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Karen A. Yarbrough
Cook County Clerk
Date: 07/14/2022 01:34 PM Pg: 1 of 7

Dec ID 20220701675256

City Stamp 0-025-171-024

Property Title Transfer and Consent Judgment

Case No. 2019CH14853

Commonly known as: 401 N Wabash, Unit 45G, Chicago IL 60611

PIN: 17-10-135-038-1142

17-10-135-038-1215

C&A file No. 14-19-11911

Codilis & Associates, P.C.
15W030 N. Frontage Rd.
Burr Ridge, IL 60527

GRANTEE IS THE HOLDER OF A MORTGAGE OR AN ASSIGNEE PURSUANT TO A MORTGAGE FORECLOSURE PROCEEDING. THIS DEED IS EXEMPT FROM REAL ESTATE TRANSFER TAX UNDER 35 ILCS 200/31-45 (L)

6-8-22
Date


Agent

Rachael A. Stokas
ARDC #6276349

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Line above is for recording purposes.

Calendar Number 56

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

Morgan Stanley Private Bank, National Association
PLAINTIFF

Vs.

Elbert Lee; Olivia Lee; The Residences at 401 North
Wabash Avenue Condominium Association; Pentagon
Federal Credit Union; Joel Ashman; Unknown Owners
and Nonrecord Claimants

DEFENDANTS

No. 2019CH14853

401 N Wabash, Unit 45G
Chicago, IL 60611

CONSENT JUDGMENT FOR FORECLOSURE AND DEED TRANSFER

THIS CAUSE having been duly heard by this Court upon the record herein on the merits of the Complaint for Foreclosure filed by the Plaintiff and on Plaintiff's Motion for entry of Consent Judgment for Foreclosure (hereinafter referred to as Judgment), and Defendants-Mortgagors consenting, the Court **FINDS:**

(1) **JURISDICTION:** The Court has jurisdiction over the parties hereto and the subject matter hereof.

(2) **PROPERTY FORECLOSED UPON:** The Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder and/or Registrar for Cook County, Illinois, as Document No. 1303726020, and the property herein referred to is described as follows:

PARCEL 1: UNIT 45G AND P015 IN THE 401 NORTH WABASH AVENUE RESIDENTIAL CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: PART OF LOT 1 IN TRUMP TOWER SUBDIVISION OF A TRACT OF LAND IN SECTION 10, TOWNSHIP 39 NORTH,

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RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0821716050, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, SUPPORT, USE AND ENJOYMENT AS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE 401 NORTH WABASH BUILDING RECORDED AS DOCUMENT NUMBER 0803015062, AS AMENDED BY SPECIAL AMENDMENT RECORDED AUGUST 4, 2008 AS DOCUMENT NUMBER 0821716049.

PARCEL 3: A NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCELS 1 AND 2, AS GRANTED IN THAT CERTAIN ORDINANCE BY THE CITY OF CHICAGO APPROVED SEPTEMBER 1, 2004 AND RECORDED JANUARY 3, 2005 AS DOCUMENT NUMBER 0500319018 AS PUBLISHED IN JOURNAL PAGES 30411 TO 30458, BOTH INCLUSIVE, FOR THE IMPROVEMENT, USE AND MAINTENANCE OF PUBLIC WAY, TO IMPROVE, MAINTAIN, REPAIR, REPLACE, USE AND OCCUPY FOR PEDESTRIAN PURPOSES, AND NOT VEHICULAR PURPOSES, CERTAIN TRACTS OF LAND AS MORE PARTICULARLY DESCRIBED THEREIN.

PARCEL 4: THE EXCLUSIVE RIGHT TO THE USE OF S3102, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 0821716050.

COMMONLY KNOWN AS: 401 N Wabash, Unit 45G
Chicago, IL 60611

TAX PARCEL NUMBER: 17-10-135-038-1142
17-10-135-038-1215

(3) **MORTGAGE NOTE:** The Mortgage herein referred to secures a Mortgage Note in the sum \$1,320,000.00 which has been duly accelerated pursuant to the terms of said Note and executed by:

Elbert Lee
Olivia Lee

(4) **EXHIBITS:** That true and correct copies of the original mortgage and the original note are attached to the Complaint filed herein.

(5) **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

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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 as set forth in The Attorney's Certificate of Service and Defaulted Parties.
- (c) That the 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).
- (d) That in consideration of entry of this Judgment by Consent, the plaintiff hereby waives 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 described herein. This is pursuant to 735 ILCS 5/15-1402(c).
- (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.
- (6) Based upon the pleadings, proofs and admission(s), Plaintiff has standing, capacity and authority to maintain this case.
- (7) The pleadings and proofs presented in the case are sufficient to support the entry of this judgment.

