

UNOFFICIAL COPY



Doc#: 1321016031 Fee: \$48.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 07/29/2013 12:01 PM Pg: 1 of 6

Line above is for recording purposes.

Calendar Number 58

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

The Bank of New York Mellon Trust Co., N.A., f/k/a The
Bank of New York Trust Co., N.A. as trustee for Chase
Mortgage Finance Trust Multi-Class Mortgage Pass-
Through Certificates Series 2007-A1

PLAINTIFF

Vs.

Barbara Whitney; 933 Van Buren Condominium
Association; JPMorgan Chase Bank, NA; Unknown
Owners and Nonrecord Claimants

DEFENDANTS

No. 10 CH 022891

933 W. Van Buren Street, Unit #903
Chicago, IL 60607

CONSENT JUDGMENT FOR FORECLOSURE

THIS CAUSE having been duly heard by this Court upon the record herein on the merits of the Complaint for Foreclosure filed by the Plaintiff and on Plaintiff's Motion for entry of Consent Judgment for Foreclosure (hereinafter referred to as Judgment), and Defendants-Mortgagors consenting, the Court FINDS:

- (1) **JURISDICTION:** The Court has jurisdiction over the parties hereto and the subject matter hereof.
- (2) **PROPERTY FORECLOSED UPON:** The Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder and/or Registrar for Cook County, Illinois, as Document No. 0603908036, and the property herein referred to is described as follows:

PARCEL 1: UNIT 903 IN THE 933 VAN BUREN CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:
LOTS 1 TO 4, BOTH INCLUSIVE (EXCEPT THE SOUTH 9 1/2 FEET OF LOT 1) IN
EGAN'S RESUBDIVISION OF LOT 7 (EXCEPT THE SOUTH 1 FOOT THEREOF) LOTS 8

UNOFFICIAL COPY

TO 22, INCLUSIVE AND LOTS 32 AND 33 AND PRIVATE ALLEY, SOUTH OF SAID LOT 32 IN EGAN'S RESUBDIVISION OF BLOCK 24 IN DUNCAN'S ADDITION TO CHICAGO IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOTS 5 TO 9 AND LOT 10, EXCEPT THE WEST 16 FEET OF LOT 10, BOTH INCLUSIVE IN EGAN'S RESUBDIVISION OF LOT 7 (EXCEPT THE SOUTH 1 FOOT THEREOF) LOTS 8 TO 22, INCLUSIVE AND LOTS 32 AND 33 AND PRIVATE ALLEY, SOUTH OF SAID LOT 32 IN EGAN'S RESUBDIVISION OF BLOCK 24 IN DUNCAN'S ADDITION TO CHICAGO IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOTS 23, 24, 25 AND 26 (EXCEPT THE SOUTH 5.60 FEET OF SAID LOT 26), IN EGAN'S RESUBDIVISION OF BLOCK 24 IN DUNCAN'S ADDITION TO CHICAGO (EXCEPT THE SOUTH 33 FEET OF THAT PART LYING WEST OF THE EAST 8 FEET OF ORIGINAL LOT 8 IN SUBDIVISION OF SAID BLOCK 24) BEING A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THAT PART OF THE EAST-WEST 16.00 FOOT VACATED ALLEY IN EGAN'S RESUBDIVISION OF LOT 7, (EXCEPT THE SOUTH 1 FOOT THEREOF) AND ALL OF LOTS 8 TO 22, BOTH INCLUSIVE AND LOTS 32 AND 33 AND THE PRIVATE ALLEY SOUTH OF SAID LOT 32 ALL IN EGAN'S RESUBDIVISION OF SAID BLOCK 24 IN DUNCAN'S ADDITION TO CHICAGO, IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTH LINE OF LOTS 5 THROUGH 10 IN EGAN'S RESUBDIVISION AFORESAID, LYING WEST OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF SAID LOT 5 TO THE NORTHEAST CORNER OF LOT 4 IN EGAN'S RESUBDIVISION AFORESAID, LYING NORTH OF THE NORTH LINE OF SAID LOT 4 AND ITS WESTERLY EXTENSION, AND LYING EAST OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE WEST 16.00 FEET OF SAID LOT 10, IN COOK COUNTY, ILLINOIS.

THAT PART OF THE EAST-WEST 16.00 FOOT VACATED ALLEY IN EGAN'S RESUBDIVISION OF LOT 7, (EXCEPT THE SOUTH 1 FOOT THEREOF) AND ALL OF LOTS 8 TO 22, BOTH INCLUSIVE AND LOTS 32 AND 33 AND THE PRIVATE ALLEY SOUTH OF SAID LOT 32 ALL IN EGAN'S RESUBDIVISION OF SAID BLOCK 24 IN DUNCAN'S ADDITION TO CHICAGO, IN THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 4 IN EGAN'S RESUBDIVISION AFORESAID, LYING WEST OF THE WEST LINE OF LOTS 1 THROUGH 4 IN EGAN'S RESUBDIVISION AFORESAID, LYING EAST OF THE EAST LINE OF LOTS 23 THROUGH 26 IN EGAN'S RESUBDIVISION OF BLOCK 24 IN DUNCAN'S ADDITION TO CHICAGO (EXCEPT THE SOUTH 33 FEET OF THAT PART LYING WEST OF THE EAST 8 FEET OF ORIGINAL LOT 8 IN SUBDIVISION OF SAID BLOCK 24) BING A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF

UNOFFICIAL COPY

SECTION 17 AFORESAID, AND LYING NORTH OF A LINE DRAWN FROM THE POINT OF INTERSECTION OF THE EAST LINE OF LOTS 23 THROUGH 26 AFORESAID WITH THE NORTH LINE OF THE SOUTH 5.60 FEET AND OF SAID LOT 26 TO THE POINT OF INTERSECTION OF THE WEST LINE OF LOTS 1 THROUGH 4 AFORESAID WITH THE NORTH LINE OF THE SOUTH 9 1/2 FEET OF SAID LOT 1, ALL IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS EXHIBIT C TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0021323775 AS AMENDED FROM TIME TO TIME; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY ILLINOIS.

