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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 11/17/2014 04:36 PM Pg: 1 of 6

Line above is for recording purposes

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

GREEN TREE SERVICING LLC

PLAINTIFF

vs.

JOSEPH CURTIS; GINA GRUBAUSKAS;  
NATIONAL CITY BANK; VILLAGE OF  
EVERGREEN PARK; MARQUETTE ROW  
679 CONDOMINIUM ASSOCIATION;  
STATE OF ILLINOIS; UNKNOWN  
OWNERS AND NON-RECORD  
CLAIMANTS

DEFENDANTS

NO. 11 CH 31197  
Judge Prendergast Rooney  
CAL NO. 60

Address: 679 N. Peoria Street, #4S  
Chicago, Illinois 60610

**CONSENT JUDGMENT FOR FORECLOSURE**

THIS CAUSE having been heard by this Court upon the record herein on the merits of the Complaint for Foreclosure filed by the Plaintiff and on the motion of the Plaintiff for entry of Consent Judgment for Foreclosure (hereinafter referred to as "Judgment"), and Defendant Mortgagor(s) consenting, the Court FINDS:

1. **JURISDICTION:** The Court has jurisdiction over the parties hereto as set forth in the Attorney's Certificate of Service and over the subject matter.
2. **CAPACITY AND STANDING:** The Plaintiff has standing, capacity and authority to maintain this cause.
3. **MORTGAGEE OFFER TO WAIVE DEFICIENCY:** The Plaintiff has offered to waive any and all rights to a personal judgment for deficiency against the Mortgagor(s) and against all other persons liable for the indebtedness or other obligations secured by the Mortgage in its motion for entry of consent judgment of foreclosure with notice to all parties not in default.

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4. **CONSENT TO ENTRY OF JUDGMENT:** All Defendant Mortgagor(s) expressly consent to the entry of this Consent Judgment of Foreclosure.
5. **NOTICE OF MOTION:** All parties who have not previously been found in default for failure to appear, answer or otherwise plead have received notice of the motion for entry of consent judgment.
6. **NO OBJECTION TO ENTRY OF CONSENT JUDGMENT:** No other party, by answer or by response to the motion or stipulation, within the time allowed for such answer or response, has objected to the entry of such Judgment pursuant to 735 ILCS 5/15-1402(4).
7. **SURRENDER OF POSSESSION OF REAL ESTATE:** The Defendant Mortgagor(s) has agreed to surrender possession of the real estate 30 days after entry of this Consent Judgment order.
8. **EVIDENCE PRESENTED:** The pleadings and proofs presented in the cause are sufficient to support the entry of this Judgment.
9. **PROPERTY FORECLOSED UPON:** The Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Cook County, Illinois, as Document No. 0713557037, dated April 27, 2007 and recorded May 18, 2007 and the Subject Property herein referred to is described as follows:

UNIT 4S AND PARKING UNIT P4 TOGETHER WITH ITS  
 UNDIVIDED PERCENTAGE INTEREST IN THE  
 COMMON ELEMENTS IN MARQUETTE ROW 679  
 CONDOMINIUM AS DELINEATED AND DEFINED IN THE  
 DECLARATION RECORDED AS DOCUMENT NO.  
 0705715034, IN THE NORTHEAST 1/4 OF SECTION 8,  
 TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD  
 PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As:

679 N. PEORIA STREET, #4S, CHICAGO, ILLINOIS 60610

Tax Parcel Number:

