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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 06/10/2014 10:00 AM Pg: 1 of 4

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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 8585 *PHH Mortgage Corporation v. Luhr a/k/a Jeanette E. Luhr, Jeanette, et al.*, an order was entered reforming the legal description of the mortgage recorded December 1, 2004 as document 0433641166. 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

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CHANCERY DIVISION***Judge Alfred M. Swanson, Jr.*

MAR 30 2012

Circuit Court 2035

PHH MORTGAGE CORPORATION
PLAINTIFF,

NO. 11 CH 8585

-vs-

JEANETTE LUHR A/K/A JEANETTE E.
LUHR; USAA FEDERAL SAVINGS BANK
("USAA FSB"); SANTA MARIA
CONDOMINIUM ASSOCIATION
DEFENDANTSPROPERTY ADDRESS:
230 NORTH OAK PARK AVENUE
UNIT 3K
OAK PARK, IL 60302**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 June 3, 2003, Jeanette Luhr 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:

UNIT 3K IN THE SANTA MARIA CONDOMINIUMS AS DELINEATED ON A SURVEY OF LOTS 1, 2 AND 3 IN OWNER'S SUBDIVISION OF THE WEST 223.5 FEET AND THE SOUTH 10 FEET OF THE EAST 54.1 FEET OF THE WEST 277.6 FEET OF LOT 3 AND THE WEST 277.6 FEET OF LOT 2 (EXCEPT THE SOUTH 115 FEET OF THE EAST 81.6 FEET OF THE WEST 261.6 FEET OF SAID LOT 2) OF JAMES W. SCOVILLE SUBDIVISION OF 9 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT 1 TO THE DECLARATION OF CONDOMINIUM RECORDED MAY 29, 1996 AS DOCUMENT #96402515 AS AMENDED FROM TIME TO TIME TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN THE SAID DECLARATION, IN COOK COUNTY, ILLINOIS.

3. That the Subject Mortgage correctly purports to affect the property with a common street address of 230 North Oak Park Avenue, Unit 3K, Oak Park, IL 60302,

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bearing a permanent index number of 16-07-212-010-1033. The accurate legal

description is:

UNIT 3K IN THE SANTA MARIA CONDOMINIUMS AS DELINEATED ON A SURVEY OF LOTS 1, 2 AND 3 IN OWNER'S SUBDIVISION OF THE WEST 223.5 FEET AND THE SOUTH 10 FEET OF THE EAST 54.1 FEET OF THE WEST 277.6 FEET OF LOT 3 AND THE WEST 277.6 FEET OF LOT 2 (EXCEPT THE SOUTH 115 FEET OF THE EAST 81.6 FEET OF THE WEST 261.6 FEET OF SAID LOT 2) OF JAMES W. SCOVILLE SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT 1 TO THE DECLARATION OF CONDOMINIUM RECORDED MAY 29, 1996 AS DOCUMENT #96402515 AS AMENDED FROM TIME TO TIME TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN THE SAID DECLARATION, IN COOK COUNTY, ILLINOIS.

4. It was the intent of the parties that the mortgage be an encumbrance against the property commonly known as 230 North Oak Park Avenue, Unit 3K, Oak Park, IL 60302, bearing permanent index No. 16-07-212-010-1033 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.
6. Notwithstanding this inadvertent omission, the mortgage still contains sufficient information necessary to identify the property commonly known as 230 North Oak Park Avenue, Unit 3K, Oak Park, IL 60302.
7. Notwithstanding this inadvertent omission, the mortgage still encumbers, and is a valid lien upon the property commonly known as 230 North Oak Park Avenue, Unit 3K, Oak Park, IL 60302.

IT IS THEREFORE ORDERED:

- A) That the Mortgage dated June 3, 2003 and recorded December 1, 2004 as document number 0433641166, is and remains a valid lien against the property

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commonly known as 230 North Oak Park Avenue, Unit 3K, Oak Park, IL 60302.

B) That the Mortgage dated June 3, 2003 and recorded December 1, 2004 as document number 0433641166, together with any subsequent assignments thereof, are hereby reformed to reflect the correct legal description, which is as follows:

UNIT 3K IN THE SANTA MARIA CONDOMINIUMS AS DELINEATED ON A SURVEY OF LOTS 1, 2 AND 3 IN OWNER'S SUBDIVISION OF THE WEST 223.5 FEET AND THE SOUTH 10 FEET OF THE EAST 54.1 FEET OF THE WEST 277.6 FEET OF LOT 3 AND THE WEST 277.6 FEET OF LOT 2 (EXCEPT THE SOUTH 115 FEET OF THE EAST 81.6 FEET OF THE WEST 261.6 FEET OF SAID LOT 2) OF JAMES W. SCOVILLE SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT 1 TO THE DECLARATION OF CONDOMINIUM RECORDED MAY 29, 1996 AS DOCUMENT #96402515 AS AMENDED FROM TIME TO TIME TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN THE SAID DECLARATION, IN COOK COUNTY, ILLINOIS.


C) That the plaintiff is authorized to record this order to reflect the correct legal description for the property commonly known as 230 North Oak Park Avenue, Unit 3K, Oak Park, IL 60302, IL bearing a permanent index number of 16-07-212-010-1033; 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).

Judge Alfred M. Swanson, Jr.

MAR 30 2012

Circuit Court 2035

Dated: _____

Entered:  _____
Judge

Hugh Green
Fisher and Shapiro, LLC
Attorneys for Plaintiff
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(847)291-1717 (847) 770-4108
Attorney No: 42168