

# UNOFFICIAL COPY



1514634078

## CONSENT JUDGMENT OF FORECLOSURE

Doc#: 1514634078 Fee: \$46.00  
RHSP Fee:\$9.00 RPRF Fee: \$1.00  
Karen A.Yarbrough  
Cook County Recorder of Deeds  
Date: 05/26/2015 03:25 PM Pg: 1 of 5

Property of Cook County Clerk's Office

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

REF CAPITAL, LLC f/k/a ARIES REAL  
ESTATE FUND, LLC as assignee of CRE  
FINANCIAL, LLC, an Illinois limited liability  
company

Plaintiff,

vs.

THE TEEJ GROUP, INCORPORATED;  
ROBERT L. HUGHES, JR.; TERESA  
JOHNSON-HUGHES; ARIES REAL ESTATE  
FUND, LLC; K-PLUS ENVIRONMENTAL,  
LLC; CITY OF CHICAGO; GAIL, INC. a/k/a  
GAIL, INC., d/b/a KIMBARK WINE &  
LIQUORS; UNKNOWN OWNERS AND NON-  
RECORD CLAIMANTS,

Defendants.

No. 15 CH 4007

4830-32 S. Cottage Grove, 4834 S.  
Cottage Grove and 4846-50 S.  
Cottage Grove, Chicago, Illinois  
60615

### CONSENT JUDGMENT OF FORECLOSURE

This cause comes to be heard on the Motion of Plaintiff, REF Capital, LLC f/k/a Aries Real Estate Fund, LLC ("REF") as assignee of CRE Financial, LLC ("CRE" or "Lender"), for Entry of Consent Judgment of Foreclosure; due notice having been given; and Defendants The Teej Group, Incorporated, Robert L. Hughes, Jr., Teresa Johnson-Hughes, K-Plus Environmental, LLC, City of Chicago, Gail, Inc. a/k/a Gail, Inc., d/b/a Kimbark Wine & Liquors, Unknown Owners and Non-Record Claimants having been served by summons or by publication or having otherwise submitted to the jurisdiction of this Court; a stipulation to the entry of a consent judgment of foreclosure having been filed by mortgagor, The Teej Group, Incorporated, and the Court being fully advised in the premises:

SKENIG/589548.2

COURT REVIEWER

# UNOFFICIAL COPY

## THE COURT FINDS AND IT IS HEREBY ORDERED THAT:

1. The Court has jurisdiction over all the parties hereto and the subject matter presented herein.
2. All material allegations of plaintiff's Verified Complaint for Consent Foreclosure (the "**Complaint**") are deemed true and proven.
3. On December 13, 2002, CRE made a loan to Defendant The Teej Group, Incorporated (the "**Borrower**" or "**Mortgagor**") in the original principal amount of \$150,000.00 (the "**Loan**"). The Loan is evidenced by a Promissory Note dated December 13, 2002 made by Borrower to CRE (the "**Note**"). A copy of the Note is attached to the Complaint as Exhibit B. The Note was amended by those certain Debt Modification Agreements dated May 21, 2003, December 13, 2003, December 13, 2004, December 31, 2004, December 31, 2006 and June 27, 2007 (collectively, the "**Amendments**"). Copies of the Amendments are attached hereto to the Complaint as Group Exhibit C.
4. The Loan is secured by, among other things:
  - (a) That certain Mortgage executed by Borrower on December 13, 2002 and delivered to CRE, which mortgage (i) encumbers certain vacant commercial real estate located at 4830-32 S. Cottage Grove, 4834 S. Cottage Grove and 4846-50 S. Cottage Grove, Chicago, IL 60615 and is legally described in paragraph 7 below (collectively, the "**Properties**"), and (ii) was recorded in the Office of the Recorder of Deeds of Cook County, Illinois on January 21, 2003 as Document No. 0030091202 (the "**Mortgage**"). A copy of the Mortgage is attached to the Complaint as Exhibit A. The Mortgage was modified by those certain Mortgage Modification agreements dated February 10, 2003, May 21, 2003, December 13, 2003, December 13, 2004, December 31, 2006 and June 27, 2007 (collectively, the "**Modifications**"). Copies of the Modifications are attached to the Complaint as Group Exhibit D; and
  - (b) certain other loan documents (the Note, the Mortgage and all of the other documents evidencing and securing the Loan, in their original form and as amended, restated or replaced from time to time, are sometimes collectively referred to herein as the "**Loan Documents**").
5. Pursuant to that certain Loan Assumption and Affirmation Agreement dated May 26, 2015 between CRE and REF, CRE assigned all of its right, title and interest in the Loan Documents to REF and REF is now the holder of the Note and Mortgage.
6. Defendant The Teej Group, Incorporated is justly indebted to plaintiff as of March 1, 2015 in the amount of \$649,402.00 as follows:

<i>Principal Balance Due:</i>	<i>\$265,000.00</i>
<i>Interest:</i>	<i>257,394.00</i>
<i>Legal Fees:</i>	<i>30,000.00</i>
<i>Real Estate Taxes:</i>	<i><u>97,008.00</u></i>

**UNOFFICIAL COPY**

<i>Total:</i>	\$649,402.00
<i>Per Diem Interest Accruing After Default:</i>	\$138.85

7. As a result, REF possesses a valid and subsisting lien on the subject Properties which are legally described as follows:

**PARCEL 1:**

THE NORTH 50 FEET OF THE SOUTH 80 FEET OF LOT 3 (EXCEPT THE EAST 50 FEET THEREOF) TAKEN OR USED OR DEDICATED FOR COTTAGE GROVE AVENUE (EXCEPT THE WEST 33 FEET THEREOF TAKEN, USED OR DEDICATED FOR EVANS AVENUE) IN BAYLEY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND THE EAST ½ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL IN COOK COUNTY, ILLINOIS.

