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COOK COUNTY RECORDER
#5652 #1 * 92-185911
T#0000 TRAN LTR 03/20/92 13:44:00
DEPT-11 RECORD-1
\$41.00

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Attest: AURELIA PUCINSKI, Clerk.

JACK O'MALLEY
GEORGE W. SHEAHAN, State's Attorney
MICHAEL F. SHEAHAN
JAMES E. O'GRADY, Sheriff

PLEASE, before the Honorable
A. GREEN
one of the Judges of the Circuit Court of Cook County, in the State of Illinois, holding a branch Court, at the
Court, at the Court House in said County, and state, on
OCTOBER 15th
91
and of the
in the year of our Lord, one thousand nine hundred and
Independence of the United States of America, the two hundredth and
FIFTEEN
A. GREEN
PRESENT: - The Honorable
Judge of the Circuit Court of Cook County.

92185911

STATE OF ILLINOIS,
COUNTY OF COOK
ss.

UNITED STATES OF AMERICA

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(2-90) CCDCH-6

..... Clerk

..... day of, 19

..... the seal of said Court, in said County, this

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

and defendant/respondent.

..... plaintiff/petitioner

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

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

..... and complete

..... COPY OF A CERTAIN JUDGMENT MADE AND ENTERED OR RECORD IN SAID COURT:
..... and the keeper of the records, files and seal thereof, do hereby certify the above and foregoing to be true, perfect,
I, AURELIA PUCINSKI, Clerk of the Circuit Court of Cook County, in and for the State of Illinois,

STATE OF ILLINOIS,
COUNTY OF COOK

ss. [

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Attorneys' Fees: \$ 925.00
Costs of Suit: \$ 1,199.50
Advances by Plaintiff: \$ 51,768.72
Principal, Accrued Interest and

That all the material allegations of the complaint and those deemed to be made pursuant to Chapter 110, Section 15-1504 (c) 1-11, Illinois Code of Civil Procedure are true and proven; that by entry of this judgment for foreclosure and sale, the mortgage and Note which are the subject matter of these proceedings is extinguished and merged into judgment and default no longer exists, but has been replaced by judgment; and that by virtue of the mortgage and the affidavits presented as evidence of indebtedness secured thereby, there is due to the Plaintiff, and it has a valid and subsisting lien on the property described hereafter for the following accounts.

A. It has jurisdiction to the parties hereto and the subject matter hereof.

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

JUDGMENT FOR FORECLOSURE AND SALE

FIRST WISCONSIN NATIONAL BANK OF MILWAUKEE
PLAINTIFF
VS
LARRY T. HEATH; CATLEEN M. HEATH; CAROL MOSELEY BRAUN, REGISTRAR OF TITLES; MOON LAKE CONDOMINIUM ASSOCIATION; HERRER, J. MENTER, as Trustee; HARRIS BANK ROSELLE; UNKNOWN TENANTS; UNKNOWN OWNERS & NON RECORD CLAIMANTS;
DEFENDANTS

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

STATE OF ILLINOIS
COUNTY OF COOK

NO. 91 CH 04640

Judge
Albert F. Green

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UNIT 20-D AS DESCRIBED IN SURVEY DELINEATED ON AND ATTACHED TO AND A PART OF A DECLARATION OF CONDOMINIUM OWNERSHIP REGISTERED ON THE 21ST DAY OF DECEMBER 1973 AS DOCUMENT NUMBER 2732977. AN UNDIVIDED .59172% INTEREST (EXCEPT THE UNITS DELINEATED AND DESCRIBED IN SAID SURVEY) IN AND TO THE FOLLOWING DESCRIBED PREMISES: LOTS 1 TO 22, BOTH INCLUSIVE, LOTS 27 TO 39, BOTH INCLUSIVE, ALSO THOSE PARTS OF LOTS 23 TO 28, BOTH INCLUSIVE, AND OF OUTLOT 1 FALLING IN THE SOUTHWEST QUARTER (1/4) OF SECTION 7

F. That the mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder or Registrar of Deeds, Cook County, Illinois, as Document No. 3838517, and the property herein referred to and directed to be sold is described as follows:

E. That advances made in order to protect the lien of the judgment and preserve the real estate, shall become an additional indebtedness secured by the judgment lien pursuant to Chapter 110, Sec. 15-1504 (d).

D. That under the provisions of said mortgage, the costs of foreclosure are an additional indebtedness for which the Plaintiff should be reimbursed, and that such expenses are hereby allowed to the Plaintiff.

