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Prepared By and Mail To:
Amy T. Grace
Chuhak & Tecson, P.C.
30 S. Wacker Drive, Suite 2600
Chicago, Illinois 60606

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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/14/2014 11:51 AM Pg: 1 of 5

315
Memorandum of Judgment

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS**

BANCO POPULAR NORTH AMERICA,)
)
)
Plaintiff,)
v.)
)
)
SHARAD A. MEHTA, SANJAY M. MEHTA,)
REKHA S. MEHTA, CHINTAL MEHTA,)
NAPER TRAILS ASSOCIATION, f/k/a LAKE)
CARYONAH IMPROVEMENT ASSOCIATION,)
an Illinois not for profit corporation, UNKNOWN)
OWNERS and NON-RECORD CLAIMANTS,)
)
Defendants.)

Case No. 11 CH 004626
Commercial Foreclosure
Property Address:
409 Kiowa
Naperville, IL 60563

MEMORANDUM OF JUDGMENT

On November 30, 2012, a judgment was entered in the Circuit Court of DuPage County, Illinois in Case No. 2011 CH 004626 in the amount of \$114,411.80 in favor of the Plaintiff, BANCO POPULAR NORTH AMERICA and against Defendant, SANJAY M. MEHTA, with interest to accrue thereafter at the statutory rate.

Entered:
Judge *Ronnie M. [Signature]*
Dated: 2-3-14

Chuhak & Tecson, P.C.
Attorney for Plaintiff
30 S. Wacker Drive, Suite 2600
Chicago, IL 60606
312-444-9300

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Loan # : 13268131

Exhibit A

LEGAL DESCRIPTION

The following described property:

Land referred to in this report is described as all that certain property situated in Chicago, in the County of Cook, and State of Illinois, and being described in a Deed dated 07/27/1998, and recorded 08/04/1998 among the land Records of the County and State as set forth above and referenced as follows: Instrument No. 98681483.

Being further described as:

In the County of Cook, State of Illinois to wit:

Parcel 1:

The South 35.50 feet of the West 62.33 feet of the East 498.64 feet of Lots 20 to 33 (taken as a Tract) in Howard Western properties being a Resubdivision of Lots 1 and 2 in Samuel P. Hillmans Subdivision being a Subdivision of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 (except Streets) in Section 25, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2:

A non-exclusive easement for the benefit of Parcel One as set forth in Declaration of Covenants and Easements dated June 4, 1958 as Document 17225602 and as created by Deed from Chicago National Bank, as Trustee under Trust No. 15359 recorded September 10, 1958 as Document 17313777 for the purpose of ingress and egress.

Assessor's Parcel No: 10254300700000

UNOFFICIAL COPY *Exhibit*

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HEADING

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT DUPAGE COUNTY, ILLINOIS

BANCO POPULAR NORTH AMERICA,)
)
 Plaintiff,)
)
 SHARAD A. MEHTA, SANJAY M. MEHTA,)
 REKHA S. MEHTA, CHINTAL MEHTA,)
 NAPER TRAILS ASSOCIATION, f/k/a)
 LAKE CARYONAH IMPROVEMENT)
 ASSOCIATION, an Illinois not for profit)
 corporation, UNKNOWN OWNERS and)
 NON-RECORD CLAIMANTS,)
)
 Defendants.)

Case No. 11 CH 004626

Commercial Foreclosure

Property Address:
409 Kiowa
Naperville, IL 60563

Chloris K. Kuhlmann
CLERK OF THE
18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

FILED
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ORDER APPROVING REPORT OF SALE AND DISTRIBUTION

This cause coming to be heard on Plaintiff's Motion for the Entry of an Order Approving the Report of Sale and Distribution, confirming the sale of the property which is the subject of the above captioned matter and described as:

PARCEL 1: THE WEST 91.42 FEET OF LOT 2 IN LAKE CARYONAH PHASE 1, BEING A SUBDIVISION OF PART OF LOT 4 IN SIGNAL POINT UNIT ONE, A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LAKE CARYONAH PHASE 1, RECORDED MARCH 23, 1977 AS DOCUMENT R77-20127, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: RIGHTS AND EASEMENTS APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE, THE RIGHTS AND EASEMENTS, FOR THE BENEFIT OF SAID PROPERTY SET FORTH IN THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE LAKE CARYONAH PLANNED UNIT DEVELOPMENT, DATED OCTOBER 4, 1976 AND RECORDED MARCH 23, 1977 AS DOCUMENT R77-20127 AND THE PLAT RECORDED MARCH 23, 1977 AS DOCUMENT R77-20128 AND THE PLAT RECORDED MARCH 23, 1977 AS DOCUMENT R77-20129.

