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(Rev. 01/03/10)

IN THE CIRCUIT COURT OF COOK COUNTY, 1  
COUNTY DEPARTMENT - CHANCERY DIVIS

Doc# 1633506165 Fee \$42.00

CAPFINANCIAL PROPERTIES CV2 NPL, LLC, A )  
DELAWARE LIMITED LIABILITY COMPANY AS )  
ASSIGNEE OF CAPFINANCIAL PROPERTIES CV3, LLC )  
AS ASSIGNEE OF CAPFINANCIAL CV3, LLC, AS )  
ASSIGNEE OF AMCORE BANK, N.A., Plaintiff,) )

RHSP FEE: \$9.00 RPRF FEE: \$1.00  
KAREN A. YARBROUGH  
COOK COUNTY RECORDER OF DEEDS  
DATE: 11/30/2016 03:37 PM PG: 1 OF 3  
09 Ch 23870

vs. )  
NORTH HUEHL VENTURES LLC, AN ILLINOIS )  
LIABILITY CO.; HOWARD S. NAFT; DONALD E. )  
BENNISH; MARILYN BENNISH; 310 HUEHL )  
CONDOMINIUM ASSOCIATION, MAGIK MAN CREATIONS )  
INC.; MAS-TER MIND LLC, D/B/A VARSITY )  
COUTURE, UNKNOWN OWNERS AND NON RECORD )  
CLAIMANTS, Defendants, )

### ORDER APPROVING REPORT OF SALE AND DISTRIBUTION, CONFIRMING SALE, AND ORDER FOR POSSESSION

This cause comes to be heard on Plaintiff's motion for the entry of an order approving the Report of Sale and Distribution, confirming the sale of the mortgaged real estate that is the subject of the matter captioned above and described as:

PARCEL 1: LOT 2 IN NORTHBROOK EDENS INDUSTRIAL PARK SUBDIVISION UNIT NO. 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5 AND PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 6, ALL IN TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 19336338, IN COOK COUNTY, ILLINOIS. PARCEL 2: LOT 1 IN THE PIPENHAGEN RESUBDIVISION, BEING A RESUBDIVISION OF LOT 3 IN NORTHBROOK EDENS INDUSTRIAL PARK UNIT NO. 1 IN THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. PARCEL 3: LOT 2 IN THE PIPENHAGEN RESUBDIVISION, BEING A RESUBDIVISION OF LOT 3 IN NORTHBROOK EDENS INDUSTRIAL PARK UNIT NO. 1 IN THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. Commonly known as: 310 Huehl Road, Units 2, 5 and 6, Northbrook, IL 60062. PIN: 04-05-102-028-1002, 1005, 1006.

The real property that is the subject matter of this proceeding is a three commercial units.

The real property was last inspected by movant or movant's agent on:

Due notice of said motion having been given, the Court having examined said report, and being fully advised in the premises, FINDS:

That the periods of redemption and reinstatement expired without same having been made;

That this Court obtained personal jurisdiction over those defendants who are personally liable to the Plaintiff for the deficiency, if any, from said sale;

That all notices required by Section 1507(c) of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1507(c)) were given;

That said sale was fairly and properly made;

That Intercounty Judicial Sales Corporation, hereinafter "Sale Officer", has in every respect proceeded in accordance with the terms of this Court's Judgment;

That the successful bidder is entitled to a deed of conveyance and possession of the mortgaged real estate, and; That justice was done.

**IT IS THEREFORE ORDERED:**

That the sale of the mortgaged real estate involved herein, and the Report

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of Sale and Distribution filed by the Selling Officer are hereby approved, ratified and confirmed;

That the proceeds of the sale be distributed in accordance with the Report of Sale and Distribution;

That the Mortgagee's advances, fees and costs arising between the entry of the Judgment of Foreclosure and Sale and the date of sale are approved, ratified and confirmed;

That the proceeds of said sale were insufficient to satisfy the judgment and that the Plaintiff will not pursue collection of the note;

That there shall be an IN REM deficiency judgment entered in the sum of (\$1,407,614.48), with interest thereon as provided by statute against the subject property and that any Special Right to Redeem, if applicable, pursuant to Section 1604 of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1604), shall expire 30 days after entry of this order; and

That upon confirmation herein and upon request by the successful bidder, and provided that all required payments have been made pursuant to Section 15-1509(a) of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1509(a)) the Selling Officer shall execute and deliver to the successful bidder, a deed sufficient to convey title.

**IT IS FURTHER ORDERED:**

That the Deed to be issued to the successful bidder hereunder is a transaction that is exempt from all transfer taxes either state or local and the Cook County Recorder of Deeds is ordered to permit immediate recordation of the Judicial Sale Deed issued hereunder without any exemption stamps;

That the successful bidder, is entitled to and shall have possession of the mortgaged real estate no sooner than 30 days from the entry of this Order, without further Order of Court, as provided in Section 15-1701 of the Illinois Mortgage Foreclosure Law (S.H.A. 735 ILCS 5/15-1701), and;

That in the event possession is so withheld, the Sheriff of Cook County is directed to evict and dispossess, no sooner than 30 days from the entry of this Order North Huehl Ventures LLC, an Illinois Limited Liability Co., Howard S. Naft, Donald E. Bennish from the mortgaged real estate commonly known as 310 Huehl Road, Units 2, 5 and 6, Northbrook, IL 60062 without further Order of Court;

No occupants other than individuals named in the Order of Possession may be evicted without a Supplemental Order of Possession or an order from the Forcible Entry and Detainer Court.

That the Municipality or County may contact the below with concerns about the real property:

CapFinancial Properties CV2, LLC c/o

Capital Crossing Servicing Company

A copy of this order shall be mailed to the borrower(s) at his/her last known address within seven (7) days.

Lindsey Buckford, 99 High St.  
7th Floor, Boston, MA 02110  
(617) 880-1134

ENTER:

Judge

JUDGE DAVID B. ATKINS

JUN 27 2011

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

Circuit Court - 1879

Riemer & Braunstein LLP

71 South Wacker Drive

Suite 3515

Chicago, Illinois 60606

(312) 780-1170

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## COOK COUNTY RECORDER OF DEEDS

Property of Cook County Clerk's Office

REC... DEEDS

REC... DEEDS

REC... COOK COUNTY  
RECORDER OF DEEDS

I hereby certify that the document to which this certification is affixed is a true copy.

Date **DOROTHY BROWN NOV 29 2008**

Dorothy Brown  
Clerk of the Circuit Court  
of Cook County, IL

