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Attest: JORGAN L. JONES, Clerk. JANELLA PUCINSKI

RICHARD M. DALEY, State's Attorney  
JAMES E. O'GRADY  
RICHARD J. HERRON, Sheriff

PRESENT: - The Honorable M. REYNOLDS, Judge of the Circuit Court of Cook County.

of the United States of America, the two hundredth and  
in the year of our Lord, one thousand nine hundred and  
Court, at the Court House in said County, and State, on  
one of the Judges of the Circuit Court of Cook County, in the State of Illinois, holding a branch Court of said

M. REYNOLDS

STATE OF ILLINOIS,  
COUNTY OF COOK  
ss.

UNITED STATES OF AMERICA

PLACITA JUDGMENT

(10-84) CCDCH-6

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finding that:

Ill. Rev. Stat. Ch. 110 §15-1506(a) has been filed; and further  
NON-RECORD CLAIMANTS; and that an Affidavit of Proof pursuant to  
HORSE LIVERY, LTD., an Illinois corporation, UNKNOWN OWNERS and  
Foreclosure and Other Relief against defendants, DAN SALERON, COACH  
commenced this action by filing their Verified Complaint for  
that due and proper notice has been given; that plaintiffs have  
Rev. Stat. Ch. 110 §§2-1301(d) and 15-1506(a), and the Court finding  
DATED JUNE 1, 1988 AND KNOWN AS TRUST NO. 113291, pursuant to Ill.

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LEVI AND LASALLE NATIONAL BANK AS TRUSTEE UNDER A TRUST AGREEMENT  
for judgment of foreclosure and sale filed by plaintiffs, WILLIAM  
THIS CAUSE COMING to be heard upon the motion for default and

JUDGMENT OF FORECLOSURE AND SALE

)	Defendants.
)	
)	CLAIMANTS
)	UNKNOWN OWNERS and NON-RECORD
)	LTD., an Illinois corporation,
)	DAN SALERON, COACH HORSE LIVERY,
)	
)	v.
)	plaintiffs,
)	
)	KNOWN AS TRUST NO. 113291,
)	AGREEMENT DATED JUNE 1, 1988 AND
)	BANK AS TRUSTEE UNDER A TRUST
)	WILLIAM LEVI AND LASALLE NATIONAL

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

No. 88CH10688

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open Court and has been marked as plaintiffs' Exhibit "A" and the

5. The evidence of the indebtedness has been exhibited in affidavit setting forth the total amount now due having been filed. proven and are supported by Verified Complaint, the requisite

4. All material allegations of the Complaint are true and

II. EVIDENTIARY FINDINGS

aforsaid having passed, were ordered defaulted on March 16, 1989. since the first said publication, and the default date published as any appearance herein, although more than thirty days have passed 1989, and having failed to answer the complaint or otherwise enter Illinois, on February 3, 1989, February 10, 1989, and February 17 Bulletin, a secular daily newspaper of Chicago, Cook County, properly served by publication of a notice in The Chicago Daily Law

3. Unknown owners and nonrecord claimants, have been

Don Sampson	January 25, 1989
Cash Horse Livery, Ltd.	February 9, 1989

such service, were ordered defaulted on March 16, 1989. appearance herein, although more than thirty days have passed since having failed to answer said complaint or otherwise enter any with a summons and a copy of the complaint on the dates shown, and

2. The following defendants have each been properly served this action.

1. It has jurisdiction of the parties to and subject matter of

I. JURISDICTION

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security foreclosed in the nature of an equitable mortgage has been exhibited in open Court and has been marked as Plaintiffs' Group Exhibit "B". Exhibits "A" and "B" are admitted into evidence. Copies are attached to the Complaint and leave is given to withdraw the originals of the documents and substitute copies.

III. FEES AND COSTS

6. Plaintiffs have been compelled to employ and retain attorneys to prepare and file the complaint and to represent and advise the plaintiffs in the foreclosure of the mortgage, and the plaintiffs have and will thereby become liable for the usual, reasonable and customary fees of the attorneys in that behalf.

