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Karen A. Yarbrough

Cook County Recorder of Deeds

Date: 05/13/2015 01:39 PM Pg: 1 of 4

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## RECORDING COVER SHEET NOTICE OF COURT ORDER REFORMING MORTGAGE

This notice is being recorded to provide notice to all parties that a court order was entered in case 11 CH 39846 *MidFirst Bank v. Viera, Luis, et al.*, an order was entered reforming the legal description of the mortgage recorded January 19, 1999 as document 99052374. A copy of the order is attached hereto.

### Prepared by and return to:

This instrument was prepared by/return to:

SHAPIRO KREISMAN & ASSOCIATES, LLC F/K/A FISHER AND SHAPIRO, LLC

2121 Waukegan Road, Suite 301

Bannockburn, IL 60015

(847) 291-1717

11-056584

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

MIDFIRST BANK  
PLAINTIFF,

-vs-

LUIS S. VIERA, JR. A/K/A LUIS S. VIERA;  
TAMMY L. VIERA A/K/A TAMMY L. BERG;  
UNITED STATES OF AMERICA;  
SHEFFIELD TOWNE ASSOCIATION  
DEFENDANTS

NO. 11 CH 39846

PROPERTY ADDRESS:  
1907 HASTINGS COURT  
SCHAUMBURG, IL 60194

### ORDER OF REFORMATION

THIS CAUSE coming before the Court upon Plaintiff's Motion for Judgment on the portion of its Complaint seeking the reformation of a mortgage, due notice having been given, and the Court being fully advised in the premises;

#### THE COURT FINDS:

1. On or about December 15, 1998, Luis S. Viera, Jr. and Tammy L. Viera executed a mortgage granting a security interest in the Mortgaged Premises to Plaintiff or Plaintiff's predecessor herein.
2. The legal description on the Subject Mortgage contains errors and is stated on the mortgage, with said errors, as follows:

PARCEL 1: UNIT III IN AREA NO. 13 IN LOT 7 IN SHEFFIELD TOWN UNIT NO. 3 BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1971 AS DOCUMENT NO. 21487751, IN COOK COUNTY, ILLINOIS.

PARCEL 2: EASEMENT APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE AS DEFINED IN DECLARATION RECORDED OCTOBER 23, 1979 AS DOCUMENT 21298600 IN COOK COUNTY, ILLINOIS.

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3. That the Subject Mortgage correctly purports to affect the property with a common street address of 1907 Hastings Court, Schaumburg, IL 60194, bearing a permanent index number of 07-17-104-097-0000. The accurate legal description is:

PARCEL 1: UNIT III IN AREA NO. 13 IN LOT 7 IN SHEFFIELD TOWN UNIT NO. 3 BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1971 AS DOCUMENT NO. 21487751, IN COOK COUNTY, ILLINOIS.

PARCEL 2: EASEMENT APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE AS DEFINED IN DECLARATION RECORDED OCTOBER 23, 1970 AS DOCUMENT 21298600 IN COOK COUNTY, ILLINOIS.

4. It was the intent of the parties that the mortgage be an encumbrance against the property commonly known as 1907 Hastings Court, Schaumburg, IL 60194, bearing permanent index No. 07-17-104-097-0000 and that the legal description on the mortgage be accurate.

5. The error/omission appearing in the mortgage legal description was inadvertent and without the knowledge of either of the parties to the mortgage.

6. Notwithstanding this inadvertent omission, the mortgage still contains sufficient information necessary to identify the property commonly known as 1907 Hastings Court, Schaumburg, IL 60194.

7. Notwithstanding this inadvertent omission, the mortgage still encumbers, and is a valid lien upon the property commonly known as 1907 Hastings Court, Schaumburg, IL 60194.

**IT IS THEREFORE ORDERED:**

A) That the Mortgage dated December 15, 1998 and recorded January 19, 1999 as document number 99052374, is and remains a valid lien against the property commonly

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known as 1907 Hastings Court, Schaumburg, IL 60194.

B) That the Mortgage dated December 15, 1998 and recorded January 19, 1999 as document number 99052374, together with any subsequent assignments thereof, are hereby reformed to reflect the correct legal description, which is as follows:

PARCEL 1: UNIT III IN AREA NO. 13 IN LOT 7 IN SHEFFIELD TOWN UNIT NO. 3 BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 1971 AS DOCUMENT NO. 21487751, IN COOK COUNTY, ILLINOIS.

PARCEL 2: EASEMENT APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE AS DEFINED IN DECLARATION RECORDED OCTOBER 23, 1970 AS DOCUMENT 21298600 IN COOK COUNTY, ILLINOIS.

C) That the plaintiff is authorized to record this order to reflect the correct legal description for the property commonly known as 1907 Hastings Court, Schaumburg, IL 60194, IL bearing a permanent index number of 07-17-104-097-0000; and

D) That the Court finds no just reason to delay either enforcement or appeal of this order pursuant to Ill. Supreme Court Rule 304(a).

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

Entered: \_\_\_\_\_

Benjamin N. Burstein  
Fisher and Shapiro, LLC  
Attorneys for Plaintiff  
2121 Waukegan Road, Suite 301  
Bannockburn, IL 60015  
(847)291-1717 Ext. 4178  
Attorney No: 42168

*[Handwritten Signature]*  
Judge  
MAY 11 2012  
DEPUTY CLERK  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL  
DEPUTY CLERK