts' marital status. *See Exhibit 4*.
5. On December 11, 2009, a Lis Pendens and Notice of Foreclosure against Weitzman and others related to Unit 3N and "[t]he exclusive right to the use of ~" was issued by CitiMortgage, Inc. A copy of the Lis Pendens and Notice of Foreclosure, recorded December 31, 2009 with the Cook County Recorder of Deeds as Document No. 0936541112, is attached as Exhibit 5.
6. After the foreclosure sale, Unit 3N and the exclusive right to parking spot G-3N was conveyed by The Judicial Sales Corporation, under the authority conferred by the provisions of an Order Appointing Selling Officer and a Judgment entered by the Circuit Court of Cook County, to Federal Home Loan Mortgage Corporation by Judicial Sale Deed dated March 9, 2011. A copy of the Judicial Sale Deed, recorded on March 14, 2011 with the Cook County Recorder of Deeds as Document No. 1107311126, is attached as Exhibit 6.
7. Then on August 10, 2011, Federal Home Loan Mortgage Corporation conveyed Unit 3N and the exclusive right to the use of parking spot G-3N by Special Warranty Deed to Max

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Hanson (“Hanson”)(“Hanson Deed”). A copy of the Hanson Deed, recorded September 7, 2011 with the Cook County Recorder of Deeds as Document No. 1125040106, is attached as Exhibit 7.

8. When The Judicial Sales Corporation conveyed Unit 3N and the exclusive right to the use of G-3N to Federal Home Loan Mortgage and then Federal Home Loan Mortgage later conveyed the same to Hanson, the Pruitts had already been conveyed the exclusive right to the use of G-3N by Logan Station in 2007. *See* Exhibit 4, Pruitt Deed; *see also* Exhibits 6 and 7.

9. The only exclusive right to the use of a parking spot that Weitzman still held at the time of the foreclosure sale in 2011 was the exclusive right to the use of G-3S. Thus The Judicial Sales Corporation should have only been able to convey to Federal Home Loan Mortgage the exclusive right to the use of G-3S and, in turn, Federal Home Loan Mortgage would only have been able to convey the exclusive right to the use of G-3S to Hanson.

11. The parties have tried to resolve the issue, but have not been able to because it is not clear who currently has the exclusive right to the use of G-3S.

12. Since it became known that both the Pruitts and Hanson were conveyed the exclusive right to the use of G-3N, Hanson has been parking in G-3S. Hanson is not opposed to continuing to use G-3S should the Court so order.

13. The Parties stipulate that:

- (a) That title is quieted such that the Pruitts have the exclusive right to the use of G-3N and that Max Hanson has the exclusive right to the use of G-3S at 2518-20 N. Willetts, Chicago, Illinois;

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(b) That Steve Weitzman has no right, title, or interest in the exclusive right to the use of G-3N or G-3S; and

(c) That this Stipulation and the Agreed Order, attached as Exhibit 8, will be recorded with the Cook County Recorder of Deeds against PINs: 13-25-315-063-1007 and 13-25-315-022-0000.

By: _____

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By: _____

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Attorney for Max Hanson

By: _____

Patrick Ryan, President
2518-20 N. Willetts Condominium
c/o Registered Agent Auerello O. Lee
2619 Elisha Avenue
Zion, IL 60099
President of 2518-20 N. Willetts Condominium

By: _____

Steve R. Weitzman
4940 Foster Avenue
Skokie, IL 60077

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- (b) That Steve Weitzman has no right, title, or interest in the exclusive right to the use of G-3N or G-3S; and
- (c) That this Stipulation and the Agreed Order, attached as Exhibit 8, will be recorded with the Cook County Recorder of Deeds against PINs: 13-25-315-063-1007 and 13-25-315-022-0000.

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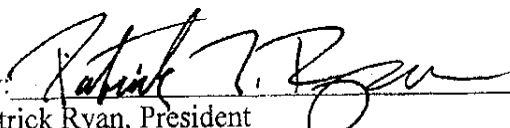
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- (b) That Steve Weitzman has no right, title, or interest in the exclusive right to the use of G-3N or G-3S; and
- (c) That this Stipulation and the Agreed Order, attached as Exhibit 8, will be recorded with the Cook County Recorder of Deeds against PINs: 13-25-315-063-1007 and 13-25-315-022-0000.

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WILLETTS CONDOMINIUM ASSOCIATION,))
Defendants.)) <u>Property Address:</u>
)) 2518-20 N. Willets
)) Chicago, Illinois 60657
))

AGREED ORDER

This cause coming to be heard on the agreement of all parties regarding the exclusive right to the use of parking spots G-3N and G-3S, the Court and the parties being fully advised in the premises, IT IS HEREBY ORDERED THAT:

1. Title is quieted such that the Pruitts have the exclusive right to the use of parking spot G-3N and that Max Hanson has the exclusive right to the use of parking spot G-3S at 2518-20 N. Willets, Chicago, Illinois;
2. Steve Weitzman has no right, title, or interest in the exclusive right to the use of G-3N or G-3S; and
3. The Stipulation and the Agreed Order will be recorded with the Cook County Recorder of Deeds against PINs: 13-25-315-063-1007 and 13-25-315-022-0000; and
4. All matters are disposed of and this case is dismissed.

Dated: July __, 2012

By: _____
Judge Rita M. Novak
JUDGE RITA M. NOVAK

Ordered Prepared By:

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Law Group I.D.: 47036
Attorneys for David N. Pruitt and Marjorie Anne T. Baltazar

JUL 16 2012
Circuit Court-1741