

# UNOFFICIAL COPY



Doc#: 1508541103 Fee: \$44.00  
RHSP Fee:\$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 03/28/2015 12:05 PM Pg: 1 of 4

Property of Cook County Clerks Office

**IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT LAW DIVISION**

INDEPENDENT BANK,

Plaintiff,

v.

OTIS BUILDING, LLC, DAVID J. HEYER  
and ELLEN J. HEYER, et al.,

Defendants.

Case No. 2015 L 50187

**NOTICE OF PENDENCY OF FOREIGN JUDGMENT  
AGAINST DEFENDANTS DAVID J. HEYER AND ELLEN J. HEYER**

This Notice of Foreign Judgment is hereby recorded by Plaintiff, INDEPENDENT BANK, by and through its counsel, and states as follows:

1. The names of the Plaintiff and Defendants and the case number of the pending action to register the attached "Order Granting Motion for Summary Disposition Pursuant to MCR 2.115(C)(10)" (the "Judgment") in this jurisdiction are as designated above.

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2. The name of the Court in which this action to register the foreign judgment is brought is as designated above.
3. The Defendants may have an interest in the following real property located in Cook County, Illinois:
  - a. **Legal Description:** LOT 15 IN SPRINGDALE NORTH SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS  
**Address:** 4808 Johnson Avenue, Western Springs, Illinois 60558  
**PN:** 18-08-103-038-0000
4. This Notice is being recorded to provide notification of the entry and registration within Cook County, Illinois of the Judgment entered by the Allegan County, Michigan Circuit Court, which Judgment will affect the Defendants' interests in the real property listed above and located in Cook County, Illinois.
5. A true and correct copy of the certified Judgment that was entered by the Allegan County, Michigan Circuit Court on December 15, 2014 is attached as **Exhibit 1**.

Dated: March 25, 2015

Name: CLARK HILL, PLC  
 Gary E. Green, Esq.  
 Attorney for: Plaintiff  
 Address: 150 North Michigan Avenue  
 Suite 2700  
 City: Chicago, IL 60601  
 Telephone: (312) 985-5900  
 Attorney No.: 43345

Respectfully submitted,

**INDEPENDENT BANK**

By:   
 One of its Attorneys

Subscribed and sworn to before me this 26<sup>th</sup> day of March, 2015.

Rita R. Burman  
 Notary Public



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STATE OF MICHIGAN  
IN THE ALLEGAN COUNTY CIRCUIT COURT

INDEPENDENT BANK,  
a Michigan banking corporation,

Case No. 14-53879-CK

Plaintiff,

Hon. Kevin Cronin

v.

OTIS BUILDING LLC,  
a Michigan limited liability company,  
ELLEN J. HEYER and DAVID HEYER,  
husband and wife, and  
JOHN LINDOWER

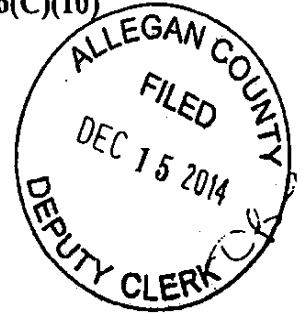
**ORDER GRANTING  
MOTION FOR SUMMARY  
DISPOSITION PURSUANT  
TO MCR 2.116(C)(10)**

Defendants.

Charles W. Kierpiec (P75639)  
Andrew C. Shier (P58786)  
McShane & Bowie, P.L.C.  
Attorneys for Plaintiff  
99 Monroe Ave NW, Suite 1100  
Grand Rapids, Michigan 49503  
(616) 732-5000

Ellen J. Heyer, *In Pro Per*  
David J. Heyer, *In Pro Per*  
1808 Johnson Avenue  
Western Springs, IL 60558  
(708) 246-5645

John Lindower, *In Pro Per*  
6413 Otis Road  
Saugatuck, MI 49453



RECEIVED  
48TH CIRCUIT COURT  
2014 DEC 15 A 11:43  
ALLEGAN, MICHIGAN

At a session of said Court held in the City of Allegan,  
Allegan County, State of Michigan on December 15, 2014.  
PRESENT: Hon. Kevin Cronin, Circuit Court Judge

THIS MATTER, having come before the Court on Plaintiff's Motion for Summary Disposition (the "Motion"), the Court having reviewed the Motion and all supporting materials, all responses, having conducted a hearing on December 15, 2014 and entertained the argument of all appearing parties, and the Court being otherwise fully apprised,

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NOW, THEREFORE, IT IS ORDERED that a the Motion is hereby GRANTED and Judgment hereby enters in favor of Plaintiff Independent Bank against Defendants Otis Building, LLC, Ellen Heyer & David Heyer, husband and wife, and John Lindower, jointly and severally, in the principal amount of \$74,229.04, plus future interest on that amount at the rate of 13% from October 14, 2014 forward (the "Judgment").

IT IS FURTHER ORDERED that the Judgment shall remain secured by any collateral pledged to the Plaintiff as security for the loans described in the Motion.

IT IS FURTHER ORDERED that Plaintiff may add to the amount of the Judgment all post-judgment costs and expenses incurred by it in connection with the loan and guaranty described in the Motion, but not limited to, reasonable attorneys fees, upon submission to the Court of an Affidavit in support of such costs, expenses, and fees, provided that no party, within 10 days from the date of service of such Affidavit, files an objection to such Affidavit and schedules a hearing to resolve that objection.

**THIS ORDER RESOLVES THE LAST  
PENDING CLAIM AND CLOSES THIS CASE**



Hon. Kevin Cronin, Circuit Court Judge

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I HEREBY CERTIFY THIS TO BE A TRUE  
AND CORRECT COPY OF THIS DOCUMENT  
NOW ON FILE IN THIS OFFICE THIS  
*2nd day of March 2016*  
JOYCE A. WRIGHT, CLERK, CIRCUIT COURT  
ALLEGAN COUNTY, MICHIGAN

BY   
DEPUTY CLERK