

United States of America

STATE OF ILLINOIS, }  
County of Cook. } ss.

BENJAMIN J. KANTER

PLEAS, before the Honorable.....  
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 the City of Chicago, in said County, and  
State, on the 19th day of October, in the year of  
our Lord, one thousand nine hundred and -81 and of the Independence of the  
United States of America, the two hundred and sixth

BENJAMIN J. KANTER

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

RICHARD M. DALEY  
~~BERNARD CAREY~~, State's Attorney.

RICHARD J. ELROD, Sheriff of Cook County.

Attest: MORGAN M. FINLEY, Clerk.

Be it remembered, that heretofore, to wit: on the 19th day of October 1981  
the following among other proceedings were had in the Circuit Court of Cook County said  
and entered of record, to wit:

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DEPT-01 RECORDINGS 937.50  
197777 TRAN 2169 12/02/93 09:59:00  
#2757 93-983354  
COOK COUNTY RECORDER

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, DOMESTIC RELATIONS DIVISION

IN RE THE MARRIAGE OF )  
 )  
MYRA S. SMITH )  
 ) No. 80 D 25469  
and )  
 )  
WILLIAM T. SMITH. )

JUDGMENT OF DISSOLUTION OF MARRIAGE

This day came again the petitioner, MYRA S. SMITH, by her attorney, EDWARD R. BURR, and the respondent, WILLIAM T. SMITH, by his attorney, ARTHUR R. ALLAN, and the parties hereto having agreed that this matter be heard as an uncontested matter, and by agreement of the parties, the cause filed under general number 80 D 25105 in re the Marriage of WILLIAM TIMPERLEY SMITH and MYRA SUE SMITH, is hereby dismissed and the Court, pursuant to the further agreement of the parties hereto, having permitted the parties to proceed in re the Marriage of MYRA S. SMITH and WILLIAM T. SMITH, filed under general number 80 D 25469; and both parties appearing in open court in their own proper persons and by their attorneys, and the Court having heard the testimony in open court of the petitioner, MYRA S. SMITH, in support of the allegations contained in her Petition for Dissolution of Marriage; and the Court having considered all the evidence and now being fully advised in the premises, FINDS that:

A. This Court has jurisdiction of the parties hereto and of the subject matter hereof.

B. The petitioner was domiciled in the State of Illinois at the time the Petition for Dissolution of Marriage

EDWARD R. BURR  
CHARTERED  
ATTORNEY AT LAW  
SUITE 3825  
180 N. LA SALLE STREET  
CHICAGO, ILLINOIS 60601  
(312) 782-7744

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was commenced and has maintained a domicile in the State of Illinois for ninety (90) days next preceding the making of the findings;

C. The parties were married on June 28, 1970, and said marriage was registered at Chicago, Cook County, Illinois.

D. Two children were born to the parties as a result of the marriage, namely: ERIK LAWRENCE SMITH, who was born on April 25, 1974, and MATTHEW JONATHAN SMITH, who was born on May 30, 1976. No children were adopted by the parties and the petitioner is not now pregnant.

E. Without cause or provocation by the petitioner, the respondent has been guilty of extreme and repeated mental cruelty toward the petitioner.

F. The petitioner has proved the material allegations of her Petition for Dissolution of Marriage by substantial, competent and relevant evidence; and that a Judgment of Dissolution of Marriage should be entered herein.

ON MOTION OF ATTORNEY FOR THE PETITIONER, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. The parties are awarded a Judgment of Dissolution of Marriage, and the bonds of matrimony existing between the petitioner, MYRA S. SMITH, and the respondent, WILLIAM T. SMITH, are hereby dissolved.

2. The petitioner, MYRA S. SMITH, is granted sole custody, care, control and education of the minor children of the parties hereto, namely, ERIK LAWRENCE SMITH, born on April 25, 1974, and MATTHEW JONATHAN SMITH, born on May 30, 1976.

3. The respondent is granted liberal rights of visitation with the minor children, including any period or

EDWARD R. BURR  
CHARTERED  
ATTORNEY AT LAW  
SUITE 3525  
180 N. LA SALLE STREET  
CHICAGO, ILLINOIS 60601  
(312) 782-7744

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periods of time totaling three (3) weeks during the calendar year while the children are not attending school, without abatement of the requirements for child support.

