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Memorandum of Judgment

IN THE UNITED STATES
DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF ILLINOIS

FIRSTMERIT BANK, N.A.,
successor in interest to FDIC, as
receiver for George Washington
Savings Bank,

v.

Doc#: 1425929105 Fee: \$48.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 09/18/2014 03:46 PM Pg: 1 of 8

Recorder's Stamp

GERARD WALSH; ROBERT D.
GOMOLSKI; JASON C. HUNT;
LAGRANGE CROSSING II, LLC,

No. 13-cv-3302

MEMORANDUM OF JUDGMENT

On June 11, 2014, judgment was entered in this court
in favor of the plaintiff FirstMerit Bank, N.A.

and against defendant Gerard Walsh
whose address is 19339 Westfield Ave., Tinley Park, Illinois 60487
in the amount of \$ 1,333,480.27.

A COPY OF THE FOREGOING JUDGMENT IS ATTACHED HERETO

Name: Thompson Coburn LLP/ Lauren Newman

Atty. for: Plaintiff

Address: 55 E. Monroe Street, 37th Floor

City/State/Zip: Chicago, Illinois 60603

Telephone: 312-346-7500

DO NOT index legal.

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CERTIFIED COPY (Rev. 1/2012)

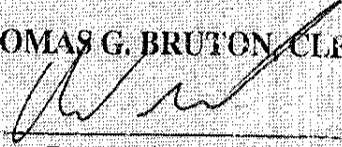
United States District Court
Northern District of Illinois
Eastern Division

I, Thomas G. Bruton, Clerk of the United States District Court for the Northern District of Illinois, do hereby attest and certify that the annexed document(s) is (are) a full, true, and correct copy of the original(s) on file in my office and in my legal custody.

IN TESTIMONY WHEREOF:

I have hereunto subscribed my name and affixed the seal of the
foresaid court at Chicago, Illinois, on SEP 13 2014

THOMAS G. BRUTON, CLERK

By: 
Deputy Clerk

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FIRSTMERIT BANK, N.A., successor in)	
interest to FDIC, as receiver for George)	
Washington Savings Bank,)	Case No. 13 C 3302
)	
Plaintiff,)	
)	Judge John W. Darrah
v.)	
)	
GERARD WALSH; ROBERT D.)	
GOMOLSKI; JASON C. HUNT;)	
LAGRANGE CROSSING II, LLC,)	
)	
Defendants.)	

**ORDER APPROVING REPORT OF SALE AND DISTRIBUTION,
CONFIRMING JUDICIAL SALE AND ORDER OF POSSESSION**

This cause coming to be heard on Plaintiff's Motion to Approve Report of Sale and Distribution and to Confirm Judicial Sale and for an Order of Possession, due notice having been given and the Court being fully advised in the premises;

THE COURT HAVING FOUND THAT:

1. LaGrange Crossing Ltd., predecessor to Defendant LaGrange Crossing II, LLC ("LaGrange") granted a mortgage to George Washington Savings Bank dated July 26, 2007 and recorded in the office of the Recorder of Deeds of Cook County on August 16, 2007 as Document No. 0722847008 (the "Mortgage"). The Mortgage was later assigned to the Plaintiff by an Assignment of Mortgage dated November 4, 2010 and recorded on December 10, 2010 as Document Number 1033716036. The Mortgage created a first priority lien against real property owned by LaGrange, which is legally described as follows:

PARCEL 1:

LOT 30 IN BLOCK 5 IN MARES AND WHITE'S SECOND ADDITION TO LAGRANGE PARK, A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ (LYING EASTERLY OF FIFTH AVENUE) OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL

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MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 9, 1925 AS DOCUMENT NO. 8999984, IN COOK COUNTY, ILLINOIS

PARCEL 2:

LOT 29 IN BLOCK 5 IN MARES AND WHITE'S SECOND ADDITION TO LAGRANGE PARK, A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ (LYING EASTERLY OF FIFTH AVENUE) OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 9, 1925 AS DOCUMENT NO. 8999984, IN COOK COUNTY, ILLINOIS.

