UNITED STATES OF AMERICA

STATE OF ILINOIS, COUNTY OF COOK

PLEAS, before the Honorable	A. DUNNE
one of the Judges of the Circuit Court of Cook County, in the State	e of Illinois, holding a branch Court, at the
Court, at the Court House in said County, and state, on	DECEMBER 20th,
in the year of our Lord, one thousand nine hundred and	91 and of the
Independence of the United States of America, the two hundredth a	
PRESENT: - The Honorab	le
	O'MALLEY L F. SHEAHAN AND COLORADY, Sheriff
Attest: AURELIA PUCINSKI, Clerk.	
3	DEPT-01 RECORDING T

\$32.00 \$3333 TRAN 5459 12/23/91 09:39:00 \$760 **C X-91-673211** COOK COUNTY RECORDER

>> Box 195

STATE O	F IL	LINOIS,
COUNTY	OF	COOK'

SS

	KI, Clerk of the Circuit Court of Cook County, in and for the State of Illinois, and seal thereof, do he eby certify the above and foregoing to be true, perfect
and complete COPY OF A CER	TAIN JUDGMENT MADE AND ENTERED OF RECORD IN SAID COURT:
, ,	
	said Court, between
• • • • • • • • • • • • • • • • • • • •	plaintiff/petitioner
and	defendant/respondent.
	IN WITNESS WHEREOF, I have hereunto set my hand, and affixed
	the seal of said Court, in said County, this
(2-90) CCDCH-6	day of

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

HOME SAVINGS OF AMERICA, F.A., a federally chartered savings))
and loan association,)
Plaintiff,)
v.) Case No. 91 CH 5471
CHESTER BAPD LIMITED	Judge Dunne
PARTNERSHIP, an Illinois limited	į
partnership and sole beneficiary)
of American National Bank & Trust)
Company Trust No. 107086-00;	(
AMERICAN NATIONAL BANK AND	\
TRUST COMPANY OF CHICAGO, as Trustee of Trust Agreement dated)
December 5, 1988, and known as	
Trust No. 107086-00; THE ESTATE OI	
general partner to Chester Bard Limited	
Partnership; JOSEPH G. DILLON, III,	V _A
un individual; KATHLEEN A. DILLON	
CASEY, an individual; DAVID W.	
DILLON, an individual; DANIEL A.	
DILLON, an individual; CHARLES D.	
BARKYOUMB, an individual;	
ELIZABETH M. BARKYOUMB, an) T'
individual; NAMTOR, INC., an Illinois) "
corporation and limited partner of)
Chester Bard Limited Partnership; and) //ς.
UNKNOWN OWNERS and)
NONRECORD CLAIMANTS,	Cortico
Defendants	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

JUDGMENT OF CONSENT FORECLOSURE

This cause coming to be heard on the motion of plaintiff-mortgagee Home Savings of America, FSB, formerly Home Savings of America, F.A. ("Home Savings"), and the

Property of Coot County Clert's Office

Stipulation for Consent Foreclosure (the "Stipulation") submitted by Home Savings and defendant-mortgagor American National Bank and Trust Company of Chicago, as Trustee of its Trust No. 107086-00 ("Mortgagor"), and the Chester Bard Limited Partnership (the "Partnership"), the sole beneficiary of the Trust, for entry of Judgment of Consent Foreclosure pursuant to Section 15-1402(a) of the Illinois Mortgage Foreclosure Law;

IT APPEARING TO THE COURT THAT due notice has been given to all parties entitled to notice; and upon review and examination of the verified Complaint for Foreclosure and Exhabits thereto, and other pleadings filed herein, and being advised in the premises, the Court finds the following:

- 1. Home Savings filed its Complaint for Foreclosure ("Complaint") against defendants on June 14, 1991. In its Complaint, Home Savings seeks to foreclose the mortgage lien it holds against the commercial property commonly known as 10526 West Cermak Road, Westchester, Illinois, which consists of the real property described in Attachment A attached hereto (the "Mortgaged Property").
- 2. The Mortgage that Home Savings seeks to rerectose was executed on February 27, 1989, and is attached to the Complaint as Exhibit A (the "Mortgage"). Foreclosure of the Mortgage is governed by the provisions of the Ininois Mortgage Foreclosure Law.
- 3. The Mortgagor is in default under its Mortgage and the Note secured thereby, as set out in paragraphs 6 and 10 of the Complaint.
- 4. American National Bank and Trust Company of Chicago, as Trustee of its Trust No. 107086-00, is the sole Mortgagor having an interest in and owner of the mortgaged real estate.