PARCEL 2:
THE EXCLUSIVE RIGHT TO USE OF G-240, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION.

COMMONLY KNOWN AS: 933 W. Van Buren Street, Unit #903
Chicago, IL 60607

TAX PARCEL NUMBER: 17-17-235-019-1165

(3) **MORTGAGE NOTE:** The Mortgage herein referred to secures a Mortgage Note in the sum \$480,000.00 which has been duly accelerated pursuant to the terms of said Note and executed by:

Barbara Whitney

(4) **EXHIBITS:** That true and correct copies of the original mortgage and the original note are attached to the Complaint filed herein.

(5) **REDEMPTION AND WAIVER OF DEFICIENCY:** The owner(s) of the equity of redemption are the Mortgagors, Property Owners and any other Party Defendant named in the Complaint with the statutory right of redemption, with the exception of the Registrar of Titles, if named, and any party dismissed by order of Court.

(a) The subject real estate is Condo/Townhouse as defined in 735 ILCS 5/15-1219.

(b) The Court has obtained jurisdiction over the owners of the right of redemption as set forth in The Attorney's Certificate of Service and Defaulted Parties.

(c) That the Mortgagor(s) have waived any and all rights to redeem the mortgaged premises whether by statute or in equity pursuant to 735 ILCS 5/15-1601(c).

(d) That in consideration of entry of this Judgment by Consent, the plaintiff hereby waives any and all rights to a personal judgment for deficiency against the Mortgagor(s),

UNOFFICIAL COPY

and against all other persons liable for the indebtedness or other obligations secured by the mortgage described herein. This is pursuant to 735 ILCS 5/15-1402(c).

(e) That no party has filed an objection to entry of this Judgment by Consent, nor paid the amount required to redeem in accordance with 735 ILCS 5/15-1603.

(6) Based upon the pleadings, proofs and admission(s), Plaintiff has standing, capacity and authority to maintain this cause.

(7) The pleadings and proofs presented in the cause are sufficient to support the entry of this judgment.

(8) That attorneys' fees and costs are not being sought.

IT IS HEREBY ORDERED AND ADJUDGED THAT:

(1) **JUDGMENT:** A Consent Judgment for Foreclosure be entered pursuant to 735 ILCS 5/15-1506 and 735 ILCS 5/15-1402.

(2) **VESTING TITLE:** Title to the real estate described herein is vested absolutely in The Bank of New York Mellon Trust Co., N.A., f/k/a The Bank of New York Trust Co., N.A as trustee for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2007-A1 and this executed, recorded order shall be deemed sufficient evidence to establish title vesting in The Bank of New York Mellon Trust Co., N.A., f/k/a The Bank of New York Trust Co., N.A as trustee for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2007-A1. Defendants shall deliver to Plaintiff all applicable documentation as may be required by the Office of the Recorder of Deeds of Cook County, Illinois.

(3) **TERMINATION OF SUBORDINATE INTERESTS:** 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 upon 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

UNOFFICIAL COPY

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) **JURISDICTION:** The Court retains jurisdiction over the parties and subject matter of this cause for the purpose of enforcing this Judgment or vacating said Judgment.

(6) **APPEALABILITY:** This is a final and appealable order and there is no just cause for delaying the enforcement of this judgment or appeal therefrom.

(7) The Sheriff of Cook County is hereby directed to evict Barbara Whitney from the premises commonly known as 933 W. Van Buren Street, Unit #903, Chicago, Illinois 60607 without further delay and without further order of the court immediately upon entry of this order.

(8) IT IS FURTHER ORDERED that 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 recordation 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 further delay.

Property of Cook County Clerk's Office

UNOFFICIAL COPY

(9) This order shall be recorded by Plaintiff, its agents or assigns with the appropriate county recorder within thirty (30) days after entry of this order.

ENTER: VDB

DATED: 6/27/13

JUDGE DARRYL B. SIMKO
JUN 27 2013
CIRCUIT COURT - 1823

Notice pursuant to 735 ILCS 5/15-1509.5

Grantee: The Bank of New York Mellon Trust Co., N.A., f/k/a The Bank of New York Trust Co., N.A as trustee for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2007-A1

Contact:

Michael F. Chiappetta
Corporate Trust Services
U.S. Bank
MK-IL-SL7
Chicago Office
190 South LaSalle Street
Chicago, IL 60603
(312) 332-7561 direct

Prepared by and Mail to After Recording:

Codilis & Associates, P.C.
Attorneys for Plaintiff
15W030 North Frontage Road, Suite 100
Burr Ridge, IL 60527
(630) 794-5300
Cook #21762
14-10-02255

Property of Cook County Clerk's Office