The Subject Property (which is not "residential real estate" as such term is defined in 735 ILCS 5/15-1219) is located at 1139-1143 North LaGrange Road, LaGrange Park, Illinois, and have permanent index numbers of 15-28-310-001-0000 and 15-28-310-002-0000.

- A. The Subject Property consists of three rental townhouses that were last inspected by the Receiver on May 20, 2014
- B. A judgment of foreclosure and sale was entered by this Court on March 13, 2014 (the "Judgment of Foreclosure");
- C. On March 5, 2014, this Court entered Judgment on Counts II, III, IV and V of the Complaint in the amount of \$1,813,272.02 against Defendants Gerard Walsh, Robert D. Gomolski, Jason C. Hunt and LaGrange Crossing II, LLC, on a promissory note and the guarantees of the promissory note;
- D. The judicial sale of the Subject Property was conducted on May 19, 2014, at which sale Plaintiff was the highest bidder wherein it credit bid \$500,000.00 (the "Judicial Sale");
- E. The Judicial Sale was fairly and properly conducted, and the report of sale issued by the selling officer following this sale (the "Report of Sale") complies in every respect with the terms of the Judgment of Foreclosure and the requirements for such reports and sales set forth in the Illinois Mortgage Foreclosure Law, 735 ILCS 5/15-1501 et seq. (West 2009).
- F. The certificate holder's contact information is as follows: Lucian Lupascu, Vice President, FirstMerit Bank, N.A., 501 W. North Avenue, Melrose Park, Illinois 60160.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The Report of Sale and the Judicial Sale are hereby approved, ratified and confirmed;
2. The proceeds of the Judicial Sale shall be immediately distributed in accordance with the terms of the Report of Sale;
3. The Order entered on March 5, 2014 is modified and the judgment in favor of the Plaintiff and against Defendants Gerard Walsh, Robert D. Gomolski, Jason C. Hunt and LaGrange Crossing II, LLC, is in the amount of \$1,333,480.27, which is the amount stated as the deficiency in the Report of Sale;
4. Any special right to redeem, if applicable, pursuant to 735 ILCS 5/15-1604 (West 2009) shall expire 30 days after the entry of this order;
5. Judicial Sales Corporation shall immediately execute and deliver a Deed sufficient to convey title to the Subject Property to Plaintiff or its designee;
6. The Deed to be issued hereunder is a transaction that is exempt from all transfer taxes either state or local, and the Cook County Recorder of Deeds is ordered to permit immediate recordation of the Deed issued hereunder without any exemption stamps, if applicable;
7. Good cause exists to allow the Plaintiff to obtain immediate possession of the Subject Property in contravention of Sections 15-1508(g) and 15-1701(d) of the Illinois Mortgage Foreclosure Law since (a) the Receiver has been in possession of the Subject Property since September 4, 2013, and (b) the interests of all interested parties are served by conferring immediate possession.

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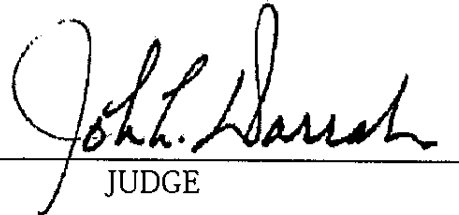
8. The Sheriff of Cook County, Illinois is directed to evict and dispossess Defendant LaGrange Crossing II, LLC, , Illinois, at any time 30 days after the entry of this order, pursuant to 735 ILCS 5/15-1701(d) (West 2012), without further order of court;

9. There is no just reason to delay enforcement or appeal from this judgment, the judgment of foreclosure and sale entered on the Complaint or any other nonfinal order giving rise to the entry of such judgments.

10. A copy of this Order shall be sent via regular mail within seven (7) days to the last known address of the mortgagor and guarantors.

6/11/14

Entered: _____


JUDGE

Lauren Newman
Thompson Coburn LLP
55 East Monroe Street, 37th Floor
Chicago, Illinois 60603
(312) 346-7500