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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 09/04/2015 10:28 AM Pg: 1 of 6

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

WILMINGTON SAVINGS FUND SOCIETY, FSB,)
NOT ITS INDIVIDUAL CAPACITY BUT SOLELY)
AS TRUSTEE OF THE PRIMESTAR-H FUND I)
TRUST,)

Case No. 11 CH 39476

Plaintiff,)

v.)

Property Address:

MICHAEL DRAYTON, SR. A/K/A MICHAEL)
DRAYTON; MORTGAGE ELECTRONIC)
REGISTRATION SYSTEMS, INC. AS NOMINEE)
FOR AMERICAN BROKERS CONDUIT; ASSET)
ACQUISITION GROUP LLC; GREENWOOD)
CONDOMINIUM ASSOCIATION,)

4624 S. Greenwood Avenue
Unit GN
Chicago, IL 60653

Defendants.)

CONSENT JUDGMENT OF FORECLOSURE

This day comes the plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF THE PRIMESTAR-H FUND I TRUST (“Plaintiff”), by and through its attorneys, Potestivo & Associates, P.C., and the Defendant MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, by stipulation and expressly consenting to the entry of this Consent Judgment; and it appearing to the Court that the plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF THE PRIMESTAR-H FUND I TRUST, heretofore commenced this

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action by filing its Complaint for Foreclosure of Mortgage against the Defendants, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKERS CONDUIT; ASSET ACQUISITION GROUP LLC; GREENWOOD CONDOMINIUM ASSOCIATION:

This cause now coming to be heard upon the express agreement of the mortgagee and mortgagors for the entry of a Consent Judgment, the Court having examined the files and records in this cause and being fully advised in the premises, FINDS THAT:

1. The following defendants were each duly and personally served with summons in this cause in the manner provided by law: MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN BROKERS CONDUIT; ASSET ACQUISITION GROUP LLC; GREENWOOD CONDOMINIUM ASSOCIATION.

2. Each of the named Defendants has duly and regularly been served a sufficient time to authorize this Court to proceed with the hearing and the entry of this Consent Judgment. It further appears to the Court that all notices required to be given have duly and properly been given and due notice of the presentation of this Consent Judgment has been given to all parties entitled thereto and to each of the Defendants, as required by law, and this Court has acquired and now has jurisdiction of all the parties to this cause and the subject matter hereof.

3. And this cause coming on now to be heard upon the Complaint for Foreclosure of Mortgage, and upon all other pleadings, exhibits, affidavits, and matters of record herein, the Court further finds:

(a) That the mortgage being foreclosed herein is a first lien on the fee simple interest on the

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following described real estate (the "Real Estate") in DuPage County:

PARCEL 1; UNIT NUMBER GN IN THE GREENWOOD CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND: LOT 5 IN SMITH'S SUBDIVISION OF BLOCK 7 IN THE SUBDIVISION BY THE EXECUTORS OF E.K. HUBBARD SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 (EXCEPT PARTS OF BLOCKS 1 AND 4 EAST OF HYDE PARK OR LAKE AVENUE) OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0709515067; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE EXCLUSIVE RIGHT TO USE THE PARKING SPACE P-1 AS A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY RECORDED AS DOCUMENT 0709515067.

COMMONLY KNOWN AS: 4624 S. Greenwood Unit GN, Chicago, IL 60653

TAX PARCEL NUMBER: 20-02-317-020-0000

(b) Said mortgage and note are valid obligations of the Defendant, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, and the Plaintiff is now the legal holder and owner of the mortgage, note and indebtedness and entitled to foreclose the same pursuant to the provisions thereof.

(c) The Court further finds that by virtue of the mortgage and note, there is due to the Plaintiff, the following sums with a Per Diem interest rate of \$36.37:

Principal, Accrued Interest, Advances, & Late Fees by Plaintiff to December 1, 2014	\$329,306.99
Per Diem Interest to February 5, 2015:	\$2,400.42
Total fees & costs of suit:	\$3,462.00
TOTAL:	\$335,169.41

(d) That the mortgage being foreclosed specifically provides that the aforesaid attorneys

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fees, costs, expenses and advances, incurred in connection with this foreclosure, shall be recovered by Plaintiff, except to the extent discharged in bankruptcy.