C. That by its terms said mortgage provides that the attorneys for the Plaintiff shall be entitled to an award of reasonable attorneys' fees herein, and that included in the above indebtedness are attorneys' fees, and that the following sum is hereby allowed to the Plaintiff:
\$ 925.00

B. That there is due and owing to the Defendants immediately hereinafter stated, if any, the sums set forth, as a lien(s) upon the subject premises subordinate and inferior to the lien and interest of the Plaintiff herein, the sum of \$ 10,887.90, pursuant to the Harris Bank Roselle, as a lien upon the subject real estate which is subordinate and inferior to the lien and interest verified pleadings filed herein by HARRIS BANK ROSELLE.

All the foregoing amounts have been accounted for in the Affidavits filed by Plaintiff.

=====

TOTAL \$ 53,893.22

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The rights of redemption shall expire on February 10, 1992, shortened by further Order of court.

L. unless

The mortgaged real estate is NOT residential as defined in Chapter 110, Sec. 15-1219 Illinois Revised Statutes. Provided the real estate is "Residential", the redemption period shall expire the later of (i) seven (7) months from the date the mortgagor, as described herein, was served by summons or publication, or (ii) the date three (3) months from the date of entry of this judgment. Provided the real estate is "Not Residential", the redemption period shall expire the later of (i) six (6) months from the date the mortgagor was served by summons or publication, or (ii) the date three (3) months from the date of entry of this judgment.

K. The mortgaged real estate is NOT residential as defined in Chapter 110, Sec. 15-1219 Illinois Revised Statutes.

The date when the last of the owners of the equity of redemption were served with summons or by publication was August 9, 1991. The rights of reinstatement shall expire ninety (90) days from the aforesaid date when the court obtained jurisdiction over the mortgagors.

J. The date when the last of the owners of the equity of redemption were served with summons or by publication was August 9, 1991. The rights of reinstatement shall expire ninety (90) days from the aforesaid date when the court obtained jurisdiction over the mortgagors.

I. 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.

H. That the mortgagors and any other owners or co-owner of the subject property are the owner(s) of the equity of redemption, as set forth in Complaint heretofore filed.

G. That the mortgage herein referred to is secured by a mortgage note personally executed by:

LARRY T. HEATH; CATHLEEN M. HEATH;
1647 CORNELL DRIVE
HOFFMAN ESTATES, ILLINOIS 60194

COMMONLY KNOWN AS:

(HEREINAFTER DESCRIBED), ALL IN PETER ROBIN FARMS UNIT THREE, BEING A SUBDIVISION OF PART OF THE EAST HALF (1/2) OF SECTION 7, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON OCTOBER 17, 1973 AS DOCUMENT NUMBER 2722849. TOGETHER WITH ALL RIGHTS AND EASEMENTS APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE, THE RIGHTS AND EASEMENTS FOR THE BENEFIT OF SAID PROPERTY SET FORTH IN THE AFOREMENTIONED DECLARATION.

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M. That true and correct copies of the original Note and the original Mortgage are attached to the complaint.

IT IS THEREFORE ORDERED that this judgment is entered pursuant to Section 15-1506 and 15-1603 (b)(1) and (11).

IT IS FURTHER ORDERED:

1. That a judicial sale of the subject property be conducted by a Foreclosure Sale Officer in accordance with statutory provisions.

2. NOTICE OF SALE: That Notice of the sale shall be given pursuant to Sec. 15-1507, and said notice shall include the following information, but an immaterial error in the information shall not invalidate the legal effect of the notice:

- (a) the name, address and telephone number of the person to contact for information regarding the real estate;
- (b) the common address and other common description (other than legal description), if any, of the real estate;
- (c) a legal description of the real estate sufficient to identify it with reasonable certainty;
- (d) a description of the improvements on the real estate;
- (e) the time specified in the judgment, if any, when the real estate may be inspected prior to sale;
- (f) the time and place of the sale;
- (g) the terms of the sale;
- (h) the case title, case number and the court in which the foreclosure was filed;
- (i) no other information is required.

3. The notice of the sale shall be published at least three consecutive calendar weeks, once in each week, the first such notice to be published not more than 45 days prior to the sale, the last such notice to be published not less than 7 days prior to the sale, by: a) advertisements 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 (b) separate advertisements 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 a legal proceeding is commonly advertised to the general public; provided that the separate advertisements in the real estate section need not include a legal description and that there be advertisements could be published in the same newspaper and that the newspaper does

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forefeit the funds. The subject property is offered for sale without any representation as to quality or quantity of title and without recourse to Plaintiff.

8. PROCEEDS OF SALE: That proceeds of sale shall be distributed in the following order of priority:

(a) the reasonable expenses of sale;

(b) the reasonable expenses of securing possession before holding, maintaining, and preparing the real estate for sale, including payment of taxes and other governmental charges, premiums on hazard, liability and mortgage insurance, receiver's and management fees, and, to the extent provided for in the mortgage and by statute, other expenses of any nature incurred by the mortgagee;

(c) Satisfaction of claims in the order of priority adjudicated in this judgment of foreclosure or order confirming the sale;

and

(d) Remittance of any surplus to be held by the Officer conducting the sale subject to further order of court.