17-08-222-038-1009 Vol. 0589; 17-08-222-038-1013 Vol. 0589

10. **OWNERS OF REAL ESTATE:**  
 JOSEPH CURTIS; GINA GRIBAUSSKAS

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11. **NOTE:** JOSEPH CURTIS; GINA GRIBAUSKAS executed a promissory note in the sum of \$383,920.00 payable to the order of National City Mortgage a division of National City Bank and dated April 27, 2007. Plaintiff is in possession of the Note and is entitled to enforce the Note. The Note has been duly accelerated pursuant to its terms.
12. **MORTGAGE:** JOSEPH CURTIS; GINA GRIBAUSKAS to secure the above mentioned note, executed a mortgage, dated April 27, 2007 and given to National City Mortgage a division of National City Bank and has been properly recorded against the Subject Property.
13. **SUBORDINATE INTERESTS:** The mortgage constitutes a valid lien upon real estate and which is prior, paramount, and superior to the rights and interests of all other parties. The rights and interests of all other parties are subject, subordinate and inferior to the rights of the Plaintiff herein, and are described as follows:

NATIONAL CITY BANK by reason of a Mortgage recorded May 18, 2007 as document 0713857038 made by Joseph Curtis and Gina Gribauskas to National City Bank, to secure a note in the originally stated principal amount of \$71,950.00.

VILLAGE OF EVERGREEN PARK by reason of a Memorandum of Judgment recorded August 30, 2007 as document 0724235297, in favor of Village of Evergreen Park and against Joseph E. Curtis, in Case No. 0007772, Circuit Court of Cook County, Illinois, in the amount of \$126.50..

MARQUETTE ROW 679 CONDOMINIUM ASSOCIATION by reason of a Possible liens due to the Marquette Row 679 Condominium Association by reason of the nonpayment of the special or annual assessments prior to the foreclosure sale.

STATE OF ILLINOIS by reason of a Revenue Lien in favor of the State of Illinois in the amount of \$1,576.97, against Joseph W. Curtis, recorded on April 24, 1997 as document 97283746. Type of tax: Individual Income Tax.

UNKNOWN OWNERS AND NONRECORD CLAIMANTS.

14. **ALLEGATIONS PROVEN:** That all the material allegations of the Complaint are true and proven, and that by virtue of the Note and Mortgage attached to the Complaint, as established by the Affidavit for Judgment, there is due to the Plaintiff, and it has a valid and subsisting lien upon the Subject Property hereinafter described, as follows:

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(a).	Unpaid principal	\$	381,929.87
	Accrued interest thereon to October 21, 2014	\$	61,420.26
	Advances by Plaintiff	\$	18,315.60
	Accrued late charges	\$	0.00
	Attorneys' fees for this lawsuit	\$	2,320.00
	Costs for this lawsuit	\$	1,620.00
	Less unapplied funds	\$	0.00
	<b>TOTAL</b>	<b>\$</b>	<b>465,605.73</b>

15. **ADVANCES:** That advances made subsequent to the execution of the affidavit of mortgage in order to protect the lien of the Judgment and preserve the real estate, such as, but not limited to: real estate taxes or assessments, property inspections, property maintenance, insurance premiums, any other fees, charges and expenses which are recoverable under the terms of the mortgage, and post Judgment attorneys' fees incurred by Plaintiff and not included in this Judgment, but incurred prior to the conclusion of this foreclosure action, shall become an additional indebtedness secured by the judgment lien and bear interest from the date of the advance at the mortgage rate of interest pursuant to 735 ILCS 5/15-1503 and 15-1603.
16. **EXHIBITS:** That true and correct copies of the original Mortgage and the original Note are attached to the Complaint filed herein.
17. **WAIVER OF REDEMPTION AND WAIVER OF DEFICIENCY:** The owner(s) of the right of redemption are the Mortgagors, Property Owners and any other Party Defendant(s) named in the Complaint with the statutory right of redemption.
- (a) The subject real estate is residential as defined in 735 ILCS 5/15-1219.
  - (b) The Defendant Mortgagor(s) have waived any and all rights to redeem the mortgaged premises whether by statute or in equity pursuant to 735 ILCS 5/15-1601(c).
  - (c) The Plaintiff hereby waives any and all rights to a personal judgment for deficiency against the Defendant Mortgagor(s), and against all other persons liable for the indebtedness or other obligations secured by the mortgage described herein pursuant to 735 ILCS 5/15-1402(c).
  - (d) That no party has filed an objection to entry of this Judgment, nor paid the amount required to redeem in accordance with 735 ILCS 5/15-1603.

