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PLACITA JUDGMENT

CONSENT DECREE

(10-84) CCDCH-6

UNITED STATES OF AMERICA

STATE OF ILLINOIS, ss.
COUNTY OF COOK

86160907

PLEAS, before the Honorable Albert Green
one of the Judges of the Circuit Court of Cook County, in the State of Illinois, holding a branch Court of said
Court, at the Court House in said County, and State, on April 24th,
in the year of our Lord, one thousand nine hundred and 86 and of the Independence
of the United States of America, the two hundredth and tenth.

PRESENT: The Honorable Albert Green
Judge of the Circuit Court of Cook County.

RICHARD M. DALEY, State's Attorney

RICHARD J. ELROD, Sheriff

Attest: MORGAN M. FINLEY, Clerk.

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PIN " 22-32-400-008
22-32-400-013
22-32-400-014

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

ALOYSIUS W. MORRIS and)
MARY ELIZABETH MORRIS,)
Plaintiffs,)

vs.)

JOHN BENOIT, ANITA L. BENOIT,)
VITINA REMINGER, SUMMIT FIRST)
FEDERAL SAVINGS & LOAN ASSOCIATION,)
FREDERICK J. BALDWIN d/b/a SUBURBAN)
ENGINEERS, ROBERT A. WINARSKI d/b/a)
FBN ENGINEERS & SURVEYORS, and)
PAUL K. MORRIS,)
Defendants.)

NO. 82 CH 2656

CONSENT DECREE

This cause coming on to be heard on the motion of JOHN BENOIT and ANITA L. BENOIT, defendants in the above entitled cause by Mark S. Simon and Lawrence Sulzbacher, their attorneys, for leave to file a STIPULATION by and between the parties to this cause, except Frederick J. Baldwin d/b/a Suburban Engineers, and for the entry of a CONSENT DECREE pursuant to said Stipulation, due notice having been served upon all parties not heretofore found to be in default, and the Court having examined the pleadings and said Stipulation finds:

1. That this Court has jurisdiction of the parties and the subject matter of this cause; and,

2. That the STIPULATION is a fair and equitable resolution of the issues made by the pleadings.

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IT IS THEREFORE ORDERED AND ADJUDGED:

1. That leave be granted to file the STIPULATION instanter and the same has been filed in open Court.

2. That the Warranty Deed made by Aloysius W. Morris and Mary Elizabeth Morris, his wife, to Thomas Ziemba and Vitina Ziemba, his wife, dated November 17, 1976 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 24, 1976 as document 23 724 271 be, and the same is hereby, reformed so that the same shall have conveyed that certain real estate more particularly described as follows:

That part of Lot 10 of the County Clerk's Division of Section 32, Township 37 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269447 in Book 15 of Plats, Page 49 in Cook County, Illinois, described as follows:

Beginning at the North East corner of said Lot 10 thence South $44^{\circ}34'50''$ West along the Easterly line of said Lot 10, said Easterly line also being the center line of Archer Avenue, according to the plat of aforesaid County Clerk's Division, a distance of 318.35 feet; thence North $89^{\circ}01'02''$ West a distance of 414.40 feet; thence North $00^{\circ}00'00''$ East parallel with the West line of said Lot 10, a distance of 220.26 feet to a point on the North line of said Lot 10, which point is 346.99 feet East of the Northwest corner of said Lot 10; thence South $89^{\circ}58'37''$ East along the North line of said Lot 10 a distance of 637.80 feet to the Point of Beginning, Cook County, Illinois, containing 2.708 acres, more or less, and as shown on the survey attached hereto as Tract 1.

3. That Vitina Reminger has succeeded to the ownership of the real estate specifically described in paragraph 2 hereof, free and clear of any right, title or interest of any other party to this cause.

