



Doc# 1913418141 Fee \$68.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

EDWARD H. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 05/14/2019 02:33 PM PG: 1 OF 4

(amended)Lis Pendens Notice

(11/13/18) CCG 0066

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
(amended)LIS PENDENS NOTICE

Murad Sweiss, beneficiary CTL Trust # 039894

Plaintiff

v.

Case No. 2019 CH 5803

Thomas Kaput, Elite FI Inc., Ana McNamara

Defendant

I, the undersigned, do hereby certify that the above entitled cause was filed in the Circuit Court of Cook County on 5/9/19 and is now pending in the Court and that the property affected by the cause is described as follows:

Lot 3 in the Heirs of Joseph Peacock's Subdivision of Lot 18 in Block 2 in Joseph Peacock's Subdivision of the South 6 acres of the West 10 acres of the South 25 acres of the West 1/2 of the Northeast 1/4 of Section 6, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN No. 17 -06 -226-027 -0000

Address 1910 W.Division Chicago, Illinois 60602

Commonly known as: 1912 W. Division Street, Chicago, Illinois 60622

in Cook County, Illinois. (Original Lis Pendens filed on May 9 2019 under Doc # 1912922035)

• Atty. No.: 41125

• Pro Se 99500

Name: Naderh Elrabadi

Atty. for (if applicable):

Murad Sweiss as beneficiary of CTLT 03-9894

Address: 22 W. Washington St. Suite 1500

City: Chicago

State: IL Zip: 60602

Telephone: 312-444-9606

Primary Email: nhe@elrabadilaw.com

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

cookcountyclerkofcourt.org

Page 1 of 1 (complaint attached)

CCRD REVIEWER

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EXHIBITS

Return Date: No return date scheduled
Hearing Date: 9/6/2019 9:30 AM - 9:30 AM
Courtroom Number: 2308
Location: District 1 Court
Cook County, IL

12-Person Jury

FILED
5/9/2019 11:08 AM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019CH05803

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

4991002

MURAD SWEISS, as beneficiary of)
Chicago Title Land trust No. 03-9894)

Plaintiff,)

v.)

Case No. 2019CH05803

THOMAS KAPUT and ELITE FINANCIAL)
INVESTMENTS, INC., and ANA)
MCNAMARA,)

Defendants,)

FILED DATE: 5/9/2019 11:08 AM 2019CH05803

COMPLAINT

NOW COMES, the Plaintiff Murad Sweiss, as beneficiary of Chicago Title Land Trust No. 03-9894 and complains against Thomas Kaput, Ana McNamara and Elite Financial Investments, Inc., as follows:

1. This is a re-filed action, previously brought under 2018 CH 10128.
2. Chicago Title Land Trust No. 03-9894 was the owner of the property at 1912 W. Divisions, Chicago, IL and legally described as follows. (add legal language)
3. Murad Sweiss is the sole beneficiary of Chicago Title Land Trust No. 03-9894 and the sole holder of the power of direction. *A copy of the Land Trust Agreement is attached hereto as Exhibit A.*
4. On or about December 20, 2007, Murad Sweiss directed Chicago Title Land Trust to issue a Trustee's Deed to Elite Financial, Inc. *A copy of a letter from Robert Kuzma of Chicago Title Land Trust is attached hereto as Exhibit B.*
5. The Trustee's Deed issued and was recorded on December 20, 2007, as document no. 0735516045 in the Cook County Recorder of Deed's office.

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6. On or about September 29, 2008, a copy of the Trustee's Deed was recorded again as document no. 0927229008 and the grantee of the Trustee's Deed was altered from Elite Financial, Inc., to Elite Financial Investments, Inc.

7. The alteration to the Trustee's Deed was not approved by Murad Sweiss, as sole beneficiary and sole holder of the power of direction of Chicago Title Land Trust No. 03-9894.

8. Chicago Title Land Trust did not consent to any alterations to the deed recorded as document no. 0735516045.

9. Upon information and belief, the deed was unlawfully and fraudulently clouded altered and recorded by Thomas Kaput, and Ana McNamara. *A copy of the receipt for recording is attached hereto as Exhibit C.*

10. Neither Thomas Kaput nor Ana McNamara had the authority to alter the Trustee's Deed.

11. Neither Murad Sweiss or Chicago Title Land Trust authorized any change to the Trustee's Deed.

12. The Trustee's Deed upon which the alteration not consented to by Grantor is void. Longstanding legal principles maintain that if the name of the grantee is altered, erased, corrected or filled in without the grantor's authorization, the deed is void. See e.g., Miller v. McAlister, 197 Ill. 72 (1902); Tucker v. Kanatzer, 373 Ill. 162 (1940); Durbin v. Carter Oil Co., 378 Ill. 39 (1941); and Abbot v. Abbott, 189 Ill. 488 (1901).

13. That any and all judicial deeds that may be filed transferring the subject property to Thomas Kaput are null and void and erroneous as the Court does not have jurisdiction to do so for the above-mentioned reasons.

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WHEREFORE, the Plaintiff, Murad Sweiss, as sole beneficiary of Chicago Title Land Trust No. 03-9894, requests this Court to:

- A. Enter an Order finding that the Trustee's Deed no. 0735516045 is null and void;
- B. Enter an Order that the Trustee's Deed re-recorded as document no. 0927229008 is null and void;
- C. Finding that all subsequent deeds, judicial deeds and mortgages are void; and
- D. And enter an Order that legal title to 1912 W. Division, reverts to CT&T Land Trust No. 03-9894.

Respectfully submitted,

Naderh Elrabadi

By: *Naderh Elrabadi*
 His Attorneys

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