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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 01/12/2015 12:34 PM Pg: 1 of 6

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

CAPITAL ONE, N.A.,

Plaintiff,

v.

ABE BAROUD; LILY BAROUD; UNKNOWN
OWNERS AND NONRECORD CLAIMANTS,

Defendants.

Case No: 12 CH 20169

302 Elm Street
Prospect Heights, IL 60070

CONSENT JUDGMENT FOR FORECLOSURE

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

CAPITAL ONE, N.A.,)	
)	
Plaintiff,)	
)	
v.)	Case No: 12 CH 20169
)	
ABE BAROUD; LILY BAROUD; UNKNOWN)	302 Elm Street
OWNERS AND NONRECORD CLAIMANTS,)	Prospect Heights, IL 60070
)	
Defendants.)	

CONSENT JUDGMENT FOR FORECLOSURE

This cause being heard on the complaint and/or any subsequent amendments to such complaint filed herein and on the motion of Plaintiff Capital One, N.A ("Capital One"), pursuant to Section 5/15-1402 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1402) for entry of a consent judgment for foreclosure ("Judgment"), with Mortgagors-Defendants Abe Baroud and Lily Baroud ("Mortgagor" or "Defendants"), fully consenting, due notice having been given, Defendants herein being duly served by summons and/or by publication or having otherwise submitted to the jurisdiction of this Court, and this Court being fully advised, the Court FINDS:

(1) **JURISDICTION:** The Court has jurisdiction over the parties hereto and the subject matter hereof.

(2) **PROPERTY FORECLOSED UPON:** The Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Deeds for Cook County, Illinois as Document No. 0526902256 and the property herein referred to is described as follows:

LOT 21 IN BLOCK 5 IN SMITH AND DAWSON FIFTH ADDITION TO COUNTRY CLUB ACRES, PROSPECT HEIGHTS, ILLINOIS BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

More commonly known as 302 Elm Street, Prospect Heights, Illinois 60070, with a permanent index number of 03-22-311-015.

(3) **MORTGAGE NOTE:** The Mortgage herein referred to secures a Note in the sum of \$359,000 which has been duly accelerated pursuant to the terms of said Note as

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executed by Defendants.

- (4) **EXHIBITS:** The true and correct copies of the original Mortgage and the original Note are attached to the Complaint.
- (5) **REDEMPTION AND WAIVER OF DEFICIENCY:** The owner of the equity of redemption are the Mortgagors, property owners and any other party defendant named in the Complaint with the statutory right of redemption, with the exception of any party dismissed by order of Court.
- a. The subject real estate is "Residential" as defined in 735 ILCS 5/15-1219.
 - b. The Court has obtained jurisdiction over the owners of the right of redemption.
 - c. Defendants 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).
 - d. In consideration of entry of this Judgment by consent, Plaintiff hereby waives any and all rights to a personal judgment for deficiency against Defendants, pursuant to 735 ILCS 5/15-1402(c).
 - e. No party has filed an objection to entry of this Judgment by consent nor paid the amount required to redeem in accordance with 735 ILCS 5/15-1603.
- (6) Based upon the pleadings, proofs, and admission(s), Plaintiff has standing, capacity and authority to maintain this cause.
- (7) The pleadings and proofs presented in this cause are sufficient to support the entry of this Judgment.
- (8) All parties not in default for failure to appear or otherwise plead have been provided due notice of Plaintiff's motion for entry of this Judgment.

IT IS HEREBY ORDERED AND ADJUDGED THAT:

- (1) **JUDGMENT:** This Consent Judgment for Foreclosure is entered pursuant to 735 ILCS 5/15-1506 and 735 ILCS 5/15-1402.
- (2) **VESTING TITLE:** Title to the property foreclosed upon as described herein is vested absolutely in Plaintiff Capital One, N.A. and this executed, recorded order shall be deemed sufficient evidence to establish title vesting in Capital One, N.A.

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Defendants shall deliver to Plaintiff all applicable documentation as may be required by the Office of the Recorder of Deeds of Cook County, Illinois.

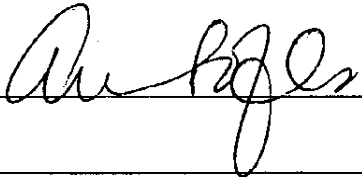
- (3) **TERMINATION OF SUBORDINATE INTERESTS:** The Court gained jurisdiction over all parties to the foreclosure as required by law; and no objections to this Consent Judgment having been filed of record, all defendants and all persons claiming by, through or under them, are forever barred and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the property foreclosed upon and are forever barred from objecting to this Consent Judgment.

a This Judgment and all orders entered pursuant to this 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 a 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 subject property.

- (4) **POSSESSION:** Plaintiff or its legal representative or assigns are granted possession of the property foreclosed upon. Any party to this cause who shall be in possession of said premises or any portion thereof, or any person who may have come into such possession under them or any of them since the commencement of this suit shall surrender possession of said premises upon the entry of this Consent Judgment.
- (5) **JURISDICTION:** The Court retains jurisdiction over the parties and subject matter of this cause for the purpose of enforcing this Judgment.
- (6) **APPEALABILITY:** This is a final and appealable order and there is no just cause for delaying the enforcement of this judgment or appeal therefrom.
- (7) **EVICTON:** The Sheriff of Cook County is hereby directed to evict Lily Baroud and Abe Baroud, or any other person who shall be in possession of the premises commonly known as 302 Elm Street, Prospect Heights, IL 60070, without further delay and without further order of this Court.
- (8) **EXEMPTION:** IT IS FURTHER ORDERED that the Consent Judgment to be issued hereunder is a transaction that is exempt from all transfer taxes, either state or local, and the County Recorder of Deeds is ordered to permit immediate recordation of the Judgment issued hereunder without affixing any transfer stamps. 735 ILCS 5/9-117 is not applicable to this Judgment. This is a final and appealable judgment with no just cause for delay.

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(9) This order may be recorded with the appropriate county recorder.

ENTER:  Judge Anna M. Loftus
DATED: _____ JAN 07 2015

Circuit Court - 2102

NOTICE PURSUANT TO 735 ILCS 5/15-1509.5

Grantee:
CAPITAL ONE, N.A.

Contact:
Capital One, N.A.
1680 Capital One Drive
McLean, VA 22102

Prepared by and Mail to After Recording:

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