(e) That Plaintiff and Defendant, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, have stipulated to the entry of the Consent Judgment of Foreclosure.

(f) That the described real estate is residential real estate as defined by the Code of Civil Procedure of Illinois, Section 5/15-1219.

4. The Court further finds that the Defendant, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, is the present owner of record of the mortgaged Real Estate.

5. All matters in controversy by the parties hereto as reflected by the pleadings on file are adjudged and determined by this Consent Judgment, and the Court having heard the arguments of counsel and being fully advised in the premises, it is hereby ORDERED and ADJUDGED as follows:

(1) That Plaintiff's mortgage constitutes a valid, prior and paramount lien upon the fee simple interest in the mortgaged Real Estate, and the rights of each defendant in this cause are subject and subordinate to the lien of the Plaintiff's mortgage foreclosed in this proceeding.

(2) That the Mortgagor, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, has expressly consented to the entry of this Consent Judgment by stipulation (the "Stipulation") filed with the Court pursuant to the provisions of 735 ILCS 5/15-1402(a)(3).

(3) That no other party, by Answer or by Response to either the Motion for Entry of Consent Judgment or the Stipulation, within the time allowed for such Answer or Response, has objected to the entry of this Consent Judgment.

(4) That Plaintiff hereby waives any and all rights to a personal judgment for deficiency against the Mortgagor, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, and against all

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other persons liable for the indebtedness or other obligations secured by the Mortgage, and pursuant to the provisions of 735 ILCS 5/15-1402(c), Plaintiff shall be barred from obtaining such a deficiency judgment against the Mortgagor or any other person liable for the indebtedness or other obligations secured by the Mortgage.

(5) That pursuant to 735 ILCS 5/15-1402(a), this Consent Judgment vests absolute title to the Real Estate in WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF THE PRIMESTAR-H FUND I TRUST, free and clear of all claims, liens (except liens of the United States of America) and interest including all rights of reinstatement and redemption, of the Mortgagor, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, and of all rights of all other Defendants in this cause, whose interests are subordinate to that of the Mortgagee, WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF THE PRIMESTAR-H FUND I TRUST.

(6) That the Mortgagor, MICHAEL DRAYTON, SR. A/K/A MICHAEL DRAYTON, and any other unknown owners, tenants, or claimants, shall remove all of their personal property; repair all damage to the Real Estate caused by such removal; vacate the Real Estate and leave such Real Estate in reasonably good, broom swept clean condition and deliver the keys to the Real Estate to the Plaintiff, or Plaintiff's agents, successors, or assigns, within sixty (60) days of the entry of this Judgment.

(7) Future tax bills should be sent to grantee/mortgagee:


Statebridge Company, LLC
5680 Greenwood Plaza Blvd, Suite 100 S
Greenwood Village, CO 80111
(303) 962-6753

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(866) 466-3360

(8) The Court expressly finds that there is no just reason for delaying the enforcement of this judgment, or an appeal therefrom.

DATED: _____
JUDGE

ENTER: 
Judge Michael F. Otto
AUG 27 2015
Circuit Court - 2065

Potestivo & Associates, P.C.
David F. Pustilnik (ARDC # C00609)
223 W. Jackson Street, Suite 610
Chicago, Illinois 60602
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Main Fax: (312) 263-0002
DuPage County Firm ID #: 223623
Attorneys for Plaintiff
Our File No.: C12-74427

EXEMPT UNDER PROVISIONS OF PARAGRAPH L
SECTION 4 REAL ESTATE TRANSFER TAX ACT

9/1/15
DATE

Carlin Cipi
BUYER, SELLER OR REPRESENTATIVE