9. If the remainder of the proceeds shall not be sufficient to pay the above described amounts and interest, the amount of the deficiency shall be specified in the Report of Sale. The Plaintiff shall be entitled to a judgment in Rem or In Personam for the amount of such deficiency and a Memorandum of Judgment shall issue to the Plaintiff with the same lien priority as to the underlying mortgage herein foreclosed, without any rights of Homestead.

10. If Plaintiff is the successful bidder at said sale, the amount due the Plaintiff, plus all costs, advances and fees hereunder with interest incurred between entry of judgment and confirmation of sale shall be taken as a credit on its bid.

11. Upon and at the sale of mortgaged real estate, the Officer conducting the sale shall issue to the purchaser a receipt of sale and Certificate of Sale pursuant to Chapter 110, Section 15-1507 (e) and (f).

12. Any bid at sale shall be deemed to include, without the necessity of a court order, interest at the statutory judgment rate on any unpaid portion of the sale price from the date of sale to the date of payment.

13. The Officer conducting the sale shall promptly make a report of sale to the court. Upon motion and notice in accordance with court rules applicable to motions generally.

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That the Court retains jurisdiction of the subject matter of this cause and of all parties hereto, for the purpose of enforcing this judgment.

17.

In the event the subject real estate is registered with the Registrar of Torts of Cook County, Illinois, it is further ordered that the Registrar of Torts is hereby directed to cancel the outstanding Certificate of Title and issue a new Certificate without requiring the surrender of the Mortgagee's Duplicate Certificate of Title.

16.

After (1) confirmation of the sale, and (2) payment of the purchase price and any other amount required to be paid by the purchaser at sale, the Court (or if the Court shall so order, the person who conducted the sale or such person's successor or some persons specifically appointed by the Court for that purpose), shall upon the request of the holder of the Certificate of Sale (or the purchaser if no certificate of sale was issued), immediately execute a deed to the holder or purchaser sufficient to convey title.

15.

That upon judicial sale of "residential" real estate to the mortgagee who is a party to this foreclosure or its nominee for a sale price less than the amount required to redeem as specified in Chapter 110, Section 15-1603(d) of the Code of Civil Procedure, an owner of redemption as specified in Chapter 110, Section 15-1603(a) of the Illinois Code of Civil Procedure shall have a special right to redeem for a period ending 30 days after the date the sale is confirmed. Redemption shall be made by paying the amount required by and in conformity with the procedure specified in Chapter 110, Section 15-1604 Illinois Code of Civil Procedure. Property so redeemed shall be subject to lien for any deficiency remaining with the same lien priority as the underlying mortgage herein foreclosed, without any rights of Homestead.

14.

- (d) Direct the Officer to hold any surplus funds pursuant to further order of Court.
 - (c) Determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (h) of Section 15-1506, but the Court shall not defer confirming the sale pending the determination of such priority.
 - (b) Provide for a personal judgment against those deemed personally liable therein.
 - (a) Approve the mortgagee's fees, costs and additional advances arising between the entry of the judgment of foreclosure and the confirmation hearing pursuant to terms of the mortgage and Chapter 110, Sec. 15-1504.
- The Court shall conduct a hearing to confirm the sale. The Court shall then enter an order confirming the sale, which order shall include an award for possession which shall become effective thirty (30) days after entry of the order. The confirmation order may also:

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PIERCE & ASSOCIATES
Attorneys for Plaintiff
Twelfth Floor
18 South Michigan Avenue
Chicago, Illinois 60603
Tel. (312) 346-3766
ATTORNEY CODE #91220
PA911039

JUDGE
A. GREEN
123

ENTER:

There is no just reason to delay in the enforcement or appeal from this final judgment order.

18.

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(2-90) CCDC-6

Clerk
day of
March 19 92

the seal of said Court, in said County, this
20th

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

and LARRY T. HEATH, et al.,
defendant/respondent.

..... FIRST WISCONSIN NATIONAL BANK OF MILWAUKEE
plaintiff/petitioner.

in a certain cause lately pending in said Court, between

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I, AURELIA PUCINSKI, 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:

STATE OF ILLINOIS,
COUNTY OF COOK
] ss.

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Attest: AURELIA PUCINSKI, Clerk.

JAMES E. O'GRADY, Sheriff

CECIL PARTEE, State's Attorney

Judge of the Circuit Court of Cook County.

PRESENT: - The Honorable
Independence of the United States of America, the two hundredth and
in the year of our Lord, one thousand nine hundred and and of the
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, at the
PLEAS, before the Honorable

STATE OF ILLINOIS,
COUNTY OF COOK
} ss.

UNITED STATES OF AMERICA