

UNITED STATES OF AMERICA

STATE OF ILLINOIS
COUNTY OF COOK

} ss.

94115533

94115533

LESTER D. FOREMAN

PLEAS, before the Honorable
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
FEB 00 1994

in the year of our Lord, one thousand nine hundred and 94 and of the
Independence of the United States of America, the two hundredth and 18

PRESENT: - The Honorable **LESTER D. FOREMAN**
Judge of the Circuit Court of Cook County.

JACK O'MALLEY

~~.....~~ney

MICHAEL F. SHEAHAN

~~.....~~

Attest: AURELIA PECINSKI, Clerk.

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DEPT-01 RECORDING \$41.50
T#6666 TRAN 3369 02/03/94 16:35:00
#6553 # *-94-115533
COOK COUNTY RECORDER

\$41.50
CE

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IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Court, in said County, this _____ day of _____, 19____.

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STATE OF ILLINOIS,
COUNTY OF COOK

CLERK OF THE CIRCUIT COURT OF COOK COUNTY
AURELIA PUCINSKI
1975

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:**

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

In a certain cause lately pending in 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

day of, 19.....

..... Clerk

94115533

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

AUSTIN BANK OF CHICAGO,)

Plaintiff,)

v.)

No. 93 CH 10850)

TERRY MCWILLIAMS, DELLA MCWILLIAMS,)
GERALDINE MCWILLIAMS, CHICAGO TITLE)
AND TRUST COMPANY, AS TRUSTEE UNDER)
A TRUST DEED (RECORDED AS DOCUMENT)
NO. 89-146943, JAMES SKRZYPEK, JANICE)
SKRZYPEK, NONRECORD CLAIMANTS, AND)
UNKNOWN OWNERS,)

Defendants.)

JUDGMENT FOR FORECLOSURE BY CONSENT

THIS CAUSE HAVING COME TO BE HEARD on the Complaint to Foreclose Mortgage filed by Plaintiff, Austin Bank of Chicago, for Entry of Judgment for Foreclosure by Consent, and Plaintiff having presented a Stipulation for Consent Foreclosure pursuant to Section 15-1402 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1402), a Prove-Up Affidavit pursuant to Section 15-1506(a)(2) of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1506(a)(2)) and the original subject note and mortgage, all of which have been examined by the Court,

And it appearing to the Court that Plaintiff heretofore commenced this action by filing its Complaint against Defendants, that the Affidavit required to make Unknown Owners and Nonrecord Claimants Defendants to this action was duly filed, and Unknown Owners and

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Nonrecord Claimants have been duly and regularly made party defendants to this action in the manner provided by law;

That the persons or entities designated as Unknown Owners include persons or entities who are interested in this action and who have or claim some right, title, interest, or lien in, to, or upon the mortgaged real estate, or some part thereof, described in Plaintiff's Complaint, that the name of each of such other persons or entities interested in this action was and is unknown to Plaintiff, and upon diligent inquiry could not and cannot be ascertained, and that all such persons, therefore, have been made party defendants to this action by the name and description of "Unknown Owners."

That the persons or entities designated as Nonrecord Claimants include persons or entities so defined by Section 15-1210 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1210), that the existence of such persons or entities and the names, present, and last known places of residence of all such persons or entities are unknown to Plaintiff;

And the Court having examined the files and records in this cause and having heard evidence and being fully advised in the premises, finds that each of Defendants in this cause has been duly and properly brought before the Court, either through service of Summons, publication, or appearance, all in the manner provided by law, that due and proper notice has been given to each of Defendants during the progress of this cause, as required by law, and that this Court now has jurisdiction over all of the parties to this cause and the subject matter thereof;

And the mortgagors and owners of the mortgaged real estate, Terry McWilliams, Della McWilliams, and Geraldine McWilliams, having agreed and expressly consented to the entry of

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a consent foreclosure judgment pursuant to Section 15-1402 of the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1402) through a stipulation filed with this court:

And Plaintiff having agreed to waive any and all rights to a personal judgment for deficiency against the mortgagors and against all other persons liable for the indebtedness and other obligations secured by the mortgage, and such offer having been presented by motion with proper notice to all parties, whether or not they are in default, and no party having objected to the entry of this Judgment for Foreclosure by Consent;

And it further appearing to the Court that Defendants Chicago Title and Trust Company as Trustee under a Trust Deed recorded as Document No. 89-146943, James Skrzypek, Janice Skrzypek, Nonrecord Claimants, and Unknown Owners, have failed to appear within the time required by law, and that these Defendants have been held in default by a Default Order entered by this Court;

And this cause coming on now to be heard on the Complaint and for Entry of a Judgment for Foreclosure by Consent herein, and upon all other pleadings, and upon all the files and matters of record herein, and it further appearing to the Court that the notice of the presentation of this Judgment has been given to all parties entitled thereto, and the Court being fully advised in the premises, from the files, records, and competent evidence herein:

HEREBY FINDS:

1. All the material allegations of the Complaint are true and proven, and Plaintiff's mortgage is prior and superior to all other mortgages, claims of interests and liens upon the mortgaged real estate.

