

# UNOFFICIAL COPY

95625805

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

WORLD SAVINGS AND LOAN ASSOCIATION,  
a federal savings and loan association,

Plaintiff,

v.

MIRJANA BOROJEVIC BRITO, not  
individually but as the Independent  
Administrator of the Estate of JOVAN  
BOROJEVIC, DECEASED; MIRJANA  
BOROJEVIC BRITO, individually;  
FRANCESCA A. CUNDARI, as the mother  
and natural guardian of VICTORIA F  
CUNDARI, a minor; UNKNOWN HEIRS AND  
LEGATEES OF THE ESTATE OF JOVAN  
BOROJEVIC, DECEASED; UNKNOWN  
OWNERS; and NONRECORD CLAIMANTS,

Defendants.

Case No.

95CH 08929

The Honorable

DEPT-01 RECORDING \$33.50  
T#5555 TRAN 7412 09/18/95 12:56:00  
#8589 ± B.J \* -95-625805  
COOK COUNTY RECORDER  
DEPT-10 PENALTY \$30.00

## NOTICE OF FORECLOSURE (LIS PENDENS)

The undersigned certifies pursuant to the Illinois Mortgage Foreclosure Law, 735 ILCS 5/15-1503, that the above-captioned mortgage foreclosure action was filed on September 15, 1995, and is now pending.

(I) The plaintiff in the action is World Savings and Loan Association ("World Savings") and the Case Number is 95 CH 9529.

(II) The action was filed in the Circuit Court of Cook County, Illinois, County Department, Chancery Division.

(III) The name of the title holder of record is Jovan Borojevic and Mirjana Borojevic Brito as the Independent Administrator of the Estate of Jovan Borojevic, Deceased.

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(IV) A legal description of the real estate sufficient to identify it with reasonable certainty is as follows:

**COMMON ADDRESS:**

6653-6657 West 63rd Street, Chicago, Illinois

**PERMANENT INDEX NUMBER:**

19-19-201-001-0000

19-19-201-002-0000

19-19-201-003-0000

**LEGAL DESCRIPTION OF MORTGAGED PREMISES:**

Lots 22 to 24 in Block 25 in Frederick H. Bartlett's Chicago Highways in the Northwest 1/4 of the Northeast 1/4 of Section 19, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

**OTHER COLLATERAL UNDER THE MORTGAGE**

(A) The real property which is listed, described, and set forth on *Exhibit A* attached to the Mortgage and thereby incorporated therein (which real property, together with any and all easements, rights-of-way, licenses, privileges, and appurtenances thereto and any and all other real property which may at any time hereafter be conveyed by Borrower to Lender as security for the Note, is hereinafter referred to as the "Land");

(B) All highways, road, streets, alleys, and other public rights-of-way and thoroughfares, bordering on or adjacent to the Land, together with all highways, roads, streets, alleys, and other public rights-of-way and thoroughfares, and all heretofore or hereafter vacated highways, roads, streets, alleys, and public rights-of-way and thoroughfares, and all strips and gores adjoining or within the Land or any part thereof;

(C) All buildings, structures, improvements, railroad spurs, tracks, and sidings, plants, works, and fixtures now or at any time hereafter located on any portion of the Land,

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and all extensions, additions, betterments, substitutions, and replacements thereof;

(D) All fixtures, furniture, furnishings, equipment, machinery, appliances, apparatus, and other property of every kind and description now or with the Land or the buildings and improvements situated thereon, including, but not limited to, all lighting, heating, cooling, ventilating, incinerating, refrigerating, air-cooling, lifting, fire extinguishing, cleaning, communicating, security, surveillance, computer, telephone and electrical systems, and the machinery, appliances, fixtures, and equipment pertaining thereto, all switchboards, engines, motors, tanks, pumps, floor coverings, carpeting, partitions, conduits, ducts, compressors, elevators, escalators, accessories, draperies, blinds and other window coverings, and the machinery, appliances, fixtures, and equipment pertaining thereto, all of which fixtures furnishings, furniture, equipment, machinery, appliances, apparatus, and other property, whether or not now or hereafter permanently affixed to the Land, shall be deemed to be part of the land. It is the express intention of Borrower that all property of the kind and character described in this subparagraph (D) that Borrower now owns, and all of such property that it may hereafter acquire, shall be subject to the lien and security interest of this Security Instrument with like effect as if now owned by Borrower and as if covered and conveyed hereby by specific and apt descriptions;

(E) All rights, privileges, permits, licenses, easements, consents, tenements, hereditaments, and appurtenances now or at any time hereafter belonging to or in any way appertaining to all or any part of the Land and any property or interests subject to this Security Instrument; all right, title, and interest of Borrower in all reversions and remainders in or all or any part of the Land and other property and interests subject to this Security Instrument, and all avails, rents, income, issues, profits, royalties, and revenues derived from or belonging to all or any part of the Land and other property and interests subject to this Security Instrument;

(F) Any and all real property and other property that may, from time to time after the execution of this Security Instrument, by delivery or by writing of any kind, for the purposes hereof, be conveyed, mortgaged, pledged,

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assigned, or transferred to Lender by Borrower or by any one or more persons or entities on Borrower's behalf or with its consent as and for additional security for the payment of the Note;

