

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

LEE GREEN AND
CLARA GREEN

Plaintiffs

v.

No. 95 CH 7963

WALTER C. ARMSTRONG
individually and WALTER C.
ARMSTRONG d/b/a
WAL TAX & FINANCIAL SERVICES,
and NON RECORD CLAIMANTS,
UNKNOWN TENANTS AND UNKNOWN
OWNERS,

Defendants.

: DEPT-01 RECORDING \$25.50
: 742222 TRAM 1997 07/11/96 14:31:00
: #0052 + JL *-96-528278
: COOK COUNTY RECORDER
: DEPT-10 PENALTY \$22.00

ORDER

This cause coming before this Court for prove-up, the Court having heard and considered the testimony and exhibits offered into evidence and being otherwise fully advised in the premises,

THE COURT FINDS:

1. Defendant Walter C. Armstrong, not having filed an appearance nor answer, was found in default in this cause December 8, 1995.

2. A prove-up was held in this cause on January 30, 1996, with testimony taken from Plaintiff Clara Green.

3. Since 1972 Clara Green and her husband Lee Green have been the owners in joint tenancy of a certain real estate situated in Cook County, Illinois, known as 4930 W. Race Street, Chicago, and described as:

LOT 36 IN BLOCK 2 IN CRAFTS SUB OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 (EXCEPT THE RIGHT OF WAY OF THE CHICAGO AND NORTHWEST RAILROAD) IN SECTION 9 TOWNSHIP 39 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS.

Permanent Real Estate Index Number: 16-09-220-034-0000

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4. Since 1972 plaintiffs have been in actual possession of the premises described above, which is improved by a single family residence which Clara Green currently occupies.

5. In 1993 plaintiffs had certain dealings with Walter Armstrong, who fraudulently represented to them that he would assist them in refinancing the mortgage on their property.

6. Walter Armstrong made such misrepresentations to plaintiffs, ~~thereby~~ ^{and} fraudulently induced them to sign documents that led to their unknowingly conveying to him a quitclaim deed to the subject property.

7. As a result of the fraudulent misrepresentations of Walter Armstrong to plaintiffs, the conveyance of title from Lee Green and Clara Green to defendant Walter C. Armstrong dated March 28, 1994 and recorded on July 8, 1994 as document number 94616933 is null and void.

8. Plaintiff Clara Green has proved all material elements of Counts 1 and 2 of her complaint and has provided the Court with sufficient evidence that Defendant engaged in trade or commerce.

9. On November 20, 1995, Lee Green died intestate and no estate has been opened in that matter. Clara Green, as surviving joint tenant, is therefore entitled to all benefits of this litigation.

WHEREFORE IT IS ORDERED THAT

A. The conveyance of title to the property located at 4930 W. Race Street, Chicago from Lee Green and Clara Green to Walter C. Armstrong dated March 28, 1994 and recorded on July 8, 1994 as

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document number 94616933 is null and void. Title to the property is vested as of April ²⁴~~10~~, 1996 ⁱⁿ~~to~~ Clara Green.

B. Judgement is entered in favor of Plaintiff Clara Green and Lee Green and against Walter C. Armstrong on Counts ~~1 and 2~~ 2 of their complaint in the amount of \$13,684.40, representing \$10,000 in punitive damages, and \$3,684.40 in attorney's fees.

~~C. Plaintiff Clara Green is appointed special administrator for the purpose of prosecuting this action and distribution of any proceeds obtained in this matter.~~

Date: _____

JUDGE DOROTHY KIRIE KINNAIRD

APR 24 1996

Judge: _____

CIRCUIT COURT - 216

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