4. Petitioner is given leave to reside in the marital home of the parties, together with the said minor children, said home being located at 647 Evergreen Avenue, Buffalo Grove, Illinois.

5. Respondent's equity in the marital home is established at \$17,373.34 without interest thereon, said sum to be paid to respondent upon the occurrence of the first of any of the following events:

- (a) sale of the marital residence;
- (b) petitioner ceasing to use the marital home as her principal residence;
- (c) the youngest child of the parties hereto attaining eighteen (18) years of age;
- (d) remarriage of the petitioner.

6. Respondent shall execute and deliver to the petitioner upon the entry of this Judgment of Dissolution of Marriage a quit claim deed in and to the marital residence of the parties hereto, legally described as follows, to-wit:

P.I. No. 03-05-406-011  
 Common address:  
 647 Evergreen Ave.  
 Buffalo Grove, IL  
 60089

Lot 232 in Buffalo Grove Unit No. 6, being a Subdivision in the East half of Section 5, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

7. Petitioner shall be solely responsible for the payment of the existing mortgage indebtedness on the subject marital residence, both as to principal and interest. Petitioner shall further be solely responsible for the payment of all real estate taxes or special assessments which may result from her ownership of the property, pay all insurance premiums, insuring the said residence, and shall meet all further and

EDWARD R. BURR  
 CHARTERED  
 ATTORNEY AT LAW  
 SUITE 3525  
 182 N. LA SALLE STREET  
 CHICAGO, ILLINOIS 60601  
 (312) 782-7144

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other costs and obligations incidental to the maintenance, care, and operation of the said home, and petitioner shall hold respondent harmless from each and all of the foregoing expenses, costs, taxes, etc., incidental to the ownership and maintenance of the said home, and shall reimburse respondent fully for any such expenses which may be incurred by him resulting from the failure or refusal of the petitioner to meet said obligations in full and in a timely matter.

8. The petitioner has a net monthly income of approximately \$300.00 and the respondent has an income of approximately \$25,000.00 per year. The respondent shall pay to the petitioner as and for unallocated maintenance and child support the sum of \$925.00 per month payable on the first day of each month until April 1, 1982, at which time respondent shall pay to petitioner as and for unallocated maintenance and child support the sum of \$960.00 per month commencing April 1, 1982, and on the first day of each successive month thereafter until the younger child is eighteen or graduates from high school, whichever occurs later, or until the children become otherwise emancipated, should such event occur sooner. Petitioner agrees to declare said unallocated income as personal income subject to income taxation, and respondent is assigned the tax deduction therefore until terminated as herein provided.

9. Upon the event of the remarriage of the petitioner, the respondent shall pay, as and for child support, a sum equal to twenty-seven per cent (27%) of respondent's net income from all sources. The obligation of support shall continue until the occurrence of the first of any of the following:

(a) the emancipation of either of the minor children of the parties hereto;

(b) the older of the children hereto shall have attained the age of eighteen years or graduated from high school, whichever is later.

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10. When there shall be only one child of the parties under the age of eighteen, or as otherwise provided in Paragraph 9 above, hereto entitled to receive support based upon the criteria herein set forth, the amount payable by the respondent shall be equal to twenty per cent (20%) of respondent's net income from all sources until such child is eighteen or graduates from high school, whichever occurs later, or until the child becomes otherwise emancipated, should such event occur sooner.

11. The parties hereto shall contribute toward the college education of the children of the parties as they are able.

12. The respondent, at his own expense, shall obtain and maintain in full force and effect, while he has an obligation of support for the said children, a standard form of hospitalization and major medical insurance policy covering possible major medical needs of the children. The respondent shall fully assist in processing any claims under the policy and shall be responsible for the payment of deductible portions in the event of claims.

