



Doc#: 1428929081 Fee: \$46.00  
RHSP Fee:\$9.00 RPRF Fee: \$1.00  
Karen A.Yarbrough  
Cook County Recorder of Deeds  
Date: 10/16/2014 02:39 PM Pg: 1 of 5

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

U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS  
INDIVIDUAL CAPACITY, BUT SOLELY AS  
TRUSTEE FOR THE RMAC TRUST, SERIES 2012-1T,

Plaintiff,

v.

JEFFREY K. ZITZMANN; KINGSBROOKE OF  
PALATINE CONDOMINIUM ASSOCIATION,

Defendants.

)  
) Case No. 12 CH 7501  
)  
) Property Address:  
) 824 E Carriage Lane  
) Palatine, IL 60074  
)  
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)  
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)

**AMENDED CONSENT JUDGMENT OF FORECLOSURE**

This day comes the plaintiff, U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2012-1T ("Plaintiff"), by and through its attorneys, Potestivo & Associates, P.C. and the Defendant JEFFREY K. ZITZMANN, by stipulation and agreement expressly consenting to the entry of this Consent Judgment; and it appearing to the Court that the plaintiff, U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2012-1T, heretofore commenced this action by filing its Complaint for Foreclosure of Mortgage against the Defendants, JEFFREY K. ZITZMANN and KINGSBROOKE OF PALATINE CONDOMINIUM ASSOCIATION:

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This cause now coming to be heard upon the express agreement of the mortgagee and mortgagors for the entry of a Consent Judgment, the Court having examined the files and records in this cause and being fully advised in the premises, FINDS THAT:

1. The following defendants were each duly and personally served with summons in this cause in the manner provided by law: JEFFREY K. ZITZMANN and KINGSBROOKE OF PALATINE CONDOMINIUM ASSOCIATION.

2. Each of the named Defendants has duly and regularly been served a sufficient time to authorize this Court to proceed with the hearing and the entry of this Consent Judgment. It further appears to the Court that all notices required to be given have duly and properly been given and due notice of the presentation of this Consent Judgment has been given to all parties entitled thereto and to each of the Defendants, as required by law, and this Court has acquired and now has jurisdiction of all the parties to this cause and the subject matter hereof.

3. And this cause coming on now to be heard upon the Complaint for Foreclosure of Mortgage, and upon all other pleadings, exhibits, affidavits, and matters of record herein, the Court further finds:

(a) That the mortgage being foreclosed herein is a first lien on the fee simple interest on the following described real estate (the "Real Estate") in Cook County:

UNIT 1741-1 IN KINGSBROOKE OF PALATINE CONDOMINIUM AS DELINEATED ON A SURVEY OF PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT A TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 25234962 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

**COMMONLY KNOW AS:** 824 E Carriage Lane Unit 1, Palatine, IL 60074

**UNOFFICIAL COPY****TAX PARCEL NUMBER:** 02-01-100-015-1201

(b) Said mortgage and note are valid obligations of the Defendant, JEFFREY K. ZITZMANN, and the Plaintiff is now the legal holder and owner of the mortgage, note and indebtedness and entitled to foreclose the same pursuant to the provisions thereof.

(c) The Court further finds that by virtue of the mortgage and note, there is due to the Plaintiff, the following sums with a Per Diem interest rate of \$25.25:

Principal, Accrued Interest, Advances, & Late Fees by Plaintiff to November 23, 2013:	\$150,317.96
Per Diem Interest to August 28, 2014:	\$7,019.50
Costs of Suit:	\$350.00
Foreclosure Attorneys' Fees:	\$787.50
<b>TOTAL:</b>	<b>\$158,474.96</b>

(d) That the mortgage being foreclosed specifically provides that the aforesaid attorneys fees, costs, expenses and advances, incurred in connection with this foreclosure, shall be recovered by Plaintiff, except to the extent discharged in bankruptcy.

(e) That Plaintiff and Defendant, JEFFREY K. ZITZMANN, has stipulated to the entry of the Consent Judgment of Foreclosure.

(f) That the described real estate is residential real estate as defined by the Code of Civil Procedure of Illinois, Section 5/15-1219.

4. The Court further finds that the Defendant, JEFFREY K. ZITZMANN, is the present owner of record of the mortgaged Real Estate.

5. All matters in controversy by the parties hereto as reflected by the pleadings on file are adjudged and determined by this Consent Judgment, and the Court having heard the arguments of counsel and being fully advised in the premises, it is hereby ORDERED and ADJUDGED as follows:

(1) That Plaintiff's mortgage constitutes a valid, prior and paramount lien upon the fee

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simple interest in the mortgaged Real Estate, and the rights of each defendant in this cause are subject and subordinate to the lien of the Plaintiff's mortgage foreclosed in this proceeding.

(2) That the Mortgagor, JEFFREY K. ZITZMANN, has expressly consented to the entry of this Consent Judgment by stipulation (the "Stipulation") filed with the Court pursuant to the provisions of 735 ILCS 5/15-1402(a)(3).

(3) That no other party, by Answer or by Response to either the Motion for Entry of Consent Judgment or the Stipulation, within the time allowed for such Answer or Response, has objected to the entry of this Consent Judgment.

(4) That Plaintiff hereby waives any and all rights to a personal judgment for deficiency against the Mortgagor, JEFFREY K. ZITZMANN, and against all other persons liable for the indebtedness or other obligations secured by the Mortgage, and pursuant to the provisions of 735 ILCS 5/15-1402(c), Plaintiff shall be barred from obtaining such a deficiency judgment against the Mortgagor or any other person liable for the indebtedness or other obligations secured by the Mortgage.

(5) That pursuant to 735 ILCS 5/15-1402(a), this Consent Judgment vests absolute title to the Real Estate in U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2012-1T, free and clear of all claims, liens (except liens of the United States of America) and interest including all rights of reinstatement and redemption, of the Mortgagor, JEFFREY K. ZITZMANN, and of all rights of all other Defendants in this cause, whose interests are subordinate to that of the Mortgagee, U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2012-1T.

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(6) That the Mortgagor, JEFFREY K. ZITZMANN, and any other unknown owners, tenants, or claimants, shall remove all of their personal property; repair all damage to the Real Estate caused by such removal; vacate the Real Estate and leave such Real Estate in reasonably good, broom swept clean condition and deliver the keys to the Real Estate to the Plaintiff, or Plaintiff's agents, successors, or assigns, immediately upon entry of the Consent Judgment.

(7) Future tax bills should be sent to grantee/mortgagee:

U.S. Bank National Association, not in its individual capacity, but solely as Trustee for the RMAC Trust, Series 2012-1T  
60 Livingston Avenue  
EP-MN-WS3D  
St. Paul, MN 55107

(8) The Court expressly finds that there is no just reason for delaying the enforcement of this judgment, or an appeal therefrom.

DATED: \_\_\_\_\_  
JUDGE

ENTER: \_\_\_\_\_ *u*

Potestivo & Associates, P.C.  
David F. Pustilnik (ARDC # 6300609)  
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DuPage County Firm ID #: 223623  
Attorneys for Plaintiff  
Our File No.: C13-88442

JUDGE DANIEL PATRICK BRENNAN  
OCT 15 2014  
DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL  
DEPUTY CLERK

EXEMPT UNDER PROVISIONS OF PARAGRAPH L  
SECTION 4, REAL ESTATE TRANSFER TAX ACT

\_\_\_\_\_  
DATE BUYER, SELLER OR REPRESENTATIVE