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4. That the Warranty Deed made by Aloysius W. Morris and Mary Elizabeth Morris, his wife, to John Benoit and Anita L. Benoit, his wife, dated September 2, 1977 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 15, 1977 as document 24 107 434 be, and the same is hereby, reformed so that the same shall have conveyed that certain real estate more particularly described as follows:

That part of Lot 10 of the County Clerk's Division of Section 32, Township 27 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269447 in Book 15 of Plats, Page 49 in Cook County, Illinois, described as follows:

Commencing at the South East corner of said Lot 10; thence North $44^{\circ}34'50''$ East along the Easterly line of said Lot 10, said Easterly line also being the center line of Archer Avenue, according to the plat of aforesaid County Clerk's Division, a distance of 298.93 feet to the Point of Beginning of the hereinafter described tract of land; thence continuing North along said Easterly line a distance of 262.81 feet to a point 318.35 feet, as measured along said Easterly line, South Westerly of the North East corner of said Lot 10 in County Clerk's Division; thence North $89^{\circ}04'02''$ West a distance of 414.40 feet; thence South $00^{\circ}00'00''$ West parallel with the West line of said Lot 10, a distance of 19.74 feet; thence North $89^{\circ}58'37''$ West, parallel with the North line of said Lot 10, a distance of 109.50 feet; thence South $10^{\circ}01'12''$ East a distance of 150.27 feet; thence South $85^{\circ}12'23''$ East a distance of 314.33 feet to the Point of Beginning, Cook County, Illinois, (containing 1.752 Acres more or less), and as shown on the survey attached hereto as Tract II.

5. That the Mortgage made by John Benoit and Anita L. Benoit, his wife, to Summit First Federal Savings And Loan Association, a corporation of the United States of America, dated March 30, 1978 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 5, 1978 as document 24 389 092 to secure an

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IN SENATE, January 12, 1901.

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

ON JANUARY 10, 1899.

ALBANY, N. Y.:

ANDREW DEWEY, PRINTER.

1901.

PROPERTY OF COOK COUNTY CLERK'S OFFICE

THE LAND OFFICE HAS THE HONOR TO ACKNOWLEDGE THE RECEIPT OF THE ABOVE REPORT AND TO STATE THAT IT IS BEING KEPT ON FILE FOR REFERENCE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL AT ALBANY, N. Y., THIS 15TH DAY OF JANUARY, 1901.

COMMISSIONER OF THE LAND OFFICE.

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indebtedness therein set forth be, and the same is hereby, reformed so that the same shall have mortgaged and conveyed the real estate specifically described in paragraph 4 hereof.

6. That John Benoit and Anita L. Benoit, his wife, are the owners of the real estate specifically described in paragraph 4 hereof and Summit First Federal Savings And Loan Association is the holder of a mortgage thereon free and clear of any right, title or interest of any other party to this cause. That the right title or interest of Bank of Hickory Hills, as Trustee Under Trust Agreement dated March 5, 1981 and known as Trust Number 2515, as such interest may have been acquired by Deed in Trust dated March 5, 1981 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 25, 1981 as document 25 816 942 is expressly not adjudicated inasmuch as said Trustee has not been joined as a party to this cause.

7. That Aloysius W. Morris and Mary Elizabeth Morris, his wife, are the owners of LOT 10 IN COUNTY CLERK'S DIVISION OF SECTION 32, Township 37 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269447 in Book 15 of Plats, Page 49, in Cook County, Illinois except the following tracts:

a) the tract conveyed to THOMAS ZIEMBA et ux by Warranty Deed recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 24, 1976 as document 23 724 271 as reformed by the provisions of this Consent Decree;

b) the tract conveyed to JOHN BENOIT et ux by Warranty Deed recorded in the Office of the Recorder of Deeds of Cook County,

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Illinois on September 15, 1977 as document 24 107 434 as reformed by the provisions of this Consent Decree;

c) the tract conveyed to Paul K. Morris by Warranty Deed recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 11, 1979 as document 24 915 013.

B. That, accordingly, Aloysius W. Morris and Mary Elizabeth Morris, his wife, are the owners of the following described real estate free and clear of any right, title or interest of any other party to this cause:

That part of Lot 10 of the County Clerk's Division of Section 32, Township 37 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269447, in Book 15 of Plats, Page 49 in Cook County, Illinois, described as follows:

Beginning at the South West corner of said Lot 10, thence North 00°00'00" East along the West line of said Lot 10, a distance of 507.96 feet to a point 120.00 feet South of the North West corner of said Lot 10; thence South 89°58'37" East parallel to the North line of said Lot 10, a distance of 346.99 feet; thence South 00°00'00" West parallel to the West line of said Lot 10 a distance of 120.00 feet; thence North 89°58'37" West parallel to the North line of said Lot 10, a distance of 109.50 feet; thence South 10°01'12" East a distance of 150.27 feet; thence South 85°12'23" East to the Easterly line of said Lot 10 also being the centerline of Archer Avenue according to the plat of aforesaid County Clerk's Division, a distance of 314.33 feet; thence South 44°34'50" West along said Easterly line to the South East corner of said Lot 10, a distance of 298.93 feet; thence South 89°53'27" West along the South line of said Lot 10, a distance of 367.04 feet to the Point of Beginning, in Cook County, Illinois, containing 4.371 Acres more or less, and as shown on the survey attached hereto as Tract III.

9. That Count IV of the Amended Complaint filed in this cause against Robert A. Winiarski d/b/a as FBN Engineers & Surveyors, for alleged defective survey work, be and the same is hereby dismissed,

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with prejudice, all matters, with respect to said defendant, having been fully settled, compromised and adjourned.

10. That this Decree determines all of the rights of the parties to this cause on the issues made by the pleadings excepting only the relief sought by the Plaintiffs as against Frederick J. Baldwin d/b/a Suburban Engineers under Count III of the Amended Complaint.

11. That this cause be and the same is hereby stricken from the docket as to all matters except Count III of the Amended Complaint in which a cause of action is asserted against Frederick J. Baldwin d/b/a Suburban Engineers.

Enter:

Hon. Albert Green

AGREED ORDER:

Scott Tuckman
Scott Tuckman,
Kwiatk & Silverman,
attorneys for plaintiffs.

Nathan Lichtenstein
Nathan Lichtenstein,
Greenberg, Keele, Lunn & Aronberg
attorneys for defendant,
Summit First Federal Savings
and Loan Association

Jerome Brozek,
one of the attorneys for
defendant, Vitina Reminger

Anthony M. Barrett,
Barrett & Sramek,
attorneys for defendant,
Robert A. Winiarski d/b/a
FRN Engineers & Surveyors

Mark S. Simon
Mark S. Simon,
one of the attorneys for
defendants, John Benoit and
Anita L. Benoit

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

ALOYSIUS W. MORRIS and)
MARY ELIZABETH MORRIS,)
Plaintiffs,)

vs.)

JOHN BENOIT, ANITA L. BENOIT,)
VITINA REMINGER, SUMMIT FIRST)
FEDERAL SAVINGS & LOAN ASSOCIATION,)
FREDERICK J. BALDWIN d/b/a SUBURBAN)
ENGINEERS, ROBERT A. WINARSKI d/b/a)
FBN ENGINEERS & SURVEYORS, and)
PAUL K. MORRIS,)
Defendants.)

NO. 82 CH 2656

CONSENT DECREE

This cause coming on to be heard on the motion of JOHN BENOIT and ANITA L. BENOIT, defendants in the above entitled cause by Mark S. Simon and Lawrence Sulzbacher, their attorneys, for leave to file a STIPULATION by and between the parties to this cause, except Frederick J. Baldwin d/b/a Suburban Engineers, and for the entry of a CONSENT DECREE pursuant to said Stipulation, due notice having been served upon all parties not heretofore found to be in default, and the Court having examined the pleadings and said Stipulation finds:

1. That this Court has jurisdiction of the parties and the subject matter of this cause; and,

2. That the STIPULATION is a fair and equitable resolution of the issues made by the pleadings.

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IT IS THEREFORE ORDERED AND ADJUDGED:

1. That leave be granted to file the STIPULATION instanter and the same has been filed in open Court.

2. That the Warranty Deed made by Aloysius W. Morris and Mary Elizabeth Morris, his wife, to Thomas Ziemba and Vitina Ziemba, his wife, dated November 17, 1976 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 24, 1976 as document 23 724 271 be, and the same is hereby, reformed so that the same shall have conveyed that certain real estate more particularly described as follows:

That part of Lot 10 of the County Clerk's Division of Section 32, Township 37 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269447 in Book 15 of Plats, Page 49 in Cook County, Illinois, described as follows:

Beginning at the North East corner of said Lot 10 thence South $44^{\circ}34'50''$ West along the Easterly line of said Lot 10, said Easterly line also being the center line of Archer Avenue, according to the plat of aforesaid County Clerk's Division, a distance of 318.35 feet; thence North $89^{\circ}54'02''$ West a distance of 414.40 feet; thence North $00^{\circ}00'00''$ East parallel with the West line of said Lot 10, a distance of 220.26 feet to a point on the North line of said Lot 10, which point is 346.99 feet East of the Northwest corner of said Lot 10, thence South $89^{\circ}58'37''$ East along the North line of said Lot 10 a distance of 637.80 feet to the Point of Beginning, Cook County, Illinois, containing 2.708 acres, more or less, and as shown on the survey attached hereto as Tract I.

3. That Vitina Reminger has succeeded to the ownership of the real estate specifically described in paragraph 2 hereof, free and clear of any right, title or interest of any other party to this cause.

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4. That the Warranty Deed made by Aloysius W. Morris and Mary Elizabeth Morris, his wife, to John Benoit and Anita L. Benoit, his wife, dated September 2, 1977 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 15, 1977 as document 24 107 434 be, and the same is hereby, reformed so that the same shall have conveyed that certain real estate more particularly described as follows:

That part of Lot 10 of the County Clerk's Division of Section 32, Township 37 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269447 in Book 15 of Plats, Page 49 in Cook County, Illinois, described as follows:

Commencing at the South East corner of said Lot 10; thence North $44^{\circ}34'50''$ East along the Easterly line of said Lot 10, said Easterly line also being the center line of Archer Avenue, according to the plat of aforesaid County Clerk's Division, a distance of 298.93 feet to the Point of Beginning of the hereinafter described tract of land; thence continuing North along said Easterly line a distance of 262.81 feet to a point 318.35 feet, as measured along said Easterly line, South Westerly of the North East corner of said Lot 10 in County Clerk's Division; thence North $89^{\circ}04'02''$ West a distance of 414.40 feet; thence South $00^{\circ}00'00''$ West parallel with the West line of said Lot 10, a distance of 19.74 feet; thence North $89^{\circ}58'37''$ West, parallel with the North line of said Lot 10, a distance of 109.50 feet; thence South $10^{\circ}01'12''$ East a distance of 150.27 feet; thence South $85^{\circ}12'23''$ East a distance of 314.33 feet to the Point of Beginning, Cook County, Illinois, (containing 1.752 Acres more or less), and as shown on the survey attached hereto as Tract II.

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indebtedness therein set forth be, and the same is hereby, reformed so that the same shall have mortgaged and conveyed the real estate specifically described in paragraph 4 hereof.

6. That John Benoit and Anita L. Benoit, his wife, are the owners of the real estate specifically described in paragraph 4 hereof and Summit First Federal Savings And Loan Association is the holder of a mortgage thereon free and clear of any right, title or interest of any other party to this cause. That the right title or interest of Bank of Hickory Hills, as Trustee Under Trust Agreement dated March 5, 1981 and known as Trust Number 2515, as such interest may have been acquired by Deed in Trust dated March 5, 1981 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 25, 1981 as document 25 816 942 is expressly not adjudicated inasmuch as said Trustee has not been joined as a party to this cause.

7. That Aloysius W. Morris and Mary Elizabeth Morris, his wife, are the owners of LOT 10 IN COUNTY CLERK'S DIVISION OF SECTION 32, Township 37 North, Range 11 East of the Third Principal Meridian, recorded April 30, 1880 as document number 269747 in Book 15 of Plats, Page 49, in Cook County, Illinois except the following tracts:

a) the tract conveyed to THOMAS ZIEMBA et ux by Warranty Deed recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 24, 1976 as document 23 724 271 as reformed by the provisions of this Consent Decree;

b) the tract conveyed to JOHN BENOIT et ux by Warranty Deed recorded in the Office of the Recorder of Deeds of Cook County,

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8. That, accordingly, Aloysius W. Morris and Mary Elizabeth Morris, his wife, are the owners of the following described real estate free and clear of any right, title or interest of any other party to this cause:

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9. That Count IV of the Amended Complaint filed in this cause against Robert A. Winiarski d/b/a as FBN Engineers & Surveyors, for alleged defective survey work, be and the same is hereby dismissed,

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with prejudice, all matters, with respect to said defendant, having been fully settled, compromised and adjourned.

