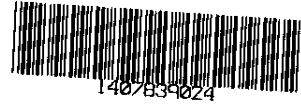


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Doc#: 1407839024 Fee: \$48.00  
RHSP Fee:\$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 03/19/2014 08:39 AM Pg: 1 of 6

space reserved for recording information

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## RECORDING COVER SHEET NOTICE OF COURT ORDER REFORMING MORTGAGE

This notice is being recorded to provide notice to all parties that a court order was entered in case 11 CH 9911 *Bank of America, N.A. v. Labuza, Slawomir, et al.*, an order was entered reforming the legal description of the mortgage recorded April 5, 2005 as document 0509546016. A copy of the order is attached hereto.

### Prepared by and return to:

This instrument was prepared by/return to:  
FISHER AND SHAPIRO, LLC  
2121 Waukegan Road, Suite 301  
Bannockburn, IL 60015  
(847)291-1717

10-046527

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10-046527

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

BANK OF AMERICA, N.A.  
PLAINTIFF,

-vs-

SLAWOMIR S. LABUZA A/K/A SLAWOMIR  
STEFAN LABUZA; GRAZYNA LABUZA;  
BAR HARBOUR AT WINDMILL LAKE  
HOMEOWNERS ASSOCIATION; 15 BAR  
HARBOUR ROAD CONDOMINIUM  
ASSOCIATION A/K/A 15 BAR HARBOUR  
CONDOMINIUM ASSOCIATION;  
UNKNOWN OWNERS AND NON-RECORD  
CLAIMANTS  
DEFENDANTS

NO. 11 CH 9911

PROPERTY ADDRESS:  
15 BAR HARBOUR ROAD  
UNIT 5K  
SCHAUMBURG, IL 60193

**ORDER OF REFORMATION**

THIS CAUSE coming before the Court upon Plaintiff's Motion for Judgment on the portion of its Complaint seeking the reformation of a mortgage, due notice having been given, and the Court being fully advised in the premises,

THE COURT FINDS:

1. On or about March 8, 2005, Slawomir S. Labuza and Grazyria Labuza executed a mortgage granting a security interest in the Mortgaged Premises to Plaintiff or Plaintiff's predecessor herein.
2. The legal description on the Subject Mortgage contains errors and is stated on the mortgage, with said errors, as follows:

**See attached Exhibit A**

3. That the Subject Mortgage correctly purports to affect the property with a common street address of 15 Bar Harbour Road, Unit 5K, Schaumburg, IL 60193,

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bearing a permanent index number of 07-24-300-009-1046. The accurate legal description is:

UNIT 5K AS DESCRIBED IN SURVEY DELINEATED ON AND ATTACHED TO AND A PART OF A DECLARATION OF CONDOMINIUM OWNERSHIP REGISTERED ON SEPTEMBER 4, 1975 AS **DOCUMENT LR2827663** AS TO AN UNDIVIDED PERCENTAGE INTEREST (EXCEPT THE UNITS DELINEATED AND DESCRIBED IN SAID SURVEY) IN AND TO THE FOLLOWING DESCRIBED PREMISES: THAT PART OF THE NORTH 40 ACRES OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE SOUTH 89 DEGREES 45 MINUTES, 47 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, AFORESAID 154.81 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 25 SECONDS WEST 322.67 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE NORTH 43 DEGREES 05 MINUTES 42 SECONDS EAST, 96.00 FEET; THENCE SOUTH 46 DEGREES 54 MINUTES 18 SECONDS EAST, 40.83 FEET; THENCE NORTH 43 DEGREES 05 MINUTES 42 SECONDS EAST 155.61 FEET; THENCE NORTH 73 DEGREES 05 MINUTES 42 SECONDS EAST, 185.61 FEET; THENCE SOUTH 16 DEGREES 14 MINUTES 18 SECONDS EAST, 96.00 FEET; THENCE SOUTH 73 DEGREES 05 MINUTES 42 SECONDS WEST, 159.89 FEET; THENCE SOUTH 43 DEGREES 03 MINUTES 42 SECONDS WEST, 225.88 FEET; THENCE NORTH 46 DEGREES 54 MINUTES 18 SECONDS WEST 136.83 FEET TO THE POINT OF BEGINNING.

4. It was the intent of the parties that the mortgage be an encumbrance against the property commonly known as 15 Bar Harbour Road, Unit 5K, Schaumburg, IL 60193, bearing permanent index No. 07-24-300-009-1046 and that the legal description on the mortgage be accurate.

5. The error/omission appearing in the mortgage legal description was inadvertent and without the knowledge of either of the parties to the mortgage.

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6. Notwithstanding this inadvertent omission, the mortgage still contains sufficient information necessary to identify the property commonly known as 15 Bar Harbour Road, Unit 5K, Schaumburg, IL 60193.

7. Notwithstanding this inadvertent omission, the mortgage still encumbers, and is a valid lien upon the property commonly known as 15 Bar Harbour Road, Unit 5K, Schaumburg, IL 60193.

