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Doc# 2102522055 Fee \$88.00

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KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 01/25/2021 02:16 PM PG: 1 OF 5

Above for use by Cook County Recorder

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

BMO Harris Bank, N.A. f/k/a Harris N.A.,
Plaintiff,

v.

Oralia Herrera; 6101 N Washtenaw Condos
Association; Unknown Owners and Non-
Record Claimants,
Defendants.

Case No. 19 CH 12043

Calendar No. 62

6101 North Washtenaw Avenue, Unit 1C
Chicago, IL 60659

CONSENT JUDGMENT OF FORECLOSURE AND DEED
(Pursuant to 735 ILCS 5/15-1402)

THIS CAUSE having been duly heard by this Court upon the record herein, the Court FINDS:

It has jurisdiction to the parties hereto and the subject matter hereof and authority to enter this order based on the subject property being vacant.

1. That all the allegations of the Complaint, and those deemed to have been made pursuant to 735 ILCS 5/15-1504, are true and proven, that all defendants have been served or have submitted to jurisdiction such that this Court has jurisdiction over all defendants, that 6101 N Washtenaw Condos Association is defaulted for failing to respond to the complaint; that Unknown Owners and Non-Record Claimants are dismissed without prejudice, and that by virtue of the stipulation to entry of this judgment signed by Oralia Herrera, and the non-objection hereto by any of the remaining defendants, the mortgages and agreements which are the subject of these proceedings are merged and extinguished by this Judgment, and that by virtue of the note and mortgage as alleged in Plaintiff's complaint, and affidavit of indebtedness submitted by the Plaintiff, there is due to the Plaintiff, and it has a valid subsisting lien on the property described hereafter for the following amount:

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AMOUNT DUE AND OWING thru 6/26/20 \$ 214,596.30

2. That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Registrar of Deeds, Cook County, Illinois as Document No. 0824608205 and the property herein referred to and directed to be sold is legally described therein, and a legal description of the improvement thereon is as follows:

PROPOSED UNIT 1C IN THE PROPOSED 6101 N. WASHTENAW/ 2465 W. GLENLAKE CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:

LOTS 19 AND 20 IN BLOCK3 IN TJ. GRADY'S FOUTH GREEN BRIAR ADDITION TO NORTH EDGEWATER, BEING A SUBDIVISION OF THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 40 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 6101 North Washtenaw Avenue, Unit 1C, Chicago, IL 60659
Tax Parcel Number: 13-01-218-035-1003

3. That the Mortgage herein referred to secure the note executed by:
- Oralia Herrera
4. That the rights and interests of all the Defendants to this cause in and to the property hereinbefore described are inferior to the lien of Plaintiff, and have been foreclosed out and extinguished by virtue of the proceedings herein.
7. 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;
 - (c) That any owner of the right of redemption has waived and waives 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, Plaintiff waives its rights to a personal judgment for any deficiency against Oralia Herrera, subject to a reasonably contemporaneous Settlement Agreement and Mutual Release that governs the parties' obligations and the Judgment herein. Pursuant to 735 ILCS 5/15-1402(c), Plaintiff is further barred from obtaining such a deficiency judgment against Oralia Herrera or any other person liable for the indebtedness or other obligations secured by the mortgage, subject to the Settlement Agreement and Mutual Release

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that governs the parties obligations and the Judgment herein.

- (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.
8. Based upon the pleadings, proofs and admission(s), Plaintiff has standing, capacity and authority to maintain this cause.
9. The pleadings and proofs presented in the cause are sufficient to support the entry of this judgment.

IT IS FURTHER ORDERED:

10. **JUDGMENT:** A Consent Judgment for Foreclosure be entered pursuant to 735 ILCS 5/15-1503 and 735 ILCS 5/15-1402.
11. **VESTING TITLE:** Barring any objection filed by any other party other than the mortgagor in the above captioned cause and redemption by any such party within 30 days of the date of the entry of this Consent Judgment for Foreclosure pursuant to 735 ILCS 5/15/1402, 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.** Defendant shall deliver to Plaintiff all applicable documentation as may be required by the Office of the Recorder of Deeds of Cook County, Illinois.
12. **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.
13. **POSSESSION:** The Plaintiff or his or her legal representative or assigns shall obtain 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.
14. **EVICTION:** That in the event possession is so withheld, the Sheriff of Cook County is directed to evict and dispossess, Oralia Herrera and Reggi Ortega, from the mortgaged real estate commonly known as 6101 North Washtenaw Avenue, Unit 1C, Chicago, IL 60659,

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without further Order of Court immediately upon entry of the Judgment herein.

- 15. TORRENS REAL ESTATE: If the subject property is registered with the Registrar of Titles for Cook County, it is also ordered that the Registrar cancel the Certificate of Title and issue a new Certificate without the surrender of the Owner's Duplicate Certificate of Title or Affidavit of Lost Certificate.
- 16. 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.
- 17. APPEALABILITY: This is a final and appealable order and there is no just cause for delaying the enforcement of this judgment or appeal therefrom.
- 18. RECORDING: This order may be recorded with the appropriate county recorder, and this Consent Judgment of Foreclosure to be recorded 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 Consent Judgment of Foreclosure issued hereunder without any exemption stamps.
- 19. That the Municipality or County may contact the below with concerns about the real property:

Gundi Davis
 BMO Harris Bank N.A.
 180 N. Executive Drive
 Brookfield, WI 53005

ENTERED:

Marian Perkins

Judge

Judge *Marian Perkins*

SEP 25 2020

Date

Circuit Court 2201

Egan & Alaily LLC
 321 North Clark Street, Suite 1430
 Chicago, Illinois 60654
 (312) 253-8640
 clerk@EA-atty.com
 Attorney Number: 59515
 19-107407

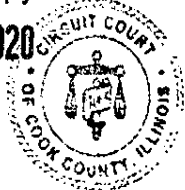
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Property of Cook County Clerk's Office

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

IRIS Y. MARTINEZ DEC 14 2020

IRIS Y. MARTINEZ
Clerk of the Circuit Court
of Cook County, IL



IRIS Y. MARTINEZ
CLERK OF CIRCUIT COURT

