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WHD:GRI

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

SIGNAL CAPITAL CORPORATION)
(AS SUCCESSOR IN-INTEREST)
TO TEXTRON FINANCIAL)
CORPORATION), a Delaware)
corporation,)

Plaintiff,)

v.)

LAKE SHORE NATIONAL BANK,)
a national banking)
association, as Trustee under)
Trust No. 4967, et al.,)

Defendants.)

NO. 92 CH 4853

Honorable John N. Hourihane

AETNA LIFE INSURANCE)
CORPORATION, a Connecticut)
corporation,)

Intervenor-Plaintiff,)

v.)

LAKE SHORE NATIONAL BANK, a)
national banking association,)
as Trustee under)
Trust No. 4967, et al.,)

Defendants.)

DEPT OF RECORDING

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INDEXED FROM 1980 08/17/05 11 16 00

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COOK COUNTY RECORDER

ORDER

THIS CAUSE coming on to be heard on the Motion (the
"Motion") of Intervenor-Plaintiff, AETNA LIFE INSURANCE COMPANY
("Aetna") for Summary Judgment against DAVID J. BUFFAM
("Buffam"), JAMES C. CARAHER ("Caraher") and SIGNAL CAPITAL
CORPORATION, as successor-in-interest to Textron Financial
Corporation ("Signal"), on Court III ("Court III") of Aetna's

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Amended Complaint, due notice of the Motion having been given to all parties entitled thereto, and the Court being fully advised in the premises,

THE COURT HEREBY FINDS THAT:

- A. No written objections to the Motion have been filed by Buffam or Caraher;
- B. Signal has filed a Motion for Leave to File a response to the Motion, with its proposed response attached thereto (the "Signal Response"). Aetna does not contest the contents of the Signal Response and has agreed that the relief requested in the Motion shall be modified to incorporate the objections set forth in the Signal Response; and

C. No genuine issue of material fact exists with respect to the matters set forth in the Motion, Count III or the Signal Response and, subject to the objections set forth in the Signal Response, Aetna is entitled to the relief requested in the Motion as a matter of law;

THEREFORE, IT IS HEREBY ORDERED that, subject to the objections set forth in the Signal Response, the Motion is hereby granted and, in accordance therewith:

1. Judgment is hereby entered against Buffam and in favor of Aetna in the amount of One Million Two Hundred Thirty-Two Thousand Five Hundred Sixty-Eight and 27/100 Dollars (\$1,232,568.27). The foregoing amount consists of One Million Eighty-Two Thousand Five Hundred Sixty Eight and

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27/100 Dollars (\$1,082,568.27) relating to delinquent real estate taxes imposed against 140 - 160 East Huron, Chicago, Illinois (the "Buffam Delinquent Tax Amount") and One Hundred Fifty Thousand Dollars (\$150,000) relating to delinquent tax escrow payments concerning such real estate (the "Property").

2. Judgment is hereby entered against Caraher and in favor of Aetna in the amount of One Million Two Hundred Thirty-Two Thousand Five Hundred Sixty-Eight and 27/100 Dollars (\$1,232,568.27). The foregoing amount consists of One Million Eighty-Two Thousand Five Hundred Sixty-Eight and 27/100 Dollars (\$1,082,568.27) relating to delinquent real estate taxes imposed against the Property (the "Caraher Delinquent Tax Amount") and One Hundred Fifty Thousand Dollars (\$150,000) relating to delinquent tax escrow payments concerning the Property.

3. The rights of Signal under any guarantee delivered to it or Textron by Buffam in connection with Textron/Signal liens relating to the Property (the "Subordinate Buffam Guaranty") are hereby declared and adjudged to be subordinate to the rights of Aetna to collect and receive the Buffam Delinquent Tax Amount and, until such time as Aetna has collected and received the entire Buffam Delinquent Tax Amount, any property heretofore or hereafter collected by Signal on or under any Buffam Subordinate Guaranty shall be impressed with a trust in favor of Aetna

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and turned over to Aetna by Signal promptly upon Signal's receipt of same.

4. The rights of Signal under any guarantee delivered to it or Textron by Caraher in connection with Textron/Signal liens relating to the Property (the "Subordinate Caraher Guaranty") are hereby declared and adjudged to be subordinate to the rights of Aetna to collect and receive the Caraher Delinquent Tax Amount and, until such time as Aetna has collected and received the entire Caraher Delinquent Tax Amount, any property heretofore or hereafter collected by Signal on or under any Caraher Subordinate Guaranty shall be impressed with a trust in favor of Aetna and turned over to Aetna by Signal promptly upon Signal's receipt of same.

5. Nothing in this Order shall require Signal to proceed to collect the Buffalo Delinquent Tax Amount or the Caraher Delinquent Tax Amount on behalf of Aetna.

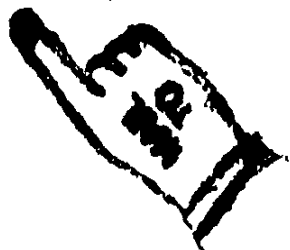
6. There is no just reason to delay enforcement or appeal of this order pursuant to Illinois Supreme Court Rule 304(a).

DATE: June 20, 1994

ENTER:

ENTERED CLERK OF THE CIRCUIT COURT ALBERTA D. BINSKI
JUN 20 1994
CIRCUIT COURT JUDGE
DEPUTY CLERK

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(312) 558 1000



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I HEREBY CERTIFY THE ABOVE TO BE CORRECT.

DATE MAR 7 1995

Quake P. ...

CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILL.

THIS ORDER IS THE COMMAND OF THE CIRCUIT COURT AND VIOLATION THEREOF IS SUBJECT TO THE PENALTY OF THE LAW.