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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 02/28/2017 03:47 PM PG: 1 OF 5

Line above is for recording purposes

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

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION ("FANNIE MAE"), A  
CORPORATION ORGANIZED AND  
EXISTING UNDER THE LAWS OF THE  
UNITED STATES OF AMERICA,

PLAINTIFF

vs.

JUAN RODRIGUEZ; MARIA RODRIGUEZ;  
STATE OF ILLINOIS; UNKNOWN OWNERS  
AND NON-RECORD CLAIMANTS,

DEFENDANT

NO. 16 CH 10475

Judge Daniel P. Brennan

CAL NO. 62

Address: 16514 S. Avenue L  
Chicago, IL 60617

### CONSENT JUDGMENT FOR FORECLOSURE

THIS CAUSE having been heard by this Court upon the record herein on the merits of the Complaint for Foreclosure filed by the Plaintiff and on the motion of the Plaintiff for entry of Consent Judgment for Foreclosure (hereinafter referred to as "Judgment"), and Defendant Mortgagor(s) consenting, the Court FINDS:

1. **JURISDICTION:** The Court has jurisdiction over the parties hereto as set forth in the Attorney's Certificate of Service and over the subject matter.
2. **CAPACITY AND STANDING:** The Plaintiff has standing, capacity and authority to maintain this cause.
3. **MORTGAGEE OFFER TO WAIVE DEFICIENCY:** The Plaintiff has offered to waive 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 in its motion for entry of consent judgment of foreclosure with notice to all parties not in default.

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4. **CONSENT TO ENTRY OF JUDGMENT:** All Defendant Mortgagor(s) expressly consent to the entry of this Consent Judgment of Foreclosure.
5. **NOTICE OF MOTION:** All parties who have not previously been found in default for failure to appear, answer or otherwise plead have received notice of the motion for entry of consent judgment.
6. **NO OBJECTION TO ENTRY OF CONSENT JUDGMENT:** No other party, by answer or by response to the motion or stipulation, within the time allowed for such answer or response, has objected to the entry of such Judgment pursuant to 735 ILCS 5/15-1402(4).
7. **SURRENDER OF POSSESSION OF REAL ESTATE:** The Defendant Mortgagor(s) has agreed to surrender possession of the real estate immediately after entry of this consent judgment.
8. **EVIDENCE PRESENTED:** The pleadings and proofs presented in the cause are sufficient to support the entry of this Judgment.
9. **PROPERTY FORECLOSED UPON:** The Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Cook County, Illinois, as Document No. 1111210038, dated October 22, 2011 and recorded November 8, 2011 and the Subject Property herein referred to is described as follows:

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LOT 6 IN BLOCK 34 IN IRONWORKER'S ADDITION TO SOUTH CHICAGO, A  
SUBDIVISION OF THE SOUTH FRACTIONAL 1/2 OF FRACTIONAL SECTION 8,  
TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 10514 S. AVENUE I, CHICAGO, IL 60617

TAX PARCEL NUMBER: 26-08-328-028 VOL.NO 299

10. **OWNERS OF REAL ESTATE:** JUAN RODRIGUEZ and MARIA RODRIGUEZ
  11. **NOTE:** JUAN RODRIGUEZ and MARIA RODRIGUEZ executed a promissory note in the sum of \$108,150.00 payable to the order of Bank of America, N.A. and dated October 22, 2011. Plaintiff is in possession of the Note and is entitled to enforce the Note. The Note has been duly accelerated pursuant to its terms.
  12. **MORTGAGE:** JUAN RODRIGUEZ and MARIA RODRIGUEZ to secure the above mentioned note, executed a mortgage, dated October 22, 2011 and given to Bank of America, N.A. and has been properly recorded against the Subject Property.
- 
13. **SUBORDINATE INTERESTS:** The mortgage constitutes a valid lien upon real estate and which is prior, paramount, and superior to the rights and interests of all other parties. The rights and interests of all other parties are subject, subordinate and inferior to the rights of the Plaintiff herein, and are described as follows:  
  
STATE OF ILLINOIS by reason of a Revenue Lien in favor of the State of Illinois in the amount of \$974.67, against Juan Rodriguez, recorded on June 8, 2016 as document number 1616033090. Type of tax: IL Individual Income Tax.

