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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/10/2013 12:41 PM Pg: 1 of 4

Line above is for recording purposes.

Calendar Number 55

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

Fifth Third Mortgage Company
PLAINTIFF

Vs.

William E. Costello III; Principal Bank; Unknown
Owners and Nonrecord Claimants
DEFENDANTS

No. 12 CH 043107

116 Heather Lane
Streamwood, IL 60107

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. 0726455046, and the property herein referred to is described as follows:

LOT 12 IN ARLINGDALE LAKE, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1979 AS DOCUMENT NUMBER 25300073, IN COOK COUNTY, ILLINOIS.

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COMMONLY KNOWN AS: 116 Heather Lane
Streamwood, IL 60107

TAX PARCEL NUMBER: 06-13-315-012

(3) **MORTGAGE NOTE:** The Mortgage herein referred to secures a Mortgage Note in the sum \$204,400.00 which has been duly accelerated pursuant to the terms of said Note and executed by:

William E. Costello III

(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 Single Family Home 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), 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.

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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 Federal Home Loan Mortgage Corporation and this executed, recorded order shall be deemed sufficient evidence to establish title vesting in Federal Home Loan Mortgage Corporation. 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 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 William E. Costello III; Principal Bank from the premises commonly known as 116 Heather Lane, Streamwood, IL 60107 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

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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.

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

ENTER:  Judge Alfred M. Swanson, Jr.
 DATED: _____ SEP 30 2013
 Circuit Court 2035

Notice pursuant to 735 ILCS 5/15-1509.5

Grantee: Federal Home Loan Mortgage Corporation

Contact:

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Prepared by and Mail to After Recording:

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