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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 11/10/2015 01:09 PM Pg: 1 of 5

Line above is for recording purposes.

Calendar Number 61

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

BMO Harris Bank N.A.

PLAINTIFF

Vs.

Erin Desart a/k/a Erin Drogos; Christopher Desart; 21
Kristin Condominium Association

DEFENDANTS

No. 14 CH 011202

21 Kristin Drive Unit #414
Schaumburg, IL 60195

CONSENT JUDGMENT FOR FORECLOSURE

THIS CAUSE having been duly heard by this Court upon the record herein on the merits of the Complaint for Foreclosure filed by the Plaintiff and on Plaintiff's Motion for entry of Consent Judgment for Foreclosure (hereinafter referred to as Judgment), and Defendants-Mortgagors consenting, the Court **FINDS**:

(1) **JURISDICTION**: The Court has jurisdiction over the parties hereof 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 and/or Registrar for Cook County, Illinois, as Document No. 1231926085 and the property herein referred to is described as follows:

PARCEL 1: UNIT NUMBER 414 IN THE 21 KRISTIN CONDOMINIUM, AS
DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:

VILLAGE OF SCHAUMBURG
REAL ESTATE TRANSFER TAX

27889

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LOTS 1, 2 (EXCEPT THE EAST 206.30 FEET OF SAID LOT 2, AS MEASURED ALONG THE NORTH LINE THEREOF) AND LOT 3 IN BARRY SUBDIVISION BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 31, 2001 AS DOCUMENT NUMBER 0010690003, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0702615055; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS; ALSO EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE RECIPROCAL AGREEMENT DATED AS OF JANUARY 26, 2007 AND RECORDED AS DOCUMENT 0702615054, BY AND BETWEEN 21 KRISTIN DRIVE DEVELOPERS LLC AND 24 KRISTIN COMMERCIAL LLC.

PARCEL 2: THE EXCLUSIVE RIGHT TO THE USE OF PARKING SPACE P-583, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID.

COMMONLY KNOWN AS: 21 Kristin Drive Unit #414
Schaumburg, IL 60195

TAX PARCEL NUMBER: 07-10-101-038-1102

(3) **MORTGAGE NOTE:** The Mortgage herein referred to secures a Mortgage Note in the sum \$124,000.00 which has been duly accelerated pursuant to the terms of said Note and executed by:

Erin Desart a/k/a Erin Drogos

(4) **EXHIBITS:** That true and correct copies of the original mortgage and the original note are attached to the Complaint filed herein.

(5) **REDEMPTION AND WAIVER OF DEFICIENCY:** The owner(s) 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 the Registrar of Titles, if named, and 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 as set forth in The Attorney's Certificate of Service and Defaulted Parties.

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- (c) That the Mortgagor(s) 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) That in consideration of entry of this Judgment by Consent, the plaintiff hereby waives any and all rights to a personal judgment for deficiency against the Mortgagor(s), and against all other persons liable for the indebtedness or other obligations secured by the mortgage described herein. This is pursuant to 735 ILCS 5/15-1402(c).
- (e) That 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 the cause are sufficient to support the entry of this judgment.

IT IS HEREBY ORDERED AND ADJUDGED THAT:

- (1) **JUDGMENT:** A Consent Judgment for Foreclosure be entered pursuant to 735 ILCS 5/15-1506 and 735 ILCS 5/15-1402.
- (2) **VESTING TITLE:** Title to the real estate described herein is vested absolutely in BMO Harris Bank N.A. and this executed, recorded order shall be deemed sufficient evidence to establish title vesting in BMO Harris Bank N.A.. 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, then the defendants and all persons claiming by, through or under them, or any of them since the commencement of this suit are forever barred, and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate.
- (a) This Judgment and all orders entered pursuant to said 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.

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(4) **POSSESSION:** The plaintiff or his or her legal representative or assigns be let into possession of said premises immediately upon entry of this order, and that any of the parties 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.

(5) **JURISDICTION:** The Court retains jurisdiction over the parties and subject matter of this cause for the purpose of enforcing this Judgment or vacating said 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) The Sheriff of Cook County is hereby directed to evict Erin Desart a/k/a Erin Drogos; Christopher Desart; 21 Kristin Condominium Association from the premises commonly known as 21 Kristin Drive Unit #414, Schaumburg, IL 60195 without further delay and without further order of the court immediately upon entry of this order.

(8) 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 further delay.

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

ENTER:  _____

DATED: _____

Notice pursuant to 735 ILCS 5/15-1509.5

Grantee: BMO Harris Bank N.A.

Contact:

Wendy Houston
18 N Executive Dr
Brookfield, WI 53005
262-814-5746

Prepared by and Mail to After Recording:

Codilis & Associates, P.C.

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