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- 5. Chester Bard Limited Partnership, an Illinois limited partnership, is the sole beneficiary of American National Bank and Trust Company Trust No. 107086-00, and is the sole beneficial owner of the mortgaged property.
- 6. The Mortgage that Home Savings holds against the mortgaged property which is hereby foreclosed appears of record in the office of the Recorder of Deeds of Cook County, Illinois as document number 89-090282 recorded on March 1, 1989.
- 7. Home Savings has timely filed such affidavits and caused the publication of such notice necessary to make all Unknown Owners and Nonrecord Claimants of the mortgaged property subject to these proceedings in the manner provided by law.
- 8. Each of the defendants has been duly and properly brought before the court, either through service of surroons or by their voluntary appearance or by publication, all in the manner the law provides, and the court consequently possesses jurisdiction over all the defendants, both named and all Unknown Owners and Nonrecord Claimants, for purposes of this cause.
- 9. Home Savings offers in connection with this programment to waive any and all rights to a personal judgment for deficiency against the Mortgager, the Partnership, and all persons liable for the indebtedness or other obligations secured by the Mortgage.
- 10. Home Savings made this offer upon notice to all parties entitled to such advice by properly serving notice of its Motion for Consent Foreclosure as required under Section 15-1402(a) of the Illinois Mortgage Foreclosure Law.
- 11. Defendants Mortgagor and the Partnership consent to the entry of this judgment by the Stipulation filed with the court and the vesting of absolute title in the mortgaged property in Home Savings, free and clear of all claims, liens and interests,

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including all rights of reinstatement and redemption, of the Mortgagor, the Partnership, and of the other defendant parties, including all Unknown Owners and Nonrecord Claimants.

- 12. The Mortgagor and the Partnership further consent to vesting absolute title in all secured property referenced by the financing statements attached hereto as Attachment P in Home Savings, free and clear of all claims, liens and interests.
- 13. No other party, by answer or by response to the pending Motion, has objected to the entry of this judgment within the time allowed for answer or response.
- 14. By virtue of the Mortgage and Note, there is due and owing to Home Savings of America as of November 30, 1991 (except as otherwise indicated), an existing and valid mortgage lien against the cortgaged real estate for the unpaid principal balance of \$1,230,866.15, plus the following additional unpaid sums:
 - (a) accrued interest (through 12/5/91) in the amount of \$137,148.47;
 - (b) late charges (through 11/20/91) in the amount of \$8,489.52;
 - (c) tax and environmental survey advances in the amount of \$46,917.68; and
 - (d) its costs of collection and suit (including receivership and attorneys' fees; title charges; and filing, publication and service charges) in the amount of \$11,561.42.
- 15. The foregoing costs of collection and suit were necessarily incurred in the prosecution of this suit, and are found to be fair, reasonable and customary, and part of the indebtedness due Home Savings.

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- 16. The total amount due Home Savings as of November 30, 1991, under the Mortgage and Note is One Million Four Hundred Thirty-four Thousand Nine Hundred Eighty-three Dollars and Twenty-four Cents (\$1,434,983.24).
- 17. The Mortgage constitutes a valid lien upon the mortgaged property which is prior, paramount and superior to the rights and interests to and in the mortgaged property of defendants Mortgagor; Chester Bard Limited Partnership; Estate of Joseph G. Dilion, Ir.; Joseph G. Dillon, III; Kathleen A. Dillon Casey; David W. Dillon; Daniel A. Dillon; Charles D. Barkyoumb; Elizabeth M. Barkyoumb; Namtor, Inc. (collectively, the "party defendants"); and all Unknown Owners and Nonrecord Claimants. The rights and interests to and n the mortgaged property of all party defendants and all Unknown Owners and Nonrecord Cwaers are subject, subordinate and inferior to the mortgage lien and rights and interests of Home Savings.