10. That this Decree determines all of the rights of the parties to this cause on the issues made by the pleadings excepting only the relief sought by the Plaintiffs as against Frederick J. Baldwin d/b/a Suburban Engineers under Count III of the Amended Complaint.

11. That this cause be and the same is hereby stricken from the docket as to all matters except Count III of the Amended Complaint in which a cause of action is asserted against Frederick J. Baldwin d/b/a Suburban Engineers.

ENTER:

Hon. Albert Green

AGREED ORDER:

Scott Tuckman
Scott Tuckman,
Kwiat & Silverman,
attorneys for plaintiffs.

Nathan Lichtenstein
Nathan Lichtenstein,
Greenberg, Keele, Lunn & Aronberg
attorneys for defendant,
Summit First Federal Savings
and Loan Association

Jerome Brozek,
one of the attorneys for
defendant, Vitina Reminger

Anthony M. Barrett,
Barrett & Sramek,
attorneys for defendant,
Robert A. Winiarski d/b/a
FBN Engineers & Surveyors

Mark S. Simon
Mark S. Simon,
one of the attorneys for
defendants, John Benoit and
Anita L. Benoit

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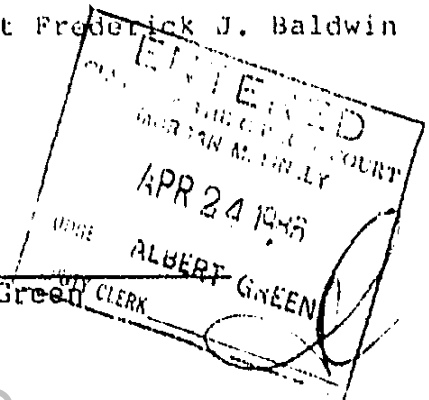
with prejudice, all matters, with respect to said defendant, having been fully settled, compromised and adjourned.

10. That this Decree determines all of the rights of the parties to this cause on the issues made by the pleadings excepting only the relief sought by the Plaintiffs as against Frederick J. Baldwin d/b/a Suburban Engineers under Count III of the Amended Complaint.

11. That this cause be and the same is hereby stricken from the docket as to all matters except Count III of the Amended Complaint in which a cause of action is asserted against Frederick J. Baldwin d/b/a Suburban Engineers.


Enter:

Hon. Albert Green



AGREED ORDER:

Scott Tuchman,
Kwiat & Silverman,
attorneys for plaintiffs.



Jerome Brozek,
one of the attorneys for
defendant, Vitina Reminger

Mark S. Simon,
one of the attorneys for
defendants, John Benoit and
Anita L. Benoit

Nathan Lichtenstein,
Greenberg, Keele, Lunn & Aronberg
attorneys for defendant,
Summit First Federal Savings
and Loan Association

Anthony M. Barrett,
Barrett & Sramek,
attorneys for defendant,
Robert A. Winiarski d/b/a
FBN Engineers & Surveyors

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STATE OF ILLINOIS,
COUNTY OF COOK

ss.

I, MORGAN M. FINLEY, Clerk of the Circuit Court of Cook County, in and for the State of Illinois, and the keeper of the records, files and seal thereof, do hereby certify the above and foregoing to be true, perfect

and complete COPY OF A CERTAIN JUDGMENT MADE AND ENTERED OF RECORD IN SAID COURT:

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.
.

in a certain cause lately pending in said Court, between

. ALOYSIUS W. MORRIS plaintiff/petitioner
and JOHN BENOIT defendant/respondent.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed

the seal of said Court, in said County, this 24th,
day of April, 19. 86

. Morgan M. Finley Clerk

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MAIL TO:

LAWRENCE SULZBACHER
ATTORNEY AT LAW

71 EAST GLENGATE AVE

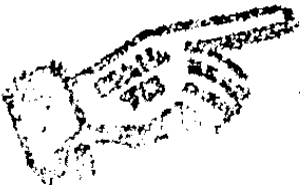
CHICAGO HEIGHTS, IL.

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PLAT

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