IT IS HEREBY ORDERED AND ADJUDGED THAT:

- (1) **JUDGMENT:** A Consent Judgment for Foreclosure be entered pursuant to 735 ILCS 5/15-1506 and 735 ILCS 5/15-1402.
- (2) **VESTING TITLE:** Title to the real estate described herein is vested absolutely in Morgan Stanley Private Bank, National Association and this executed, recorded order shall be deemed sufficient evidence to establish title vesting in Morgan Stanley Private Bank, National Association. Defendants shall deliver to Plaintiff all applicable documentation as may be required by the Office of the Recorder of Deeds of Cook County, Illinois. Given vesting pursuant to statute, this document shall be deemed and treated as a deed transfer for the purposes of recording.
- (3) **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.

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(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 supplemental motion to determine the redemptive rights of such a party or vacate this consent judgment. Should such a claimant not exercise its redemptive rights within any 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. The court retains jurisdiction for that purpose.

(4) **POSSESSION:** The plaintiff or his or her legal representative or assigns be let into possession of said premises on or before 01/31/2022, 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. Any defendant presently in possession of the subject property is hereby ordered to vacate said premises on or before 01/31/2022.

(5) **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.

(6) **APPEALABILITY:** This is a final and appealable order and there is no just cause for delaying the enforcement of this judgment or appeal therefrom. The court further retains jurisdiction over the parties and subject matter of this cause for the purpose of vacating this judgement should a lien be recorded by the U.S.A prior to the recording date of this consent judgment attaching or relating to the subject property and/or should a subordinate lien not otherwise subject to the applicable lis pendens be recorded prior to the entry of this consent judgment relating or attaching to the subject property

(7) The Sheriff of Cook County is hereby directed to evict Ebert Lee; Olivia Lee; The Residences at 401 North Wabash Avenue Condominium Association; Pentagon Federal Credit Union; Joel Ashman from the premises commonly known as 401 N Wabash, Unit 45G, Chicago, IL 60611 without further delay and without further order of the court after 01/31/2022.

(8) IT IS FURTHER ORDERED that the Consent Judgment to be issued hereunder is a transaction that is exempt from all transfer taxes, either state or local, and the County Recorder of Deeds is ordered to permit immediate recordation of the Judgment issued hereunder without affixing any transfer stamps.

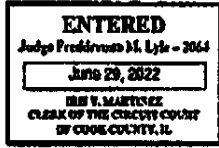
735 ILCS 5/9-117 is not applicable to this Judgment. This is a final and appealable Judgment with no just cause for further delay.

(9) This order may be recorded with the appropriate county recorder.

(10) Taxes can be mailed to the following address:
Morgan Stanley Private Bank, National Association
P.O. Box 77408/FC-236

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425 Phillip Boulevard
Ewing, NJ 08618



ENTER: *Frederick M. Lyle*

DATED: _____

GRANTEE IS THE HOLDER OF A MORTGAGE OF AN ASSIGNEE PURSUANT TO A MORTGAGE FORECLOSURE PROCEEDING. THIS DEED IS EXEMPT FROM REAL ESTATE TRANSFER TAX UNDER 35 ILCS 200/31-45 (L)

Notice pursuant to 735 ILCS 5/15-1509.5


Grantee: Morgan Stanley Private Bank, National Association

Contact:

Jen Dobron
425 Phillip Boulevard
Ewing, NJ 08618
609-883-3900

Prepared by and Mail to After Recording:

Milica Bilic
Codilis & Associates, P.C.
15W030 North Frontage Road, Suite 100
Burr Ridge, IL 60527
(630) 794-5300
pleadings@il.cslegal.com
Cook #21762
14-19-11911

| REAL ESTATE TRANSFER TAX | 13-Jul-2022 |
|--|-------------|
|  CHICAGO: | 0.00 |
| CTA: | 0.00 |
| TOTAL: | 0.00 * |

17-10-135-038-1142 | 20220701675256 | 0-025-171-024

* Total does not include any applicable penalty or interest due.

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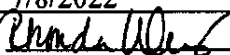
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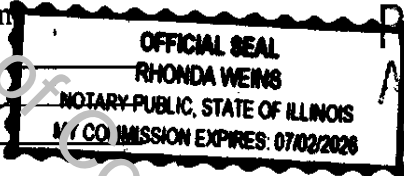
STATEMENT BY GRANTOR AND GRANTEE

The Grantor or his agent affirms that, to the best of his knowledge, the name of the Grantee shown on the Deed of Assignment of Beneficial Interest in land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated July 8, 2022

Signature: 
Grantor or Agent

Subscribed and sworn to before me
By the said Agent
Date 7/8/2022
Notary Public 

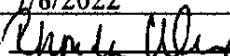


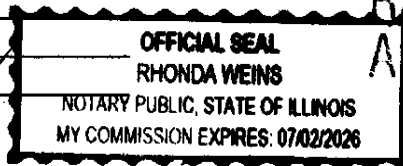
Rachael A. Stokas
ARDC #6276349

The Grantee or his Agent affirms and verifies that the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated July 8, 2022

Signature: 
Grantee or Agent

Subscribed and sworn to before me
By the said Agent
Date 7/8/2022
Notary Public 



Rachael A. Stokas
ARDC #6276349

Note: Any person who knowingly submits a false statement concerning the identity of Grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to Deed or ABI to be recorded in Cook County, Illinois if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)