IT IS HEREBY ORDERED, adjudged and decreed that a judgment of consent foreclosure is granted to Home Savings and against defendants American National Bank and Trust Company of Chicago, as Trustee of its Trust No. 107086-00; Chester Bard Limited Partnership; the Estate of Joseph G. Dillon, Jr.; Joseph G. Dillon, III; Kathleen A. Dillon Casey; David W. Dillon; Daniel A. Dillon; Charles D. Barkyoumb; Elizabeth M. Barkyoumb; Namtor, Inc.; and all Unknown Owners and Planrecord Claimants, pursuant to Section 15-1402(a) of the Illinois Mortgage Foreclosure Law.

IT IS FURTHER ORDERED, adjudged and decreed that Paragraph 14 of the Complaint for Foreclosure is hereby stricken, and that any and all rights held by Home Savings for personal judgment for deficiency against the Mortgagor and Chester Bard Limited Partnership; the Estate of Joseph G. Dillon, Jr.; Joseph G. Dillon, III;

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Kathleen A. Dillon Casey; David W. Dillon; Daniel A. Dillon; Charles D. Barkyoumb; Elizabeth M. Barkyoumb; Namtor, Inc., and all other persons liable for the indebtedness or other obligations secured by the Mortgage, are hereby waived.

IT IS FURTHER ORDERED, adjudicated and decreed that absolute title to the mortgaged real estate, including, but not limited to the Lessor's rights, title and interests to and in all leases for the mortgaged property, and all credits, refunds and offsets issued after this date for property taxes for the mortgaged property, is hereby vested in Home Savings of America, FSB free and clear of all claims, liens and interests, including all rights of reinstatemen and redemption, of the Mortgagor; Chester Bard Limited Partnership; the Estate of Joseph G. Dillon, Jr.; Joseph G. Dillon, III; Kathleen A. Dillon Casey; David W. Dillon; Daniel A. Dillon; Charles D. Barkyoumb; Elizabeth M. Barkyoumb; Namtor, Inc.; and all Unknown Owners and Nonrecord Claimants;

IT IS FURTHER ORDERED, adjudicated and decreed that the all title and interest in the secured property is hereby vested in Lome Savings free and clear of all claims, liens and interests, and that Home Savings is the sele insured party to and beneficiary of any insurance maintained for the mortgaged property.

IT IS FURTHER ORDERED, adjudicated and decreed that is of the date of this judgment, defendants Mortgagor; Chester Bard Limited Partnership; the Estate of Joseph G. Dillon, Jr.; Joseph G. Dillon, III; Kathleen A. Dillon Casey; David W. Dillon; Daniel A. Dillon; Charles D. Barkyoumb; Elizabeth M. Barkyoumb; Namtor, Inc.; and all Unknown Owners and Nonrecord Claimants, are forever barred and foreclosed from all rights, equity of redemption, or claim in and to the mortgaged real estate or any part thereof.

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IT IS FURTHER ORDERED AND DECREED that the receivership created by order of this court on August 21, 1991, shall be vacated upon entry of this Judgment.

IT IS FURTHER ORDERED AND DECREED that there is no just reason to delay appeal or enforcement of this order and judgment.

DATED:

ENTER:

ENTERED

DEC 2 0 1991

Hon. Arthur L. Dupile

ENTERED

DEC 2 0 1991

Young Kim
David J. Cahill
Thomas M. Lynch
Wildman, Harrold, Allen & Dixon
225 West Wacker Drive
Chicago, Illinois 60606
(312) 201-2000
Firm I.D. No. 10535

Attorneys for Plaintiff

Jay D. Stein Gould & Ratner 222 N. LaSalle Street Chicago, Illinois 60601-1086 (312) 236-3003 Jirm I.D. No. 12695

Attories for Defendants
American National Bank,
Chester Bard Limited Partnership,
The Estate of Joseph G. Dillon, Jr., and
the individual Dillon Defendants.