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14. **ALLEGATIONS PROVEN:** That all the material allegations of the Complaint are true and proven, and that by virtue of the Note and Mortgage attached to the Complaint, as established by the Affidavit for Judgment, there is due to the Plaintiff, and it has a valid and subsisting lien upon the Subject Property hereinafter described, as follows:

(a).	Unpaid principal	\$	105,927.54
	Accrued interest thereon to February 8, 2017	\$	5,386.47
	Advances by Plaintiff	\$	4,039.39
	Accrued late charges	\$	114.58
	Attorneys' fees for this lawsuit	\$	2,565.00
	Costs for this lawsuit	\$	1,239.94
	Less unapplied funds	\$	0.00
	<b>TOTAL</b>	<b>\$</b>	<b>119,272.92</b>

15. **ADVANCES:** That advances made subsequent to the execution of the affidavit of mortgagee in order to protect the lien of the Judgment and preserve the real estate, such as, but not limited to: real estate taxes or assessments, property inspections, property maintenance, insurance premiums, any other fees, charges and expenses which are recoverable under the terms of the mortgage, and post Judgment attorneys' fees incurred by Plaintiff and not included in this Judgment, but incurred prior to the conclusion of this foreclosure action, shall become an additional indebtedness secured by the judgment lien and bear interest from the date of the advance at the mortgage rate of interest pursuant to 735 ILCS 5/15-1503 and 15-1603.

16. **EXHIBITS:** That true and correct copies of the original Mortgage and the original Note are attached to the Complaint filed herein.

17. **WAIVER OF REDEMPTION AND WAIVER OF DEFICIENCY:** The owner(s) of the right of redemption are the Mortgagors, Property Owners and any other Party Defendant(s) named in the Complaint with the statutory right of redemption.

- (a) The subject real estate is residential as defined in 735 ILCS 5/15-1219.
- (b) The Defendant 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).
- (c) The Plaintiff hereby waives any and all rights to a personal judgment for deficiency against the Defendant Mortgagor(s), and against all other persons liable for the indebtedness or other obligations secured by the mortgage described herein pursuant to 735 ILCS 5/15-1402(c).

- (d) That no party has filed an objection to entry of this Judgment, nor paid the amount required to redeem in accordance with 735 ILCS 5/15-1603.

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. **JUDGMENT:** A Consent Judgment for Foreclosure is entered pursuant to 735 ILCS 5/15-1402.

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2. **VESTING TITLE:** By entry of this judgment, absolute title to the mortgaged real estate known as: 10514 S. AVENUE L, CHICAGO, IL 60617 is hereby vested in the name of Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America free and clear of all claims and liens and interest of the mortgagor including all rights of reinstatement and redemption and the rights of all other persons made parties to the foreclosure whose interest are subordinate to that of the Plaintiff. Said real estate legally described as follows:

LOT 6 IN BLOCK 34 IN IRONWORKER'S ADDITION TO SOUTH CHICAGO, A  
SUBDIVISION OF THE SOUTH FRACTIONAL 1/2 OF FRACTIONAL SECTION 8,  
TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 10514 S. AVENUE L, CHICAGO, IL 60617

TAX PARCEL NUMBER: 26-08-328-028 VOL. NO. 299

3. **WAIVER OF PERSONAL DEFICIENCY:** That the entry of this Judgment of Foreclosure shall constitute a bar against the Plaintiff, its successors in interests or assigns from obtaining a personal deficiency judgment against any Defendant or any other persons liable for the mortgage indebtedness.
- ~~4. **POSSESSION OF REAL ESTATE:** Defendant(s), who is/are in possession of the subject Property, shall tender possession of the Property empty of all personal property, in good condition, broom-swept clean no later than immediately following entry of this consent judgment. Defendant(s) agree(s) to leave undisturbed in the Property all plumbing, kitchen, electrical, HVAC, and exterior fixtures.~~
5. The Sheriff of Cook County is hereby directed to evict JUAN RODRIGUEZ AND MARIA RODRIGUEZ from the premises commonly known as 10514 S. AVENUE L, CHICAGO, IL 60617 without further delay and without further order of the Court on any day immediately after entry of this consent judgment.
6. **TERMINATION OF SUBORDINATE INTERESTS:** All other Defendants whose interest in the Property that are subordinate to the Plaintiff are forever barred, and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate. 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 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 Property.
7. **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.
8. **APPEALABILITY:** Pursuant to Supreme Court Rule 301 this is a final and appealable order.

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9. That a copy of this Judgment shall be recorded with the Recorder of Deeds of Cook County for the purpose of conveying clear and absolute title to grantee, Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America.

ENTER: \_\_\_\_\_

  
Judge Daniel Patrick Brennan

DATED: \_\_\_\_\_

**FEB 08 2017**  
**Circuit Court 1932**

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