13. The respondent shall pay for the extraordinary hospital, surgical, optical, or orthodontic care of the minor children. The term "extraordinary," as used in this Paragraph, shall include, but not by way of limitation, all teeth straightening, major dental work, operations, and services rendered as a result of serious accidents or as a result of serious illnesses requiring hospitalization or extended medical care. The parties agree that the petitioner shall be responsible for the payment of routine checkups, minor ailments, drug supplies (except if required in the treatment of serious illness), dental prophylaxis, and the like where such care requires the payment of a sum of Fifty (\$50.00) Dollars or less.

In the event of serious illness of the minor children, or the need for hospital, surgical, optical, or

orthodontic or extraordinary medical or dental care, the petitioner shall promptly consult the respondent before incurring expenses in any of those connections. It is understood by both parties that the petitioner's obligation to consult with the respondent shall not apply in cases of grave emergency where their child's life might be imperiled by delay.

14. The respondent shall maintain in full force all existing policies on his life, naming as irrevocable beneficiaries thereof the minor children of the parties. In no event shall the face amount of such life insurance policies be in a sum less than \$100,000.00 net after the reduction of any equity of said policy by loan or otherwise; provided, however, that respondent shall be permitted to convert any such existing policies to term policies should he so desire in sums consistent with the provisions hereof.

The respondent shall pay all premiums due thereon in a prompt manner as the same shall become due and will supply to the petitioner proof of the existence of such policy or policies and shall provide proof of the payment of all premiums as the same shall become due.

The responsibility of the respondent to maintain such policies in conformity with the provisions hereof shall continue for so long as the respondent shall be obligated for the payment of child support pursuant to the provisions of this judgment.

15. When the marital home of the parties is sold, each of the parties shall be responsible for the payment of his or her capital gains tax which may become due as a consequence of the sale of the home to the extent and in the percentage of

EDWARD R. BURR  
CHARTERED  
ATTORNEY AT LAW  
SUITE 3525  
180 N. LA SALLE STREET  
CHICAGO, ILLINOIS 60601  
(312) 792-7744

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that amount which is actually received by either of them at the time of said sale.

16. The respondent shall be permitted to amend his W-2 forms to show entitlement to declare ten (10) dependents for tax deduction purposes, said sum having been computed to be approximately the equivalent of respondent's obligations for the payment of unallocated maintenance and child support hereunder.

17. Petitioner shall be permitted to declare the minor children of the parties hereto as her sole dependents for federal and state tax purposes.

18. The question of future maintenance shall be reserved.

19. Judgment is hereby granted in favor of ARTHUR R. ALLAN and against respondent, WILLIAM T. SMITH, in the sum of Five hundred (\$500.00) Dollars, being the balance due from respondent for the payment of his attorney's fees, said sum to be payable without interest at the rate of not less than Fifty (\$50.00) Dollars per month until paid in full.

20. Judgment is hereby granted in favor of EDWARD R. BURR and against petitioner, MYRA S. SMITH, in the sum of Seven hundred thirty-seven (\$737.00) Dollars.

21. Each of the parties hereto will, promptly upon demand by the other party, execute and deliver to such other party any and all documents that may be necessary to effectuate and fulfill the terms of this judgment.

22. This Court expressly retains jurisdiction of this case for the purpose of enforcing all of the terms and provisions of this Judgment of Dissolution of Marriage.

EDWARD R. BURR  
CHARTERED  
ATTORNEY AT LAW  
SUITE 3325  
180 N. LA SALLE STREET  
CHICAGO, ILLINOIS 60601  
(312) 782-7744

ENTER:

ENTERED  
CLERK OF THE CIRCUIT COURT  
MORGAN M. FINLEY  
OCT 19 1981  
JUDGE BENJAMIN J. KANTER  
DEPUTY CLERK

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FORM 89

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 records, files and seals thereof, do hereby certify the above and foregoing to be a 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 on the Chancery side thereof,

IN RE THE MARRIAGE OF:

wherein MYRA S. SMITH was petitioner

and WILLIAM T. SMITH was respondent

In Witness Whereof, I have hereunto set my hand and affixed

the seal of said Court, at Chicago,

October 19, 19<sup>81</sup>

*Morgan M. Finley* Clerk

MORGAN M. FINLEY, Clerk of the Circuit Court of Cook County

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Arthur R. Allen Esq.  
820 E. Higgins #124  
Schmiedel 60173



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