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ATTACHMENT A

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EXHIBIT "A"

LEGAL DESCRIPTION

Lots 107, 108, 109, 110, 111, and 112 in George F. Nixon and Company's Civic Center Addition to Westchester, and that part of the former right-of-way of the Chicago-Westchester and Western Railroad lying West of the West line of Lot 103, extended North and East of the East line of the West 13 feet of Lot 131, extended South, in George F. Nixon and Company's Civic Center Addition to Westchester, in the East half of the Southeast quarter of Section 20, Township 39 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

Permanen, Tax I.D. Nos.:

15-20-418-046-0000 15-20-418-047-0000 15-20-418-048-0000 15-20-418-049-0000 15-20-418-050-0000 15-20-418-051-0000 15-20-418-125-0000

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ATTACHMENT B

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Exhibit "A"

All furnishings, furniture, fixtures, machinery, equipment appliances, systems, building materials, vehicles and personal property of every kind and nature whatsoever (including, without limitation, all gas and electric fixtures radiators, heaters, engines and machinery, boilers, ranges, elevators and motors, plumbing and heating fixtures and systems, carpeting and other floor coverings, washers, dryers, water heater, mirrors, mantels, air conditioning apparatus and systems, refrigerating plant, refrigerators, computers and all hardware and software therefor, cooking apparatus and appurtenances, window screens, awnings, and storm sashes) which are or shall be attached to any buildings, structures or improvements now or hereafter located on:

10526 West Cermak Westchester, Illinois 60153

(the "Property") or which are or shall be located in, on or about the Property, or which, wherever located (including, without limitation in warehouses or other storage facilities or in the possession of or on the premises of vendors or manufacturers thereof), are used or intended to be used in or in connection with the construction, fixturing, equipping, furnishing, use, operation or enjoyment of the Property or the improvements thereon.

This STATEMENT is presented to a filing officer to	filing pursuant to the Uniform Co. work al Co.	do. Pots, Time, Namber, and Filling Office)
Debter(s) (Last Name First) and address(es)	Secured Party(ies) and address(es)	
Chester Bard Limited	Home Savings of America	F.A.
Paruwrship, an Illimis	P.O. Box 7075	100-7075
Limited Partnership	Pasadena, California 91	109-7075
9700 Bryn Maio: Ros-grunt, Illinois 60018		
1. This linearing statement covers the following t	ypes (or items) of property.	ASSILAND OF SECURED PARTY
See Edibit "A" Attached 1		
2. SEANGRADES The above goods are to become	intures on ICCONGREGORACION	ngageachanganganganganetar cooqqaaameansaceangananupocco:
and this financing statement is to be filed in t	he real estate records. (If the debtor does n	of here an interest of record)
The name of a record owner is		Bard Limited Partnership, an
4. TPreducts of Collateral are also covered.		Limited Partnership
Additional sheets presented.	By:	
		Signature of (Debtor) Its General Partner
FILE COPY—DESTOR(S)	og This form of linearing statement is approved	(Socured Party)* Ignature of Detter Required in Most Cases: Ignature of Secured Party in Cases Covered by UCC 40-402 (2) by the Secretary of State.

STANDARD FORM - UNIFORM COMMERCIAL CODE - FORM UCC-2 - REV. 11-75

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EXHIBIT B

LEGAL DESCRIPTION

Lots 107, 108, 109, 110, 111, and 112 in George F. Nixon and Company's Civic Center Addition to Westchester, and that part of the former right-of-way of the Chicago-Westchester and Western Railroad lying West of the West line of Lot 103, extended North and East of the East line of the West 13 feet of Lot 131, extended South, in George F. Nixon and Company's Civic Center Addition to Westchester, in the East half of the Southeast quarter of Section 20, Township 39 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

Permanent Tay 1.D. Nos.