7. The plaintiffs have been compelled to advance or will be compelled to advance, various sums of money in payment of costs, fees, expenses and disbursements incurred in connection with the foreclosure, including, without limiting the generality of the foregoing, filing fees, stenographer's fees, witness fees, costs of publication, costs of procuring and preparing documentary evidence and costs of procuring foreclosure minutes and a title insurance policy.

8. Under the terms of the equitable mortgage, all such advances, costs, attorneys' fees and other fees, expenses and disbursements are made a lien upon the mortgaged real estate and the plaintiffs are entitled to recover all such advances, costs, attorneys' fees, expenses and disbursements, together with interest on all advances at the rate provided in the mortgage, or, if no rate

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following amounts:

12. There is due plaintiffs upon the note secured by the plaintiffs equitable mortgage and plaintiffs have a valid and subsisting lien upon the real estate hereinafter described in the court costs and expenses of sale.

11. The equities in this cause are with the plaintiffs, who are entitled to a judgment of foreclosure and sale in accordance with the prayer of the complaint together with interest thereon at the statutory rate after the entry of this judgment and additional

IV. ULTIMATE FINDINGS

10. Under the terms of the mortgage, any money so paid or advanced at the rate provided in the mortgage, or, if no rate is provided, at the statutory judgment rate.

9. In order to protect the lien of the mortgage, it may or has become necessary for plaintiffs to pay taxes and assessments which have been or may be levied upon the mortgaged real estate and to pay fire and other hazard insurance premiums on the real estate or to make such repairs to the real estate as may reasonably be deemed necessary for the proper preservation thereof.

is provided therein, at the statutory judgment rate, from the date on which such advances are made.

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A. For fees and costs:

1. Normal, reasonable, usual and customary attorneys' and paralegal fees due Katz Randall & Weinberg----- \$14,914.30
  
  2. Costs:
    - Publication----- \$ 235.84
    - Chicago Title Insurance Company----- \$ 310.00
    - Filing Fee - Clerk of the Circuit Court----- \$ 82.50
    - Sheriff of Cook County----- \$ 57.00
    - Alias Summons----- \$ 4.00
    - Recording----- \$ 44.60
    - Service of Alias Summons and Complaint upon Dan Sampson----- \$ 63.50
    - Expediting and mailing----- \$ 42.95
    - Photocopies----- \$ 25.00
- Total costs:----- \$ 865.39

TOTAL fees and costs----- \$15,779.69

B. For unpaid principal, interest and advances:

1. Principal balance as of October 31, 1988 excluding costs, attorney's fees and interest--\$327,000.00
  
2. Additional costs for advances for insurance----- \$ 4,720.00
  
3. Interest through March 28, 1989 at 14%----- \$ 7,850.67

TOTAL decree indebtedness due and owing plaintiffs as of March 28, 1989 ----- \$339,570.67

TOTAL AMOUNT DUE----- \$355,350.36

13. The court has reviewed the foregoing costs and fees and the sum of attorney fees and costs allowed herein as stated in Paragraph 12 above were necessarily incurred and are fair, reasonable, customary and proper charges to be allowed to plaintiffs as attorneys' fees and costs in this proceeding in accordance with the terms of the note and mortgage given to plaintiffs by said defendants, which has been added to and becomes a part of the indebtedness due to plaintiffs.

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14. All lien or mortgage claimants defaulted are found and declared to have no interest in the real estate foreclosed, as they have offered no evidence of said interest.

15. Plaintiffs are the holders of a valid equitable mortgage and plaintiffs' mortgage is a valid lien upon the real estate which is prior, paramount and superior to all other mortgages, claims of interests and liens upon the real estate of all other parties and unknown owners and non-record claimants except for real estate taxes and special assessments, if any.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that a judgement for foreclosure and sale is granted to plaintiffs and against all defendants and it is further ordered as follows:

I. ORDER FOR FORECLOSURE

1. The defendants are ordered to pay to the plaintiffs before expiration of any redemption period the total amount due of \$355,350.36 plus interest at the statutory judgement rate from the date of judgement.

