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 . COOK COUNTY RECORDER

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

IN THE MATTER OF THE APPLICATION)
 OF THE COUNTY TREASURER AND EX-)
 OFFICIO COUNTY COLLECTOR OF COOK)
 COUNTY, ILLINOIS, FOR JUDGMENT)
 AND ORDER OF SALE AGAINST REAL)
 ESTATE RETURNED DELINQUENT FOR)
 THE NON-PAYMENT OF GENERAL TAXES)
 FOR THE 1990 and Prior Years)

MIDWEST REAL ESTATE INVESTMENT)
 COMPANY PARTNERSHIP,)

Petitioner,)

v.)

JEB CONSTRUCTION, INC., JOHN H.)
 WEST AND ROSEMARY WEST,)

Respondents.)

No. 94 CoTD 299

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AGREED ORDER

This matter having come before the Court on the Amended

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Petition of JEB Construction, Inc., John H. West and Rosemary West ("Petitioners") filed pursuant to Section 22-45 of the Property Tax Code (35 ILCS 200/22-45), the parties having agreed to settle this matter, and the Court being fully advised in the premises, finds as follows:

1. An order directing issuance of a tax deed was entered in this cause on October 18, 1994, and pursuant thereto, a Tax Deed was issued to Midwest Real Estate Investment Company Partnership and thereafter recorded in the Office of the Recorder of Deeds as Document No. 94956069.

2. Petitioners have brought this action within three months after entry of the order for tax deed.

3. Prior to the issuance of the Tax Deed, Petitioners were the owners of the hereinafter described real estate which is improved with a single family residence occupied by Petitioners as their principal place of residence on the expiration date of the period of redemption, said real estate being commonly known as 16210 S. Marshfield Avenue, Markham, Illinois, and legally described as:

Lot 38 in Block 10 in Croissant Park Markham Third Addition, being a subdivision of the South 1/2 of the North East 1/4 of Section 19, Township 36 North, Range 14, East of the Third Principal Meridian, (except the North 103 feet thereof) in Cook County, Illinois.

Permanent Index Number: 29-19-227-053-0000.

4. The order for deed was effectuated pursuant to a negligent error made by an employee of the County Clerk during the period of redemption from the sale that was reasonably relied upon to the detriment of the Petitioners.

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5. The tax purchaser, Midwest Real Estate Investment Company Partnership, is entitled to the original amount required to redeem the property plus interest from the sale as of the last date of redemption together with costs actually expended subsequent to the expiration fo the period of redemption and reasonable attorney's fees, all of which shall be dispensed from the Indemnity Fund.

6. The Petitioners are entitled to reasonable attorney's fees and court costs actually expended, payable from the Indemnity Fund.

IT IS HEREBY ORDERED THAT:

A. The order directing the issuance of a tax deed entered herein on October 18, 1994 is vacated and set aside.

B. The tax deed issued pursuant to said vacated order of October 18, 1994, indentified by Tax Deed Number 4458D, issued by the Cook County Clerk on October 18, 1994, recorded in the office of the Recorder of Deeds of Cook County, Illinois on November 9, 1994 as document number 94956069, and concerning the parcel of real estate indentified as follows:

Lot 38 in Block 10 in Croissant Park Markham Third Addition, being a subdivision of the South 1/2 of the North East 1/4 of Section 19, Township 36 North, Range 14, East of the Third Principal Meridian, (except the North 103 feet thereof) in Cook County, Illinois.

Permanent Index Number: 29-19-227-053-0000

Property Address: 16210 South Marshfield Ave.
Markham, Illinois

be and the same is VOID and held for naught.

C. Judgment in the amount of \$10,857.95, which is for the original amount required to redeem the property plus interest from the sale as of the last date of redemption together with costs

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actually expended subsequent to the expiration fo the period of redemption, is entered in favor of Midwest Real Estate Investment Company Partnership and against Edward J. Rosewell, Cook County Treasurer, as Trustee of the Indemnity Fund created by Section 21-295 of the Property Tax Code (35 ILCS 200/21-295), together with statutory interest thereon from the date of entry of this order to the date of payment.

D. Judgment in the amount of \$5,125.00, which is for attorney's fees expended, is entered in favor of Midwest Real Estate Investment Company Partnership and against Edward J. Rosewell, Cook County Treasurer, as Trustee of the Indemnity Fund created by Section 21-295 of the Property Tax Code (35 ILCS 200/21-295), together with statutory interest thereon from the date of entry of this order to the date of payment.

E. Judgment in the amount of \$3,140.00, which is for attorney's fees and costs expended, is entered in favor of the Petitioners and against Edward J. Rosewell, Cook County Treasurer, as Trustee of the Indemnity Fund created by Section 21-295 of the Property Tax Code (35 ILCS 200/21-295), together with statutory interest thereon from the date of entry of this order to the date of payment.

F. The Petition and Application for Tax Deed of Midwest Real Estate Investment Company Partnership is DISMISSED WITH PREJUDICE.

G. This is a final and appealable order and no just reason exists for the delay in enforcement thereof or an appeal therefrom.

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ENTER:

JUDGE MARJAN P. STANIEC

AUG 21 1996

JUDGE

CIRCUIT JUDGE #439

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 JACK O'MALLEY
 State's Attorney of Cook County
 By: Marie E. Smuda
 Assistant State's Attorney
 500 Richard J. Daley Center
 Chicago, Illinois 60602
 (312) 443-5961
 Attorney for the Trustee

I HEREBY CERTIFY THE ABOVE TO BE CORRECT.

AUG 26 1996

DATE

Annalia Kurnaska

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.

REGISTERED

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