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15-20-418-046-0000
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All furnishings, furniture, fixtures, machinery, equipment appliances, systems, building materials, vehicles and personal property of every kind and nature whatsoever (including, without limitation, all gas and electric fixtures radiators, heaters, engines and machinery, boilers, ranges, elevators and motors, plumbing and heating fixtures and systems, carpeting and other floor coverings, washers, dryers, water heater, mirrors, mantels, air conditioning apparatus and systems, refrigerating plant, refrigerators, computers and all hardware and software therefor, cooking apparatus and appurtenances window screens, awnings, and storm sashes) which are or shall be attached to any buildings, structures or improvements now or hereafter located on:

10526 West Cermak Westchester, Illinois 60153

(the "Property") or which are or shall be located in, on or about the Property, or which, wherever located (including, without limitation in warehouses or other storage facilities or in the possession of or on the premises of vendors or manufacturer, thereof), are used or intended to be used in or in connection with the construction, fixturing, equipping, furnishing, use, operation or enjoyment of the Property or the improvements thereon.

This STATEMENT is presented to a filing officer for fil	ling pursuant to the Uniform Cor	munercial Code.	For Filing Officer (Date, Time, Number, and Filing Office
Bobter(s) (Last Hame First) and address(es)	Secured Party(ies) and address(es)		
American National Bank and rus			
Company of Chicago, as Temstee		E America, F.A.	
under lrust No. 107086-00	P. O. Box 7075	(0)	
33 North La Salla Street	Pasadena, Calif	formia 91109-10%	4 , 98
thicago, Illinois 60690			
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The name of a record owner is		American Natio	oal Bank and Trust
		Company of Chi	ogo, as Trustee
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ned with Recorder's Office of	County, Illinois		150007
		By:	······································
TUT GOOV DEPTONIO			cured Party)* mind in Nest Cases:
FILE COPY—DEBTOR(S)		Scinoture of Secured P.	erty in Coast Commed By UCC SALES (%)
	This form of financing statement is		

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of Second. Het Valle (Intil Street,)

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FILING OFFICER-ACKNOWLEDGEMENT

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Exhibit "A"

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> 10526 West Cermak Westchester, Illinois 60153

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This STATEMENT is presented to a filing officer	for filing pursuant to the Uniform Commercial Code.	For Filing Officer
Debter(s) (Last Home First) and address(es)	Secured Party(res) and address(CC)	(Date, Time, Number, and Filing 0
Charter Hard Limited	Home Savings of America, F	1'
Partnership, a., Illimis	P.O. Box 7075	j
Limited Farthership	Pasadena, California 911.19-7075	
9700 Bryn Mawa		
Rosamont, Illinois 60018	12 h 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2	1
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Property of Cook County Clerk's Office \$ \$ "hill 151 **\$ \$**\$

EXHIBIT B

LEGAL DESCRIPTION

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Permanent Tax I.D. Nos.

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94673211	- P. J. C.	
STATE OF ILLINOIS, COUNTY OF COOK	ss.	/
		the Circuit Court of Cook County, in and for the State of Illinois, eof, do hereby certify the above and foregoing to be true, perfect
-		ENT MADE AND ENTERED OF RECORD IN SAID COURT:
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in a certain cause lately p	ending in said Court, b	etween
HOME SAVINGS OF	AMERICA	plaintiff/petitioner
and CHESTER BARD LI	MITED PARTNERSHIP	defendant/respondent.
	IN	WITNESS WHEREOF, I have hereunto set my hand, and affixed
		the seal of said Court, in said County, this20ht
(2-90) CCDCH-6		day of December 19.91 Aurelia Viicenshi Clerk

PLACITA JUDGMENT UNOFFICIAL COPY

UNITED STATES OF AMERICA

STATE OF ILINOIS, COUNTY OF COOK

PLEAS, before the Honorable one of the Judges of the Circuit Court of Cook Coun	nty, in the State of Illinois, holding a branch Court, at the
Court, at the Court House in said County, and state	e, on
in the year of our Lord, one thousand nine hundred	and
Independence of the United States of America, the to	wo hundredth and
PRESENT:	- The Honorable
	CECIL PARTEE, State's Attorney
00/	JAMES E. O'GRADY, Sheriff
Attest: AURELIA PUCINSKI, Clerk.	County
	The Honorable Judge of the Circuit Court of Cook County. CECIL PARTEE, State's Attorney JAMES E. O'GRADY, Sheriff 91673211