P.I.N. Nos.: 20-10-214-034-0000 and 20-10-214-035-0000

Common Address: 4830-32 S. Cottage Grove Avenue, Chicago, Illinois 60615

**PARCEL 2:**

THE EAST 133.10 FEET OF THE SOUTH 30 FEET OF LOT 3 (EXCEPT THAT PART TAKEN FOR COTTAGE GROVE AVENUE) IN BAYLEY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND THE EAST ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

P.I.N. No.: 20-10-214-010-0000

Common Address: 4834 S. Cottage Grove Avenue, Chicago, Illinois 60615

**PARCEL 3:**

THE EAST 152 FEET OF THAT PART OF THE NORTH ¼ OF LOT 4 LYING WEST OF COTTAGE GROVE AVENUE IN BAYLEY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND THE EAST ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. No.: Part of 20-10-214-013-0000

Common Address: 4846-50 S. Cottage Grove Avenue, Chicago, Illinois 60615

# UNOFFICIAL COPY

## PARCEL 4:

THE SOUTH ½ OF THE NORTH ½ OF LOT 4 (EXCEPT THE WEST 117 FEET OF THAT PART LYING EAST OF THE EAST LINE OF EVANS AVENUE) IN BAYLEY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND THE EAST ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. No.: Part of 20-10-214-013-0000

Common Address: 4846-50 S. Cottage Grove Avenue, Chicago, Illinois 60615

## PARCEL 5:

THE SOUTH ½ OF LOT 4 (EXCEPT THE WEST 125.0 FEET OF THAT PART LYING EAST OF EVANS AVENUE) IN BAYLEY'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND THE EAST ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. No.: 20-10-214-030-0000 and 20-10-214-028-0000

Common Address: 4846-50 S. Cottage Grove Avenue, Chicago, Illinois 60615

8. No objections have been filed by any of the Defendants, being The Teej Group, Incorporated, Robert L. Hughes, Jr., Teresa Johnson-Hughes, K-Plus Environmental, LLC, City of Chicago, Gail, Inc. a/k/a Gail, Inc., d/b/a Kimbark Wine & Liquors, Unknown Owners and Non-Record Claimants (collectively, the "**Defendants**"). Pursuant to 735 ILCS 5/15-1402(b)(2), the Defendants have not shown good cause and have not agreed to pay the amount required to redeem in accordance with 735 ILCS 5/15-1603(d).

9. The Mortgage constitutes a valid lien upon the Properties which is prior, paramount and superior to the rights and interests of Defendants to this action in and to the Properties described above. The rights and interests of Defendants to this action, including the rights and interests of all unknown owners and non-record claimants, are subject to, subordinate and inferior to the rights of REF and are hereby terminated.

10. Absolute title to the Properties is hereby vested in REF or its assigns, free and clear of all claims, liens and interests, including all rights of reinstatement and redemption of The Teej Group, Incorporated, and free and clear of all rights of Defendants made parties to this action whose interests are subordinate to those of REF and its assigns.

11. Upon the entry of this Consent Judgment of Foreclosure, REF or its assigns shall be deemed to have waived any and all, rights to a personal judgment for deficiency against The Teej Group, Incorporated and against all other persons or entities liable for the indebtedness or other

# UNOFFICIAL COPY

obligations secured by the Mortgage, to the extent they may exist, and is hereby barred from attempting to recover any such deficiency.

12. REF or its assigns are entitled to immediate possession of the Properties and REF or its representatives or assigns shall be let into possession of the Properties and that of any of the parties who shall be in possession of the Properties, or any portion thereof, or any person who may have come into possession of the Properties under them, or any of them, since the commencement of this suit, shall surrender possession of the Properties to the Lender, its representative or assigns, and in default of so doing, the Sheriff of Cook County, Illinois is hereby directed to evict and remove said occupants from the Properties and to place REF or its assigns in full and complete possession of the Properties without further order of Court.

13. The Court hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto for the purposes of enforcing this Judgment.

ENTER:

*Joseph M. Scanza*  
Associate Judge  
Joseph M. Scanza  
MAY 26 2015  
JUDGE  
Circuit Court - 1914

Date: May 26, 2015

Scott H. Kenig, Esq.  
RANDALL & KENIG LLP  
455 North Cityfront Plaza  
NBC Tower  
Suite 2510  
Chicago, Illinois 60611  
Firm No. 40686