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



1322022010  
Doc#: 1322022010 Fee: \$50.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 08/08/2013 09:41 AM Pg: 1 of 7

SCHAUMBURG BANK AND TRUST  
COMPANY, N.A. f/k/a ADVANTAGE  
NATIONAL BANK,

Plaintiff,

v.

GREGORY HAYNES; CITY OF CHICAGO;  
PNC BANK, N.A.; BROOKVILLE  
ACQUISITIONS GROUP, LLC; UNKNOWN  
OWNERS AND NON-RECORD  
CLAIMANTS,

Defendants.

Case No. 2012 CH 32598

Commercial Foreclosure

Property Address:

8001 S. Muskegon Avenue  
Chicago, Illinois 60617

8028

CONSENT JUDGMENT FOR FORECLOSURE

THIS CAUSE having been duly heard by this Court upon the record herein on the merits of the Complaint to Foreclose Commercial Mortgage (the "Complaint") filed by the Plaintiff, Schaumburg Bank and Trust Company, N.A., f/k/a Advantage National Bank ("Schaumburg") and on Schaumburg's Motion for entry of Consent Judgment for Foreclosure (hereinafter referred to as "Judgment"), and Defendant-Mortgagor, Gregory Haynes ("Mortgagor") consenting, the Court FINDS:

(1) **JURISDICTION:** The Court has jurisdiction over the parties hereto and the subject matter hereof.

(2) **ALLEGATIONS PROVEN:** All the material allegations of the Complaint filed pursuant to 735 ILCS 5/15-1504 and 5/15-1402(a)(2), those allegations being both required and those deemed alleged by virtue of subsection (c), are true and proven, that by entry of this Consent Judgment for Foreclosure, the Mortgage and Note which is the subject matter of these proceedings are extinguished and merged into Judgment and default no longer exists, but has been replaced by Judgment, and that by virtue of the Mortgage, and the evidence of indebtedness secured thereby alleged in the Complaint, there is due to Schaumburg, and it has a valid subsisting lien on the property described hereafter for the following amounts as of April 11, 2013:

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Note A:	Principal Amount .....	\$ 343,989.69
	Accrued Interest .....	\$ 12,077.34
	Late Fees .....	\$ 17,901.63
	Per Diem .....	\$ 16.02
Note B:	Principal Amount .....	\$ 283,312.87
	Accrued Interest .....	\$ 19,476.95
	Late Fees .....	\$ 3,362.03
	Per Diem .....	\$ 22.27
	Attorney Fees .....	\$ 8,592.00
	Litigation Costs .....	\$ 2,668.20
	<b>TOTAL</b> .....	<b>\$ 691,380.71</b>

(3) **ATTORNEY FEES:** By its terms the Mortgage provides that the attorneys for Schaumburg shall be entitled to an award of reasonable attorney's fees herein, and, that included in the above indebtedness are attorneys' fees in the sum of \$8,592.00.

(4) **COURT COSTS:** Under the provisions of the Mortgage, the costs of foreclosure are an additional indebtedness for which Advantage should be reimbursed, and that such expenses incurred to date totaling \$2,668.20 are hereby allowed to Schaumburg.

(5) **ADVANCES:** That advances made in order to protect the lien of the Judgment and preserve the real estate, such as, but not limited to: real estate taxes or assessments, property inspections, property maintenance and insurance premiums incurred by Schaumburg and not included in this judgment, shall become an additional indebtedness secured by the Judgment lien and bear interest from the date of the advance at the mortgage rate of interest pursuant to 735 ILCS 5/15-1503 and 15-1603.

(6) **PROPERTY FORECLOSED UPON:** The Mortgages (and modifications) described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder and/or Registrar for Cook County, Illinois, as Documents No. 0730503053 (modification 6046599) as to the First Mortgage and as Document No. 1121045059 as to the modification, and the property herein referred to is described as follows:

LOTS 47 AND 48 IN BLOCK 14 IN WALTER S. HAINES' SUBDIVISION OF BLOCKS 2 AND 14 IN CIRCUIT COURT COMMISSIONER'S PARTITION OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ AND THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK

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COUNTY, ILLINOIS.

