

Doc#: 1234146181 Fee: \$44.00 Karen A. Yarbrough RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 12/06/2012 02:38 PM Pg: 1 of 4

COO CONTY space reserved for recording information

RECORDING COVER SHEET NOTICE OF COURT DRDER REFORMING MORTGAGE

This notice is being recorded to provide notice to all parties that a court order was entered in case 09 CH 44174 GMAC Mcrtgage, LLC v. Gasaway, Pierre, et al., an order was entered reforming the legal description of the mortgage recorded January 2, 2008 as document 0800248026. A copy of the order is attached hereto.

Plaintiff. One of oldwasser State of Illinois County of Lake Signed or attested before me on 25-13Signature of Notary Public THERESE L. DAVIDS NOTARY PUBLIC, STATE OF ILUMO'S Prepared by and return to: This instrument was prepared by/return to: FISHER AND SHAPIRO, LLC 2121 Waukegan Road, Suite 301

Bannockburn, IL 60015

(847)291-1717

09-028936

09-028936

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

GMAC MORTGAGE, LLC PLAINTIFF.

NO. 09 CH 44174

-VS-

PIERRE GASAWAY; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS DEFENDANTS PROPERTY ADDRESS: 1748 NORTH MASON AVENUE CHICAGO, IL 60639

ORDER OF REFORMATION

THIS CAUSE coming before the Court upon Plaintiff's Motion for Judgment on the portion of its Compresent seeking the reformation of a mortgage, due notice having been given, and the Court being fully advised in the premises;

THE COURT FINDS:

- 1. On or about November 28, 2007, Pierre Gasaway executed a mortgage granting a security interest in the Mortgaged Premises to Plaintiff or Plaintiff's predecessor herein.
- 2. The legal description on the Subject Mortgage contains errors and is stated on the mortgage, with said errors, as follows:

LOT 4, IN BLOCK 4, IN MILLS AND SOL'S SUBDIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH; EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID FOLLOWS: QUARTER SECTION AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID QUARTER SECTION 1360.88 FEET TO A POINT 33 FEET NORTH OF THE NORTH LINE OF THE SOUTH 1/2 OF SAID QUARTER SECTION, THENCE EAST ALONG A STRAIGHT LINE 664 10 FEET TO A POINT 33 FEET NORTH OF THE NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 OF SAID SOUTHEAST 1/4 AND 374.01 FEET EAST OF THE WEST LINE OF SAID QUARTER SECTION, THENCE EAST ON A LINE 33 FEET NORTH PARALLEL TO THE NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 OF SAIL 1/4 SECTION A DISTANCE OF 649.01 FEET TO CENTER LINE OF GOLD STREET AS DESIGNATED ON PLAT OF PECK'S ADDITION TO CHICAGO, THENCE SOUTH ALONG SAID CENTER LINE OF GOLD STREET 697.5 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 1023.74 FEET TO THE COUNTY, ILLINOIS. COOK BEGINNING. IN POINT OF

That the Subject Mortgage correctly purports to affect the property with a common street address of 1748 North Mason Avenue, Chicago, IL 60639, bearing a permanent index number of 13-32-405-024. The accurate legal description is:

LOT 4, IN BLOCK 4, IN MILLS AND SON'S SUBDIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH; EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID FOLLOWS: QUARTER SECTION AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID QUARTER SECTION 1360.88 FEET TO A POINT 33 FEET NORTH OF THE NORTH LINE OF THE SOUTH 1/2 OF SAID QUARTER SECTION, THENCE EAST ALONG A LINE 33 FEET NORTH OF SAID NORTH LINE OF THE SOUTH 1/2 A DISTANCE OF 373.78 FEET, THENCE SOUTH ALONG A STRAIGHT LINE 664.15 FEET TO A POINT 33 FEET NORTH OF THE NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 OF SAID SOUTHEAST 1/4 AND 274.01 FEET EAST OF THE WEST LINE OF SAID QUARTER SECTION, THENCE EAST ON A LINE 33 FEET NORTH PARALLEL TO THE NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 OF SAID 1/4 SECTION A DISTANCE OF 649.01 FEET TO GENTER LINE OF GOLD STREET AS DESIGNATED ON PLAT OF PECK'S ADDITION TO CHICAGO, THENCE SOUTH ALONG SAID CENTER LINE OF GOLD STREET 697.5 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 1/23.74 FEET TO THE POINT OF BEGINNING, IN COOK ILLINOIS. COUNTY,

- 4. It was the intent of the parties that the nortgage be an encumbrance against the property commonly known as 1748 North Mason Avenue, Chicago, IL 60639, bearing permanent index No. 13-32-405-024 and that the legal description on the mortgage be accurate.
- 5. The error/omission appearing in the mortgage legal description was inadvertent and without the knowledge of either of the parties to the mortgage.
- 6. Notwithstanding this inadvertent omission, the mortgage still contains sufficient information necessary to identify the property commonly known as 1748 North Mason Avenue, Chicago, IL 60639.
- 7. Notwithstanding this inadvertent omission, the mortgage still encumbers, and is a valid lien upon the property commonly known as 1748 North Mason Avenue, Chicago, IL 60639.

IT IS THEREFORE ORDERED:

A) That the Mortgage dated November 28, 2007 and recorded January 2, 2008 as document number 0800248026, is and remains a valid lien against the property commonly

*known as 1748 North Mason Avenue, Chicago, IL 60639.

B) That the Mortgage dated November 28, 2007 and recorded January 2, 2008 as document number 0800248026, together with any subsequent assignments thereof, are hereby reformed to reflect the correct legal description, which is as follows:

LOT 4, IN BLOCK 4, IN MILLS AND SON'S SUBDIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH; EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID FOLLOWS: QUARTER SECTION AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID QUARTER SECTION 1360.88 FEET TO A POINT 33 FEET NORTH OF THE NORTH LINE OF THE SOUTH 1/2 OF SAID QUARTER SECTION, THENCE EAST ALONG A LINE 33 FEET NORTH OF SAID NORTH LINE OF THE SOUTH 1/2 A DISTANCE OF 373.78 FEET, THENCE SOUTH ALONG A STRAIGHT LINE 664.15 FEET TO A POINT 33 FEET NORTH OF THE NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 OF SAID SOUTHEAST 1/4 AND 374.01 FEET EAST OF THE WEST LINE OF SAID QUARTER SECTION, THENCE EAST ON A LINE 33 FEET NORTH PARALLEL TO THE NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 OF SAID 1/4 SECTION A DISTANCE OF 649.01 FEET TO CENTER LINE OF GOLD STREET AS DESIGNATED ON PLAT OF PECK'S ADDITION TO CHICAGO, THENCE SOUTH ALONG SAID CENTER LINE OF GOLD STREET 697.5 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 1023.74 FEET TO THE POINT OF BEGINNING, IN COOK ILLINOIS. COUNTY,

- C) That the plaintiff is authorized to record this cide; to reflect the correct legal description for the property commonly known as 1748 North Mason Avenue, Chicago, IL 60639, IL bearing a permanent index number of 13-32-405-024; and
- D) That the Court finds no just reason to delay either enforcement or appeal of this order pursuant to III. Supreme Court Rule 304(a).

Dated:

Entered:

Judge Ann F/Collins

Judge

DEC 08 2011

Circuit Court - 2047

Shara Netterstrom
Fisher and Shapiro, LLC
Attorneys for Plaintiff
2121 Waukegan Road, Suite 301
Bannockburn, IL 60015
(847)291-1717 Ext: 4284
Attorney No: 42168