2. In default of such payment in accordance with this judgment, the mortgaged real estate, with all improvements, fixtures and appurtenances thereto, or so much of said real estate which may be divisible and sold separately without material injury to the parties in interest, shall be sold at public auction to the highest bidder for cash as hereinafter provided, to satisfy the total amount due to the plaintiffs as set forth in this judgment, together with interest thereon at the statutory judgment rate from the date of the judgment.

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3. In the event the plaintiffs are a purchaser of the mortgaged real estate at such sale, the plaintiffs may offset against the purchase price of such real estate the amounts due under the judgment for foreclosure and order confirming the sale.

4. The property herein referred to and hereby foreclosed and directed to be sold is described as follows:

LOT 2 (EXCEPT THE EAST 102 FEET THEREOF) IN THE SUBDIVISION OF LOTS 138 AND 139 AND THE RESUBDIVISION OF LOTS 142 TO 151 INCLUSIVE IN BRONSON'S ADDITION TO CHICAGO IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 17-04-200-057

Common Property Address: 1423 North Sedgwick  
Chicago, Illinois

and

LOTS 10 AND 11 IN THE SUBDIVISION OF LOT 136 IN BRONSON'S ADDITION TO CHICAGO, IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 17-04-200-058

Common Property Address: 1426-30 North Orleans  
Chicago, Illinois

5. In the event of such sale and the failure of the person entitled thereto to redeem prior to such sale pursuant to statutory provisions, the defendants made parties to the foreclosure in accordance with statutory provisions, and all unknown owners and nonrecord claimants given notice of the foreclosure in accordance with statutory provisions, and all persons claiming by, through or

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under them, and each and any and all of them, shall be forever barred and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate.

6. If no redemption is made prior to the sale conducted pursuant to this Order, a deed shall be issued to the purchaser at such sale according to law and such purchaser shall be let into possession of the mortgaged real estate in accordance with statutory provisions.

II. REDEMPTION

7. Only the owner of redemption may redeem from this foreclosure, and such owner of redemption may redeem only during the redemption period specified herein.

8. This is a foreclosure of a mortgage of commercial real estate and not a foreclosure of a mortgage of residential real estate.

9. The redemption period shall end in this case on the 9th day of August, 1989, or such other date as is hereafter ordered by this court.

10. The amount required to redeem shall consist of the Total Amount Due as declared in paragraph 12 plus interest thereon at the statutory rate hereafter and all additional costs and other expenses incurred by plaintiff after the date this judgment is entered and prior to the Sheriff's sale or as otherwise allowed by the court.

III. ORDER FOR JUDICIAL SALE

11. Upon expiration of the redemption period, the real estate shall be sold for cash by the Sheriff of Cook County, Illinois or

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his duly designated deputy in Room 701, Daley Civic Center, Chicago, Illinois in accordance with statutory provisions at a time and place to be selected by said Sheriff.

12. The notice of sale shall be published at least three consecutive calendar weeks (Sunday through Saturday), once in each week, the first such notice to be published not more than 35 days prior to the sale, the last such notice to be published not less than 7 days prior to the sale, by an advertisement in a newspaper circulated to the general public in the county in which the real estate is located, in the section of that newspaper where legal notices are commonly placed and a separate advertisement in the section of such newspaper, which may be the same newspaper, in which real estate other than real estate being sold as part of legal proceedings is commonly advertised to the general public; provided, that where both advertisements could be published in the same newspaper and that newspaper does not have separate legal notices and real estate advertisement sections, a single advertisement shall be sufficient.

13. The party who gives notice of public sale shall also give notice to all parties in the action who have appeared and have not heretofore been found by the court to be in default for failure to plead. Such notice shall be given in the manner provided in the applicable rules of court for service of papers other than process and complaint, not more than 28 days nor less than 7 days prior to the day of sale. After notice is given as required in this Section,

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a copy thereof shall be filed in the office of the clerk of this court together with a certificate of counsel or other proof that notice has been served in compliance with this Section.

14. The sale may be adjourned at the discretion of the party conducting it. The party who gives notice of public sale shall again give notice of any adjourned sale; provided, however, that if the adjourned sale is to occur less than 30 days after the last scheduled sale, notice of any adjourned sale need be given only once, not less than 5 days prior to the day of the adjourned sale.

