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Cook County Recorder of Deeds  
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For Use by Recorder of Deeds

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

U.S. BANK NATIONAL ASSOCIATION, as trustee, in trust on  
behalf of J.P. Morgan Mortgage Acquisition Trust 2006-CW2

Plaintiff,

vs.

ROBERT C. POKORNY, ARGENT MORTGAGE  
COMPANY, LLC, UNKNOWN TENANTS, UNKNOWN  
OWNERS, and NON-RECORD CLAIMANTS

Defendants.

Case No.: 2016 CH 00298

Judge Bridget A. Mitchell  
Cal. 63  
Room 2810

BANK OF AMERICA, N.A., as successor to Argent  
Mortgage Company, LLC

Intervening Counter-Plaintiff

vs.

ROBERT C. POKORNY, and U.S. BANK NATIONAL  
ASSOCIATION, as trustee, in trust on behalf of J.P.  
Morgan Mortgage Acquisition Trust 2006-CW2

Defendants in Intervention

RANA #974257  
RA #527.079

Property at:  
4317 Maple Avenue  
Stickney, IL 60402

## ORDER QUIETING TITLE TO REAL ESTATE

This cause comes before the court on the intervening counterclaim of BANK OF  
AMERICA, N.A. ("Bank of America") to quiet title to real estate hereinafter described, and the

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court having jurisdiction over the parties, and having considered the allegations and exhibits to the Intervening Counterclaim, finds as follows:

A. Defendant ROBERT C. POKORNY ("*Owner*") holds fee title to certain real estate located in Cook County commonly known as 4317 Maple Avenue, Stickney, IL 60402

("Property"), which is legally described as follows:

LOT 9 IN PREROST EDGEWOOD HOMES FIRST ADDITION BEING A SUBDIVISION OF THE WEST 204 FEET OF THE EAST 375 FEET OF BLOCK 29, IN CIRCUIT COURT PARTITION OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1958 AS DOCUMENT 17261462 IN COOK COUNTY, ILLINOIS.

Parcel ID #: 19-06-331-025-0000

B. Owner acquired title by deed dated July 2, 1998 and recorded in Cook County on July 23, 1998 as document 98641826.

C. Bank of America was the servicer of a mortgage on the Property dated March 10, 2005 ("*Prior Mortgage*") and executed by Owner, as mortgagor, in favor of Argent Mortgage Company, LLC ("*Original Mortgagee*") as mortgagee. The Prior Mortgage was recorded in Cook County on March 22, 2005 as document 0508104313. In addition, the Prior Mortgage secured a promissory note also dated March 10, 2005 in the principal amount of \$151,000.00 between Owner, as borrower, and Original Mortgagee as lender.

D. The Prior Mortgage was subsequently deposited in a mortgage trust where Countrywide Home was the master servicer under a pooling and servicing agreement dated May 1, 2005 among Park Place Securities, Inc. as depositor, Wells Fargo Bank, N.A. as trustee, and Countrywide Home as master servicer of the trust, which was denominated Park Place Securities, Inc., Asset-Backed Pass-Through Certificates Series 2005-WCW1 ("*Mortgage*")

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Trust"). However, no assignment to the Mortgage Trust or to Wells Fargo Bank, N.A. as trustee for the Mortgage Trust was recorded.

E. As a result of the mortgage crisis, Original Mortgagee ceased operation in 2007.

F. In 2009, Bank of America acquired Countrywide Bank, FSB and its affiliated entities, including Countrywide Home. As a result, Bank of America acquired servicing rights to the Mortgage Trust.

G. Bank of America has acknowledged in writing receiving full payment of all sums due under the Prior Mortgage on June 1, 2006.

H. Because the assignment to the Mortgage Trust was never recorded, Bank of America has been outside the chain of title and unable to record a release of the Prior Mortgage even though it has been paid.

## IT IS ORDERED, ADJUDGED AND DECREED:

1. The rights and interest of Bank of America and its predecessors in interest to and under the Prior Mortgage dated March 10, 2005 and recorded in the office of the Cook County Recorder of Deeds on March 22, 2005 as document 0508104313, and lien of said mortgage on and over the Property described in Paragraph A above is hereby released and forever discharged.

2. Bank of America shall execute and record its release of the Prior Mortgage.

3. Bank of America is dismissed from this case without prejudice and without further costs.

4. This is a final order with respect to Bank of America's Intervening Counterclaim, and solely with respect to the relief requested in the Counterclaim. This order does not adjudicate the claims asserted by plaintiff U.S. Bank, National Association as trustee, in trust on behalf of J.P. Morgan Mortgage Acquisition Trust 2006-CW2 in its Complaint for foreclosure,

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and is without prejudice to the relief requested in said Complaint. In addition, this order does not challenge, impair, or alter in any way the interests of U.S. Bank, National Association as trustee, in trust on behalf of J.P. Morgan Mortgage Acquisition Trust 2006-CW2 and Owner possess in the Property.

5. This is a final order effective this 14th day of July, 2016.

ENTERED:

*Bridget A. Mitchell*  
Judge

Judge Bridget A. Mitchell

JUL 14 2016

Circuit Court – 2133

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I hereby certify that the document to which this certification is affixed is a true copy.	
Date	<b>DOROTHY BROWN</b> JUL 14 2010
Dorothy Brown Clerk of the Circuit Court of Cook County, IL	