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2. There is due to Plaintiff, pursuant to the subject note, and it has a valid and subsisting lien through the mortgage on the property described hereafter, for \$63,764.60, which includes principal, interest, expenses, attorneys fees, and other costs.

3. The mortgage described in the Complaint and hereby foreclosed is of record in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 89-146941, and the property herein referred to as the "mortgaged real estate" is legally described as follows:

THE EAST 23 FEET 3 INCHES OF LOT 1 IN BLOCK 1 IN
CASTLE SUBDIVISION OF THE NORTHWEST 1/4 OF THE
NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD
PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 3355 West Division Street, Chicago, Illinois 60644.

PERMANENT INDEX NUMBER: 16-02-300-032, Vol. 542.

4. The personal property described in the Complaint and hereby foreclosed and herein referred to as the "personal property" consists of the following property located on the mortgaged real estate: fixtures, machinery, equipment, engines, boilers, incinerators, building materials, appliances and goods of every nature whatsoever, including, but not limited to, those used for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light, and, in addition, all elevators, and related machinery and equipment, fire prevention and extinguishing apparatus, security and access control apparatus, plumbing, bath tubs, water heaters, water closets, sinks, ranges, stoves, refrigerators, dishwashers, disposals, washers, dryers, awnings, storm windows, storm doors, screens, blinds, shades, curtains and curtain rods, mirrors, cabinets, panelling, rugs, attached floor coverings, furniture, pictures, antennas, and trees and plants.

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5. Plaintiff's mortgage being a valid, prior, and paramount lien upon the mortgaged real estate and the personal property, any and all parties' interests in the mortgaged real estate and personal property are terminated by this Judgment.

6. Plaintiff has waived all rights to a personal judgment for deficiency in this cause.

7. The mortgaged real estate is not residential real estate under the Illinois Mortgage Foreclosure Law.

8. This cause was filed after July 1, 1987, and is governed by the Illinois Mortgage Foreclosure Law.

9. There is no just reason to delay enforcement or appeal from this final appealable Order.

IT IS THEREFORE HEREBY ORDERED AND ADJUDGED:

1. The Court having gained jurisdiction over all party defendants to this foreclosure as required by law, that all party defendants, and all persons claiming by, through, or under them, or any and all of them, are forever barred and foreclosed of and from all rights, title, interest, claims, liens, or rights of redemption, whether arising prior to or after the commencement of this action, in and to the mortgaged real estate and any part thereof and in and to the personal property and any part thereof.

2. Title to the mortgaged real estate and the personal property is vested by virtue of this Judgment in Austin Bank of Chicago, free and clear of all rights, claims, and interest of the owners and of all parties to this action. No conveyance of any kind is necessary to put Plaintiff

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in title to the mortgaged real estate or the personal property, that having been accomplished solely by virtue of this Judgment.

3. Plaintiff is barred from obtaining a personal judgment for deficiency against the mortgagors or any other person liable for the indebtedness or other obligations secured by the mortgage

4. The Orders granting Plaintiff's Motion for Entry of Default Order, Motion for Possession, Motion to Correct Misnomer of Parties, and Motion for the Entry of Judgment of Consent Foreclosure are incorporated herein by reference.

DATED: _____

ENTER: _____
JUDGE

Norman C. Nelson
ROBBINS, SALOMON & PATT, LTD.
25 East Washington Street
Suite 1000
Chicago, Illinois 60602
(312) 782-9000
Attorney No. 80919

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PREPARED BY AND
RETURN TO:

NORMAN C. NELSON
ROBBINS, SALOMON & PATT, LTD.
25 East Washington Street
Suite 1000
Chicago, Illinois 60602
(312) 782-9000



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STATE OF ILLINOIS,
COUNTY OF COOK

} ss.

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:

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.....
.....

in a certain cause lately pending in said Court, between *Austin Bank of Chicago* plaintiff/petitioner
and *Jerry McMillon, Vella McMillon* defendant/respondent.

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

the seal of said Court, in said County, this . . . *03*

day of . . . *Ev 03 1974*, 19 *74*

..... *Aurelia Pucinski* Clerk

94115333

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PLACITA JUDGMENT

(2-90) CCDCH-6

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK

} ss.

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

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

CECIL PARTEE, State's Attorney

JAMES E. O'GRADY, Sheriff

Attest: AURELIA PUCINSKI, Clerk.

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917-5533