15. Notice of the sale may be given prior to the expiration of the redemption period.

16. Upon the sale of the mortgaged real estate, the person conducting the sale shall give a certificate of sale to the purchaser and cause such certificate of sale to be recorded. The certificate shall be freely assignable by endorsement thereon.

IV. TRANSFER OF TITLE

17. Upon or after confirmation of the sale, the person who conducted the sale or the court shall execute a deed to the holder of the certificate of sale sufficient to convey title, which deed shall identify the court and the caption of the case in which judgment was entered authorizing issuance of the deed. Signature and the recital in the deed of the title or authority of the person signing the deed as grantor, of authority pursuant to this judgment and of the giving of the notices required by statute shall be sufficient proof of the facts recited and of such authority to

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execute the deed, but such deed shall not be construed to contain any covenant on the part of the person executing it.

18. Delivery of the deed executed on the sale of the real estate, even if the purchaser or holder of the certificate of sale is a party to the foreclosure, shall be sufficient to pass the title thereto. Such conveyance shall be an entire bar of (i) all claims of parties to the foreclosure and (ii) all claims of any nonrecord claimant or unknown owner who is given notice of the foreclosure as provided by statute.

V. APPLICATION AND DISTRIBUTION OF PROCEEDS

19. The proceeds resulting from the sale ordered herein shall be applied in the following order:

- (a) the reasonable expenses of sale;
- (b) the reasonable expenses of securing possession before sale, holding, maintaining, and preparing the real estate for sale, including payment of taxes and other governmental charges, premiums on hazard and liability insurance, management fees, and, to the extent provided for in the mortgage of other recorded agreement and not prohibited by law, reasonable attorneys' fees, payments made pursuant to Illinois Revised Statutes, Chapter 110, Section 15-1505 and other legal expenses incurred by the mortgagee;
- (c) satisfaction of claims in the order of priority adjudicated in this judgment of foreclosure; and
- (d) remittance of any surplus to the mortgagor or as otherwise directed by the court.

20. The person conducting the sale shall file a report of sale with the clerk of this court specifying the amount of proceeds of sale realized and the disposition thereof.

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21. If the money arising from said sale shall be insufficient to pay the amounts due to plaintiffs with interest and the costs and expenses of sale, the person conducting the sale shall specify the amount of such deficiency in the report of sale, and a judgment shall be entered therefor, if appropriate.

VI. POSSESSION

22. Plaintiffs are authorized to take possession of said real estate upon and after default by the terms of the mortgage foreclosed; plaintiffs have prevailed on a final hearing of this cause; plaintiffs have requested to be placed in possession of said real estate, and defendants-mortgagors have not objected and shown good cause for having possession of said premises hereafter. After the entry of this judgment, plaintiffs shall have exclusive possession of said real estate and after the sale ordered herein, the holder of the certificate of sale shall have plaintiffs' right to be placed in possession of said real estate.

VII. FINAL ORDER

23. The Court hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto for the purpose of enforcing this Judgment, and expressly finds that there is no just

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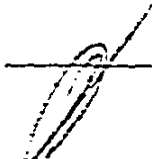
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reason for delaying the enforcement of this Decree or an appeal therefrom.

ENTER: 

ENTERED	
MAR 28 1989	
JUDGE	
M. REYNOLDS	143

Michael Weininger  
Barry E. Erlich  
Katz Randall & Weinberg - #90215  
200 North LaSalle Street  
Suite 2300  
807-3800

Box 340

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STATE OF ILLINOIS.  
COUNTY OF COOK

ss.  
AURELIA PUCINSKI

I, [REDACTED], 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:

.....  
.....  
.....  
.....  
.....

in a certain cause lately pending in said Court, between .....

..... WILLIAM LEVY AND LASALLE NATIONAL BANK ETAL ..... plaintiff/petitioner  
and ..... DAN SAMPSON ETAL ..... defendant/respondent.

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

the seal of said Court, in said County, this 29th  
day of MARCH 19 89

*Aurelia Pucinski* Clerk

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02/15/2024