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Cook County Recorder of Deeds
Date: 11/15/2012 01:51 PM Pg: 1 of 4

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

MRR LUNT MALDEN LOANS, LLC

Plaintiff,

v.

Case No.: 09 CH 8914

**MALDEN-LELAND LLC, an Illinois limited liability
Company, JOHN F. LALLY, an individual; STEVEN
GOLOVAN, an individual; CHARLES T. MUDD, an
Individual; CLC CREDITORS' GRANTOR TRUST,
a trust formed under the laws of the State of Illinois;
and UNKNOWN OWNERS and NON-RECORD
CLAIMANTS**

Property:
4701-03 N. Malden, Chicago, IL

Defendants.

CONSENT JUDGMENT OF FORECLOSURE

This cause having been heard by this Court upon the record herein on the merits of the Complaint of Foreclosure filed by Plaintiff, MRR LUNT MALDEN LOANS, LLC, by and through its attorneys, Bryce Downey & Lenkov, LLC, on Plaintiff's Motion for Entry of Consent Judgment for Foreclosure and Defendants, delineated herein consenting the Court finds that:

1. Plaintiff commenced this action by filing its Complaint to Foreclose Mortgage against the

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Defendants, MALDEN-LELAND LLC, an Illinois limited liability company; JOHN F. LALLY, individually; STEVEN GOLOVAN, an individually; CHARLES T. MUDD, individually; CLC CREDITORS' GRANTOR TRUST, a trust formed under the laws of the State of Illinois; and UNKNOWN OWNERS AND NON RECORD CLAIMANTS. The affidavits required to make such unknown parties defendants to this action were duly filed and UNKNOWN OWNERS and NON RECORD CLAIMANTS have been duly and regularly made parties defendant to this action in the manner provided by law.

2. The Court has jurisdiction over the parties hereto and the subject matter hereof.
3. That all the material allegations of the Complaint are true and proven.
4. The total amount due and owing Plaintiff herein is \$1,818,151.27 including attorneys' fees and costs of this suit as of September 10, 2012.
5. Pursuant to the subject Mortgage, Plaintiff has a valid and subsisting first lien on the subject property in the amount stated above.
6. That pursuant to said mortgage it is provided that the attorneys for Plaintiff are entitled to reasonable attorney's fees.
7. That the sum of \$4,000.00 has been included in the above indebtedness for said attorney's fees as provided in the mortgage.
8. The attorneys fees requested are reasonable and said sum is hereby allowed.
9. That under the provisions of the mortgage the costs of this foreclosure are an additional indebtedness for which the Plaintiff should be reimbursed, and that such expenses are hereby allowed to the Plaintiff. The costs of this suit are \$0.
10. That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Deeds of Kendall County, Illinois as document number 0332832249, and the property herein referred to is described as follows:

LOT 133 IN SHERIDAN DRIVE SUBDIVISION, BEING A SUBDIVISION OF THE NORTH $\frac{3}{4}$ OF THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{2}$ OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE WEST $\frac{1}{2}$ OF SAID NORTHWEST $\frac{1}{2}$ OF SECTION 17, WHICH LIES NORTH OF THE SOUTH 800.00 FEET THEREOF AND EAST OF GREEN BAY ROAD, IM COOK COUNTY, ILLINOIS.

Commonly Known as: 4701-03 NORTH MALDEN STREET, CHICAGO, IL 60640

Tax ID# 14-17-104-012-0000
11. That the rights and interest of all the other parties to this cause in and to the property hereinbefore described are inferior to the lien of the Plaintiff heretofore mentioned.
10. That Plaintiff specifically waives any and all rights to a personal judgment for deficiency

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against the mortgagor and against all persons liable for the indebtedness or other obligations secured by the mortgage.

12. That, Defendants herein, have filed with the Court their stipulation for the entry of a Consent Judgment of Foreclosure without right of redemption and vesting absolute title in the Plaintiff, as of this date, pursuant to 735 I.L.C.S. 5/15-1402.

NOW THEREFORE IT IS HEREBY ORDERED

1. **JUDGMENT:** Consent Judgment for Foreclosure be entered pursuant to 735 ILCS 5/15-1506 and 735 ILCS 5/15-1402.
2. **VESTING TITLE:** Absolute title to the real estate identified herein is vested absolutely in MRR LUNT MALDEN LOANS, LLC, and this executed and recorded order shall be deemed sufficient evidence to establish title vesting to MRR LUNT MALDEN LOANS, LLC, free and clear of all claims, liens and interests of the mortgagors and of all persons claiming by, through or under the mortgagor and of all the Defendants in this cause.
3. **TERMINATION OF SUBORDINATE INTEREST:** The Court gained jurisdiction over all parties to the foreclosure as required by law; and no objections to this consent judgment having been filed of record, then the defendants and all persons claiming by, through or under them, or any of them since the commencement of this suit are forever barred, and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate.
 - (a) This Judgment and all orders entered pursuant to said judgment are valid as stated above. The inadvertent failure to name a subordinate record claimant will not invalidate this judgment. Plaintiff may take title and file a subsequent action to determine the redemptive rights of such a party. Should such a claimant not exercise its redemptive rights within the stated time, they shall be forever barred and foreclosed of any right, title, interest, claim, lien or right to redeem or otherwise enforce its claim against the subject property.
4. **POSSESSION:** The Plaintiff or his or her legal representative or assigns be let into possession of said premises immediately after entry of this order, and that any of the parties to this cause who shall be in possession of said premises or any portion thereof, or any person who may have come into such possession under them or any of them since the commencement of this suit shall surrender possession of said premises.
5. **WAIVER OF DEFICIENCY:** Plaintiff waives any and all rights to a personal judgment for deficiency against Defendants MALDEN-LELAND LLC, JOHN F. LALLY, STEVEN GOLOVAN, and CHARLES T. MUDD, and against all other persons liable for the indebtedness or other obligations secured by the mortgage, pursuant to 735 ILCS 5/15-1402(c).
6. **JURISDICTION:** The Court hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto, for the purpose of enforcing this Judgment and expressly finds that there is no reason for delaying the enforcement of this Judgment or an appeal therefrom.

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- 7. **SHERIFF:** The Cook County Sheriff is hereby directed to evict LLC MALDEN-LELAND LLC, JOHN F. LALLY, STEVEN GOLOVAN, and CHARLES T. MUDD and any and all unknown occupants from the premises 4701-03 N. Malden, Chicago, IL 606 without further order of this Court.
- 8. **EXEMPTION:** The consent judgment to be issued hereunder is a transaction that is exempt from all transfer taxes, either state or local, and the County Recorder of Deeds is ordered to permit immediate recording of the Judgment issued hereunder without affixing any transfer stamps. 735 ILCS 5/9-117 is not applicable to this judgment. This is a final and appealable Judgment with no just cause for delay.
- 9. **RECORDING:** This order may be recorded with the appropriate recorder of deeds.

Judge Jean Prendergast Rooney

JUDGE: _____ NOV 14 2012

DATE: _____ Circuit Court - 2044

PREPARED BY AND MAIL TO AFTER RECORDING TO:

Ioana Salajanu
 BRYCE DOWNEY & LENKOV, LLC
 Attorneys for Plaintiff
 200 N. LaSalle Street, Suite 2700
 Chicago, Illinois 60601
 TEL: 312.377.1501
 Attorney Id: 45609

Notice Pursuant to 735 ILCS 5/15-1509.5

See attached service list

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