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IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. **JUDGMENT:** A Consent Judgment for Foreclosure is entered pursuant to 735 ILCS 5/15-1402.
2. **VESTING TITLE:** By entry of this judgment, absolute title to the mortgaged real estate known as: 679 N. PEORIA STREET, #4S, CHICAGO, ILLINOIS 60610 is hereby vested in the name of Federal National Mortgage Association ("Fannie Mae") free and clear of all claims and liens and interest of the mortgagor including all rights of reinstatement and redemption and the rights of all other persons made parties to the foreclosure whose interest are subordinate to that of the Plaintiff. Said real estate legally described as follows:

UNIT 4S AND PARKING UNIT P4 TOGETHER WITH ITS  
UNDIVIDED PERCENTAGE INTEREST IN THE  
COMMON ELEMENTS IN MARQUETTE ROW 679  
CONDOMINIUM AS DELINEATED AND DEFINED IN THE  
DECLARATION RECORDED AS DOCUMENT NO.  
0705715034, IN THE NORTHEAST 1/4 OF SECTION 8,  
TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As:

679 N. PEORIA STREET, #4S, CHICAGO, ILLINOIS 60610

Tax Parcel Number:

17-08-222-038-1009 Vol. 0589; 17-08-222-038-1013 Vol. 0589

2. **WAIVER OF PERSONAL DEFICIENCY:** That the entry of this Judgment of Foreclosure shall constitute a bar against the Plaintiff, its successors in interests or assigns from obtaining a personal deficiency judgment against any Defendant or any other persons liable for the mortgage indebtedness.
3. **POSSESSION OF REAL ESTATE:** Defendant(s), who is/are in possession of the subject Property, shall tender possession of the Property empty of all personal property, in good condition, broom-swept clean no later than 30 days after the entry of this Consent Judgment order. Defendant(s) agree(s) to leave undisturbed in the Property all plumbing, kitchen, electrical, HVAC, and exterior fixtures.
4. The Sheriff of Cook County is hereby directed to evict JOSEPH CURTIS; GINA GRIBASKAS from the premises commonly known as 679 N. PEORIA STREET, #4S, CHICAGO, ILLINOIS 60610 without further delay and without further order of the Court on any day after 30 days after the entry of this Consent Judgment order.

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5. **TERMINATION OF SUBORDINATE INTERESTS:** All other Defendants whose interest in the Property that are subordinate to the Plaintiff are forever barred, and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate. This Judgment and all orders entered pursuant to said judgment are valid as stated above. The inadvertent failure to name a subordinate record claimant will not invalidate this Judgment. Plaintiff may take title and file a subsequent action to determine the redemptive rights of such a party. Should such claimant not exercise its redemptive rights within the stated time, they shall be forever barred and foreclosed of any right, title, interest, claim, lien or right to redeem or otherwise enforce its claim against the Property.
6. **JURISDICTION:** The Court retains jurisdiction over the parties and subject matter of this cause for the purpose of enforcing this Judgment or vacating said Judgment.
7. **APPEALABILITY:** Pursuant to Supreme Court Rule 304(a) this is a final and appealable order and there is not just cause for delaying the enforcement of this Judgment or appeal therefrom.
8. That a copy of this Judgment shall be recorded with the Recorder of Deeds of Fulton County for the purpose of conveying clear and absolute title to grantee, ~~Federal National Mortgage Association ("Fannie Mae")~~.

ENTER: 

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

Mail To After Recording:  
 Johnson, Blumberg, & Associates, LLC  
 230 W. Monroe Street, Suite 1125  
 Chicago, Illinois 60606  
 Ph. 312-541-9710  
 Fax 312-541-9711  
 JB&A # IL 11 9883

Judge Michael T. Mullen

OCT 21 2014

Circuit Court - 2084