(G) Any and all proceeds of the conversion, whether voluntary or involuntary, of all or any part of the Land and other property and interests subject to this Security Instrument into cash or liquidated claims, including, by way of illustration and not limitation, all proceeds of insurance and all awards and payments, including interest thereon, which may be made with respect to all or any part of the Land or other property and interests subject to this Security Instrument, or any estate or easement therein, as a result of any damage to or destruction of all or any part of the Land and other property and interests subject to this Security Instrument, the exercise of the right or power of condemnation or eminent domain, the closing of, or the alteration of the grade of, any highway, road, street, alley or other public right-of-way or thoroughfare on or adjoining all or any part of the Land and other property and interests subject to this Security Instrument, or any other injury to or decrease in the value of all or any part of the Land or other property and interests subject to this Security Instrument, to the extent of all amounts which may be secured by this Security Instrument, which proceeds, awards, and payments are hereby assigned to Lender, which is hereby authorized to collect and receive such proceeds, awards, and payments, and to give receipts and acquaintances therefor and to apply the same or any part thereof toward the payment of indebtedness secured hereby; and Borrower hereby agrees, upon request, to make, execute, and deliver any and all assignments and other instruments as are necessary for the purpose of assigning said proceeds, awards, and payments to Lender, free, clear and discharged of any and all encumbrances of any kind or nature, whatsoever; and

(H) All oral and written leases, subleases, and other agreements, and all amendments, modifications, supplements, renewals, and extensions thereof, and all rights under the foregoing for use and occupancy of all or any part of the Land and other property and interests subject to this Security Instrument (the "Leases"), and all avails, rents, issues, income, profits, royalties and revenues of the Land and said other property and interests, the property

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described in this clause being hereby pledged primarily and on a parity with the Land, and not secondarily:

(V) An identification of the lien sought to be foreclosed is as follows:

(a) Nature of the instruments: (1) Mortgage, Security Agreement and Assignment of Rents; (2) Financing Statement.

(b) Date of Mortgage: January 4, 1994.

(c) Name of Mortgagor: Jovan Borojevic; and Mirjana Borojevic Brito as the Independent Administrator of the Estate of Jovan Borojevic, Deceased.

(d) Name of Mortgagee: World Savings and Loan Association.

(e & f) Date and place of recording and identification of recording:

(i) the Mortgage was duly recorded with the Cook County Recorder of Deeds on January 11, 1994, as document number 94030904.

(ii) the Financing Statement was duly recorded with the Secretary of State on March 8, 1994 as document number 3229477.

(g) Interests subject to the mortgage: Fee simple, leasehold estate, and easements, as well as personal property contained thereon, rents and leases.

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(b) Amount of original principal indebtedness: \$250,000. Amount of indebtedness due World Savings as of August 14, 1995 (excluding interest thereon, fees and expenses): \$260,013.79.

(i) Name of present owner of the real estate: Mirjana Borojevic Brito as the Independent Administrator of the Estate of Jovan Borojevic, Deceased.

(VI) The undersigned further certifies pursuant to 735 ILCS 5/15-1218 that:

(a) The name and address of the party plaintiff making the claim and asserting the deed of trust is: World Savings & Loan Association, 794 Davis Street, San Leandro, California 94577-7008.

(b) The plaintiff claims a lien upon the real estate for unpaid principal and interest due on a Promissory Note executed by Jovan Borojevic, Deceased.

(c) The nature of the claim is the lien and foreclosure action described above.

(d) The names of the persons against whom the claim is made are:

MIRJANA BOROJEVIC BRITO, not individually but as the Independent Administrator of the Estate of JOVAN BOROJEVIC, DECEASED; MIRJANA BOROJEVIC BRITO, individually; FRANCESCA A. CUNDARI, as the mother and natural guardian of VICTORIA E. CUNDARI, a minor; UNKNOWN HEIRS AND LEGATEES OF THE ESTATE OF JOVAN BOROJEVIC, DECEASED; UNKNOWN OWNERS; and NONRECORD CLAIMANTS.

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(e) The legal description of the real estate appears above.

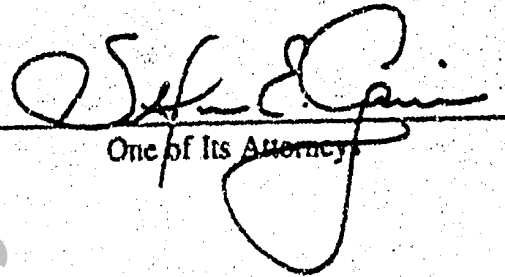
(f) The name and address of the person executing this Notice appears below.

(g) The name and address of the person who prepared this Notice appears below.

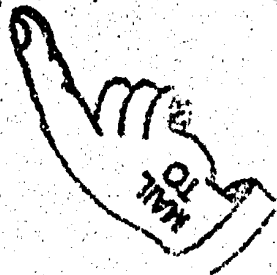
Respectfully submitted,

WORLD SAVINGS AND LOAN  
ASSOCIATION

By:

  
One of Its Attorneys

*Prepared By:*  
James E. Spiotto, Esq.  
Stephen E. Garcia, Esq.  
CHAPMAN AND CUTLER (#90170)  
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Chicago, Illinois 60603  
(312) 845-3000



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