COMMON ADDRESS: 8001 S. Muskegon Ave., Chicago, IL 60617

P.I.N.: 21-31-209-001-0000 and 21-31-209-002-0000

(7) **MORTGAGE NOTES:** The Mortgage herein referred to secures a Mortgage Note dated October 26, 2007 in the original principal sum of \$640,000.00 and as renewed and modified on or about February 26, 2010 decreasing the principal amount to \$634,415.38, which was subsequently replaced by separate A (\$350,000.00) and B (\$283,312.87) Notes on June 26, 2011 (collectively the "Note") which have been duly accelerated pursuant to the terms of said Note and executed by Mortgagor.

(8) **EXHIBITS:** That true and correct copies of the original Mortgages and Modification of Mortgage (where applicable), and Note are attached to the Complaint filed herein.

(9) **REDEMPTION AND WAIVER OF DEFICIENCY:** The owner(s) of the equity of redemption are the Mortgagor, 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 a multi-unit income in nature.

(b) The Court has jurisdiction over the owners of the right of redemption.

(c) That the Mortgagor has 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, Schaumburg hereby waives any and all rights to a personal judgment for deficiency against the Mortgagor, and against all other persons liable for the indebtedness or other obligations secured by the mortgages 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.

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

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

**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.

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(2) **VESTING TITLE:** Barring any objection filed by any other party other than the Mortgagor in the above captioned cause within 30 days of the date of this Consent Judgment for Foreclosure, and redemption by any such parties within 30 days of the date of this Consent Judgment for Foreclosure pursuant to 735 ILCS 5/15/1402, title to the real estate described herein is vested absolutely in Schaumburg Bank and Trust Company, N.A.'s nominee, ANB REO, LLC, an Illinois limited liability company, and this executed, recorded order shall be deemed sufficient evidence to establish title vesting in ANB REO, LLC. Defendant Gregory Haynes shall deliver to Schaumburg or its nominee 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. Schaumburg 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:** Schaumburg or its 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) **TORRENS REAL ESTATE:** If the subject property is registered with the Registrar of Titles for Cook County, it is also ordered that the Registrar cancel the Certificate of Title and issue a new Certificate without the surrender of the Owner's Duplicate Certificate of Title or Affidavit of Lost Certificate.

(6) **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.

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

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(8) The Sheriff of Cook County is hereby directed to evict Defendant, Gregory Haynes from the premises commonly known as 8001 S. Muskegon Ave., Chicago, Illinois without further delay and without further order of the court.

(9) This order may be recorded with the appropriate county recorder.

ENTERED:

DATED: \_\_\_\_\_, 2013

Judge

**ENTERED**  
 JUDGE LEWIS NIXON - 1840  
 JUL 18 2013  
 DOROTHY BROWN  
 CLERK OF THE CIRCUIT COURT  
 OF COOK COUNTY, IL  
 DEPUTY CLERK

Address of Grantee & Tax Bill to:  
ANB REO, LLC  
1180 E. Higgins Rd.  
Schaumburg, IL 60173

Contact Name and Address:  
ANB REO, LLC  
c/o Brandon Karpeles, Its Manager  
9700 W. Higgins Rd.  
Suite 650  
Rosemont, IL 60018  
(847) 939-9081

Prepared By:  
Francisco E. Connell  
Chuhak & Tecson, P.C.  
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30 S. Wacker Dr. Suite 2600  
Chicago, IL 60606  
(312) 444-9300  
Attorney #70693


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I hereby certify that the document to which this  
certification is affixed is a true copy

Date **DOROTHY BROWN AUG 01 2013**  
Dorothy Brown  
Clerk of the Circuit Court  
of Cook County, IL



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## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

LOTS 47 AND 48 IN BLOCK 14 IN WALTER S. HAINES' SUBDIVISION OF BLOCKS 2 AND 14 IN CIRCUIT COURT COMMISSIONER'S PARTITION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Number: 21-31-209-001-0000 & 21-31-209-002-0000

Property Address: 8001 Muskegon Avenue, Chicago, IL 60617

Property of Cook County Clerk's Office