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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 09/06/2013 02:49 PM Pg: 1 of 4

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

URBAN PARTNERSHIP BANK, as assignee of)	
the Federal Deposit Insurance Corporation, as)	
Receiver for ShoreBank,)	Case No. 2013 CH 3047
)	
Plaintiff,)	Calendar 64
)	
v.)	Commercial Foreclosure
)	
ANGELICA CORONA; UNKNOWN)	<u>Property Address:</u>
OWNERS AND NON-RECORD CLAIMANTS)	2939 W. 38 th Place
)	Chicago, IL 60632
Defendants.)	

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, Urban Partnership Bank, as assignee of the Federal Deposit Insurance Corporation, as receiver for ShoreBank ("UPB") and on UPB's Motion for Entry of Consent Judgment for Foreclosure (hereinafter referred to as the "Judgment"), and Defendant-Mortgagor, Angelica Corona (the "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 are the subject matter of these proceedings are extinguished and merged into Judgment and default no longer exists, but has been replaced by Judgment, and that by virtue of the Mortgage, and the evidences of

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indebtedness secured thereby alleged in the Complaint, there is due to UPB, and it has a valid subsisting lien on the property described hereafter for the following amounts:

Principal Amount.....	\$279,336.73
Accrued Interest	\$50,692.17
Late Fees.....	\$2,985.88
Escrow c/o.....	\$11,812.10
Attorney's Fees	\$4,041.50
Litigation Costs	\$1,678.55
TOTAL	\$350,546.93
Per Diem	\$ 44.69

(3) **ATTORNEY'S FEES:** By its terms the Mortgage provides that the attorneys for UPB shall be entitled to an award of reasonable attorneys' fees herein, and, that included in the above indebtedness are attorneys' fees in the sum of \$4,041.50.

(4) **COURT COSTS:** Under the provisions of the Mortgage, the costs of foreclosure are an additional indebtedness for which UPB should be reimbursed, and that such expenses incurred to date totaling \$1,678.55 are hereby allowed to UPB.

(5) **ADVANCES:** That advance 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 UPB 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 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. 0723405147 and the property herein referred to is described as follows:

THE WEST 11 FEET OF LOT 15 AND LOT 16 (EXCEPT THE WEST 8 FEET) IN
BLOCK 2 IN WILEY'S SUBDIVISION OF LOTS 6 AND 7, THE WEST 88 FEET OF
LOT 8 IN THE SUPERIOR COURT PARTITION OF THE EAST ½ OF THE
SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 13 EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
Common address: 2939 W. 38th Place, Chicago, IL 60632

PIN: 16-36-322-008-0000

(7) **MORTGAGE NOTES:** The Mortgage referred to herein secures a Promissory Note dated July 18, 2007 in the original principal sum of \$288,000.00 which has been duly accelerated pursuant to the terms of said Note executed by the Mortgagor.

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(8) **EXHIBITS:** That true and correct copies of the original Mortgage and Promissory 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 commercial in nature.
- (b) The Court has jurisdiction over the owners of the right of redemption.
- (c) 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) In consideration of entry of this Judgment by Consent, UPB 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), UPB has standing, capacity and authority to maintain this cause.

(11) The pleadings and proofs presented in this 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.

(2) **VESTING TITLE:** Barring any objection filed by any other party other than the Mortgagors in the above captioned cause within thirty (30) days of the date of this Consent Judgment for Foreclosure, and redemption by any such parties within thirty (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 **Jeff BV – Commercial, LLC** and this executed, recorded-order shall be deemed sufficient evidence to establish title vesting in **Jeff BV – Commercial, LLC**. Mortgagors shall deliver to **Jeff BV – Commercial, LLC** all applicable documentation as may be required by the Office of the Recorder of Deeds of Cook County, Illinois.

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(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. UPB 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:** UPB or its legal representative or assigns shall 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.

(8) The Sheriff of Cook County is hereby directed to evict Defendant, Angelica Corona, from the premises commonly known as 2939 W. 38th Place, Chicago, Illinois 60632 without further delay and without further order of the court immediately after entry of this order.

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

Prepared by and
Return to After Recording:
Chuhak & Tecson, P.C.
30 S. Wacker Dr. Suite 2600
Chicago, IL 60606
(312) 855-6108

ENTER:

DATED:

ENTERED	
Judge Robert Senechalle - 1915	
JUL 18 2013	
DOROTHY BROWN CLERK OF THE CIRCUIT COURT OF COOK COUNTY, IL DEPUTY CLERK	