

# UNOFFICIAL COPY



Doc#: 1431619180 Fee: \$46.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 11/12/2014 04:07 PM Pg: 1 of 5

[Space Above This Line For Recording Data]

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

PROVIDENT FUNDING ASSOCIATES,  
L.P.,

Plaintiff,

v.

SERGIO VELAZQUEZ, ANGELICA  
VELAZQUEZ, CITIBANK (SOUTH  
DAKOTA), N.A.,

Defendants.

Case No: 13 CH 9285

Property Address:  
3742 South Rockwell Street  
Chicago, IL 60632

**CONSENT JUDGMENT OF FORECLOSURE**

This day comes the Plaintiff, PROVIDENT FUNDING ASSOCIATES, L.P. ("Plaintiff"), by and through its attorneys, POTESTIVO & ASSOCIATES, P.C., and the Defendants, SERGIO VELAZQUEZ and ANGELICA VELAZQUEZ, by and through is attorney KATZ LAW OFFICE, LTD, by stipulation expressly consenting to the entry of this Consent Judgment; and it

~~appears to the Court that the Plaintiff, hereofore commenced this action by filing its~~

Complaint for Foreclosure of Mortgage against the Defendants, SERGIO VELAZQUEZ and ANGELICA VELAZQUEZ:

This cause now coming to be heard upon the express agreement of the mortgagee and

# UNOFFICIAL COPY

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: **SERGIO VELAZQUEZ, ANGELICA VELAZQUEZ, CITIBANK (SOUTH DAKOTA), N.A.**
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.

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:

1. 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:

LOT 4 IN BLOCK 12 IN CORWITH'S RESUBDIVISION OF LOTS 81 TO 120, 124 TO 140, 144 TO 150, 152 TO 157 IN BRIGHTON, A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN

~~COOK COUNTY, ILLINOIS~~

**Commonly known as:** 3742 South Rockwell Street, Chicago, IL 60632

**Permanent Index Number:** 16-36-418-038

2. Said mortgage and note are valid obligations of the Defendants, **SERGIO VELAZQUEZ**

# UNOFFICIAL COPY

and ANGELICA VELAZQUEZ, and the Plaintiff is now the legal holder and owner of the mortgage, note and indebtedness and entitled to foreclose on the same pursuant to the provisions thereof.

3. The Court further finds that by virtue of the mortgage and note, there is due to the Plaintiff, the following sums:

Principal	\$158,713.41
Accrued Interest and Advances by Plaintiff through 9/9/2014:	\$ 22,621.34
Costs of Suit:	\$ 939.00
Foreclosure Attorneys' Fees:	\$ 3,200.00

**TOTAL: \$185,473.75**

4. 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.
5. That Plaintiff and Defendants, SERGIO VELAZQUEZ and ANGELICA VELAZQUEZ, have stipulated to the entry of the Consent Judgment of Foreclosure.
6. That the described real estate is residential real estate as defined by the Code of Civil Procedure of Illinois, Section 5/15-1219.
7. The Court further finds that the Defendant, SERGIO VELAZQUEZ, is the present owners of record of the mortgaged Real Estate

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 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.

# UNOFFICIAL COPY

2. That the Mortgagors, SERGIO VELAZQUEZ and ANGELICA VELAZQUEZ, have express 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 Mortgagors, SERGIO VELAZQUEZ and ANGELICA VELAZQUEZ, 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 Mortgagors 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 PROVIDENT FUNDING ASSOCIATES, L.P., free and clear of all claims, liens and interest including all rights of reinstatement and redemption, of the Mortgagors, SERGIO VELAZQUEZ and ANGELICA VELAZQUEZ, and of all rights of all other Defendants in this cause, whose interests are subordinate to that of the Mortgagee, PROVIDENT FUNDING ASSOCIATES, L.P.
6. That for the purposes of future taxes:

<del>Grantee:</del>	<del>Provident Funding Associates, L.P.</del>
<del>Contact:</del>	<del>Patryk Sobotka</del>
Address:	5000 Plano Parkway
	Carrollton, TX 75010
Telephone Number:	(800) 696-8199

7. Defendants, Sergio Velazquez and Angelica Velazquez, and any other unknown owners,

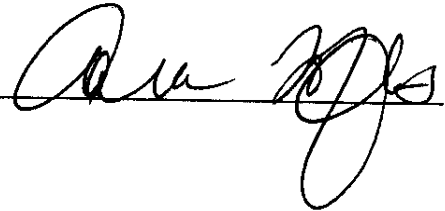
# UNOFFICIAL COPY

tenants, or claimants shall remove all of their trade fixtures and 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, **60 days after entry of this Order for Consent Judgment of Foreclosure.**

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

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

Judge: \_\_\_\_\_



**Judge Anna M. Loftus**

**NOV 06 2014**

**Circuit Court - 2102**

Potestivo & Associates, P.C.  
Keith H. Werwas (ARDC #6291042)  
Kimberly J. Goodell (ARDC#6305436)  
Ashley K. Rasmussen (ARDC#6308095)  
David F. Pustilnik (ARDC#6300609)  
Caleb J. Halberg (ARDC#6306089)  
Megan C. Adams (ARDC# 6312221)  
Anuolu R. Fasoranti (ARDC# 6308979)  
223 W. Jackson Blvd., Suite 610  
Chicago, Illinois 60606  
Telephone: (312) 263-0003  
Main Fax: (312) 263-0002  
Cook County Firm ID #: 43932  
DuPage County Firm ID #: 223623  
Attorneys for Plaintiff  
Our File No.: C13-79393

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

~~DATE~~

~~BUYER SELLER OR REPRESENTATIVE~~