Common Address: 409 Kiowa, Naperville, IL 60563

PIN No.: 08-32-107-017-0000

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Due notice of said Motion having been given, the Court having examined said Report of Sale and Distribution and being fully advised in the premises, FINDS:

That all notices required by 735 ILCS 5/15-1507(c) were given;

That said sale was fairly and properly made;

That the Sheriff of DuPage County, hereinafter "Sheriff" has in every respect proceeded in accordance with the terms of this Court's Judgment of Foreclosure and Sale; and

IT IS FURTHER ORDERED:

That the subject real property is commercial in nature;

That the real property described herein was last inspected by movants, its insurers, investors, receiver or agents on November 1, 2012;

That justice was done.

IT IS THEREFORE ORDERED:

That the sale of the premises involved herein and the Report of Sale and Distribution filed by The Sheriff is hereby approved, ratified, and confirmed;

That the proceeds of the sale be distributed in accordance with the Report of Sale and Distribution;

That the Mortgagee's fees and costs arising between the entry of the Judgment of Foreclosure and Sale and the date of sale are approved;

That there shall be an *in rem* deficiency judgment entered in favor of Banco Popular North America in the sum of \$114,411.80 with interest thereon as provided by statute against the subject property;

That there shall be an *in personam* deficiency judgment entered in favor of Banco Popular North America in the sum of \$114,411.80 with interest thereon as provided by statute against borrowers, SHARAD A. MEHTA, SANJAY M. MEHTA, REKHA S. MEHTA, and CHINTAL MEHTA.

That any Special Right to Redeem, if applicable, pursuant to 735 ILCS 5/15-1604, shall expire 30 days after entry of this Order; and

735 ILCS 5/9-117 is not applicable to this order entered pursuant to Article 15 (IMFL).

That upon request by the successful bidder or its assigns and provided that all required payments have been made pursuant to 735 ILCS 5/15-1509, the Sheriff shall execute and deliver to the successful bidder or assignee a deed sufficient to convey title.

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That the successful bidder/mortgagee, Banco Popular North America, can be contacted by any interested County or Municipality at 9600 West Bryn Mawr, Rosemont, IL 60018, (847) 671-5732, c/o William D. Bolsen, Jr.

IT IS FURTHER ORDERED:

That the successful bidder is entitled to and shall have possession of the premises as of the date of entry of this Order, without further Order of Court, as provided in 735 ILCS 5/15-1701(c);

That the Sheriff of Du Page County is directed to evict and dispossess SHARAD A. MEHTA, SANJAY M. MEHTA, REKHA S. MEHTA, CHINTAL MEHTA, and NAPER TRAILS ASSOCIATION, f/k/a LAKE CARYONAH IMPROVEMENT ASSOCIATION, an Illinois not for profit corporation from the property commonly known as 409 Kiowa, Naperville, Illinois 60563;

No occupants other than the individuals named in this Order of Possession may be evicted without a Supplemental Order of Possession or an order from the Forcible Entry and Detainer Court.

IT IS FURTHER ORDERED that the Deed to be issued hereunder constitutes 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 Deed issued hereunder without affixing any transfer stamps.

A copy of this order shall be sent via regular mail to all defendants within 7 days hereafter.

Date: 11-30-12Judge: Monica R. Sheeto**THIS DOCUMENT PREPARED BY:**

Amy T. Grace, Esq.
CHUHAK & TECSON, P.C. #14300
 30 South Wacker Drive, Suite 2600
 Chicago, Illinois 60606
 (312) 444-9300