## IT IS THEREFORE ORDERED:

A) That the Mortgage dated March 8, 2005 and recorded April 5, 2005 as document number 0509546016, is and remains a valid lien against the property commonly known as 15 Bar Harbour Road, Unit 5K, Schaumburg, IL 60193.

B) That the Mortgage dated March 8, 2005 and recorded April 5, 2005 as document number 0509546016, together with any subsequent assignments thereof, are hereby reformed to reflect the correct legal description, which is as follows:

UNIT 5K AS DESCRIBED IN SURVEY DELINEATED ON AND ATTACHED TO AND A PART OF A DECLARATION OF CONDOMINIUM OWNERSHIP REGISTERED ON SEPTEMBER 4, 1975 AS **DOCUMENT LR2827663** AS TO AN UNDIVIDED PERCENTAGE INTEREST (EXCEPT THE UNITS DELINEATED AND DESCRIBED IN SAID SURVEY) IN AND TO THE FOLLOWING DESCRIBED PREMISES: THAT PART OF THE NORTH 40 ACRES OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE SOUTH 89 DEGREES 45 MINUTES, 47 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, AFORESAID 154.81 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 25 SECONDS WEST 322.67 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE NORTH 43 DEGREES 05 MINUTES 42 SECONDS EAST, 96.00 FEET; THENCE SOUTH 46 DEGREES 54 MINUTES 18 SECONDS EAST, 40.83 FEET; THENCE NORTH 43 DEGREES 05 MINUTES 42 SECONDS EAST 155.61 FEET; THENCE NORTH 73 DEGREES 05 MINUTES 42 SECONDS EAST, 185.61 FEET;

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THENCE SOUTH 16 DEGREES 54 MINUTES 18 SECONDS EAST, 96.00 FEET; THENCE SOUTH 73 DEGREES 05 MINUTES 42 SECONDS WEST, 159.89 FEET; THENCE SOUTH 43 DEGREES 03 MINUTES 42 SECONDS WEST, 225.88 FEET; THENCE NORTH 46 DEGREES 54 MINUTES 18 SECONDS WEST, 136.83 FEET TO THE POINT OF BEGINNING.

C) That the plaintiff is authorized to record this order to reflect the correct legal description for the property commonly known as 15 Bar Harbour Road, Unit 5K, Schaumburg, IL 60193, IL bearing a permanent index number of 07-24-300-009-1046; and

D) That the Court finds no just reason to delay either enforcement or appeal of this order pursuant to Ill. Supreme Court Rule 304(a).

Dated: \_\_\_\_\_

Entered: \_\_\_\_\_

Judge Michael J. ...

Judge  
DEC 11 2012

Circuit Court - 2065

Mallory Goldwasser  
Fisher and Shapiro, LLC  
Attorneys for Plaintiff  
2121 Waukegan Road, Suite 301  
Bannockburn, IL 60015  
(847)291-1717 847-770-4362  
Attorney No: 42168

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Tax ID Number:

Property Address: 15 BAR HARBOUR #5K  
SCHAUMBURG, IL 60193

## Legal Description

UNIT 5K AS DESCRIBED IN SURVEY DELINEATED ON AND ATTACHED TO AND A PART OF A DECLARATION OF CONDOMINIUM OWNERSHIP REGISTERED ON SEPTEMBER 4, 1975 AS DOCUMENT LR7827663 AS TO AN UNDIVIDED PERCENTAGE INTEREST (EXCEPT THE UNITS DELINEATED AND DESCRIBED IN SAID SURVEY) IN AND TO THE FOLLOWING DESCRIBED PREMISES:

THAT PART OF THE NORTH 40 ACRES OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE SOUTH 89 DEGREES 45 MINUTES, 47 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, AFORESAID 154.81 FEET; THENCE SOUTH 00 DEGREES 24 MINUTES 25 SECONDS WEST 322.67 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE NORTH 43 DEGREES 05 MINUTES 42 SECONDS EAST, 96.00 FEET; THENCE SOUTH 46 DEGREES 54 MINUTES 18 SECONDS EAST, 40.83 FEET; THENCE NORTH 43 DEGREES 05 MINUTES 42 SECONDS EAST 155.61 FEET; THENCE NORTH 73 DEGREES 05 MINUTES 42 SECONDS EAST 155.61 FEET; THENCE SOUTH 16 DEGREES 34 MINUTES 18 SECONDS EAST, 96.00 FEET; THENCE SOUTH 73 DEGREES 05 MINUTES 42 SECONDS WEST, 139.89 FEET; THENCE SOUTH 43 DEGREES 03 MINUTES 42 SECONDS WEST, 223.88 FEET; THENCE NORTH 46 DEGREES 54 MINUTES 18 SECONDS WEST, 136.85 FEET TO THE POINT OF BEGINNING

EXHIBIT A