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

93100031
HOUSEHOLD FINANCE CORPORATION
III, as assignee of River Valley
Savings Bank;

Plaintiff,

v.

RICHARD C. G'SELL; SUE MITCHELL
G'SELL LASALLE NATIONAL BANK, AS
TRUSTEE UNDER TRUST AGREEMENT
DATED FEB 1, 1988 AND KNOWN AS TRUST
NO. 112984; HOUSEHOLD FINANCE CORP.;
AVONDALE FEDERAL SAVINGS BANK; BOARD
OF MANAGERS OF 1444 N. ASTOR
CONDOMINIUM ASSOCIATION, STATE OF
ILLINOIS; UNKNOWN OWNERS GENERALLY;
AND NON-RECORD CLAIMANTS.

Defendant.

CASE
No. 93 CH 6484

DEPT-01 RECORDING
187777 TRAN 8513 03/06/96 16:28:00
1820 * ESK *--96-171566
COOK COUNTY RECORDER

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CONSENT JUDGMENT OF FORECLOSURE

NOW COMES for hearing the merits of the complaint for foreclosure filed herein by HOUSEHOLD FINANCE CORPORATION, assignee of RIVER VALLEY SAVINGS BANK and upon Stipulation for Consent Judgment, this Court, having considered the evidence and arguments of counsel and being advised in the premises, makes these FINDINGS

L. JURISDICTION

1.A. The following defendants have each been properly served with a summons and a copy of the complaint, and having failed to answer said complaint or otherwise enter any appearance herein although more than thirty days have passed since the service, are ordered defaulted:

STATE OF ILLINOIS
AVONDALE FEDERAL SAVINGS AND LOAN
BOARD OF MANAGERS OF 1444 N. Astor Condominium Association

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B. The following defendants and unknown owners and nonrecord claimants, were duly served by publication of a notice in Chicago Daily Law Bulletin, a secular daily newspaper of general circulation in Cook County, Illinois, and copies of said notice were mailed to said defendants by the Clerk of this Court pursuant to Ill.Rev.Stat., Chapter 110, Section 2-206 and said defendants have failed to answer the complaint or otherwise enter any appearance herein although more than thirty days have passed since the first said publication, and the default date published as aforesaid has passed, and said defendants, unknown owners and nonrecord claimants are ordered defaulted.

C. The following defendants filed responsive pleadings herein by counsel as shown:

LASALLE NATIONAL BANK as Trustee by HAUSELMAN & RAPPIN
RICHARD G'SELL and SUSAN MITCHELL G'SELL by their Stipulation

2. The court specifically finds service of process in each instance was properly made or an Appearance was properly filed providing appropriate jurisdiction, in accordance with the Code of Civil Procedure.
3. This court has jurisdiction over all the parties hereto and the subject matter presented herein.

.R DEPT-01 RECORDING 943.50
. T57777 TRAN 8513 03/06/96 16:25:00
. #1820 # BK *-96-171566
. COOK COUNTY RECORDER

II. EVIDENTIARY FINDINGS

1. Plaintiff filed a complaint herein to foreclose the mortgage (or other conveyance in the nature of a mortgage) (herein called "mortgage") hereinafter described and joined the following persons as defendants:

RICHARD C. G'SELL; SUE MITCHELL G'SELL LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEB 1, 1988 AND KNOWN AS TRUST NO. 112984; HOUSEHOLD FINANCE CORP.; AVONDALE FEDERAL SAVINGS BANK; BOARD OF MANAGERS OF 1444 N. ASTOR CONDOMINIUM ASSOCIATION; STATE OF ILLINOIS; UNKNOWN OWNERS GENERALLY; AND NON-RECORD CLAIMANTS.

2. Attached to the complaint as Exhibit "A" is a copy of the said mortgage and as Exhibit "B" is a copy of a note secured thereby. Exhibits "A" and "B" are submitted into evidence, and any originals presented may be withdrawn.

3. Information concerning said Mortgage attached as Exhibit "A":

(a) Nature of the Instrument: MORTGAGE

(b) Date of the Mortgage: SEPTEMBER 13, 1988

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(c) Name of the Mortgagor:

LASALLE NATIONAL BANK, NATIONAL BANKING ASSOCIATION,
as Trustee under Trust Agreement dated February 1, 1988 and known as
Trust Number 112984

(d) Name of the Mortgagee in the Mortgage:

RIVER VALLEY SAVINGS BANK, an Illinois Corporation

(e) Date and place of recording of the Mortgage:

SEPTEMBER 26, 1988; Recorder of Deeds of Cook County, Illinois

(f) Identification of recording: 88-439575

(g) Estate Conveyed: FEE SIMPLE

(h) Amount of Original Indebtedness, including subsequent advances made under
the mortgage: \$350,000.00

(i) Legal description and common address of Mortgaged Premises:

1. Legal Description: ATTACHED AS EXHIBIT "C"
2. Common Address: 1444 NORTH ASTOR STREET, UNIT 1,
CHICAGO, ILLINOIS 60610
3. PIN: 17-03-102-041-1001

(j) Statement as to defaults:

Payments which have become due under the secured Note and in default and
arrearages in the amount of \$280,000.00 plus accrued interest at the Note rate
from September 1993.

(k) Statement, separately itemized, as to unpaid principal, interest, other charges
and total amount due, and also the date of the foregoing calculations and per
diem interest accruing under the Note and Mortgage after the date of such
calculations:

1. Unpaid Principal:	\$280,000.00
2. Interest:	\$ 58,704.80
3. Lucchesi & Nicholson Architects:	\$ 8,712.00
4. Lowe & Steinmetz, Attorneys consulting	\$ 2,230.00
5. Trust Fees due LaSalle National as Trustee	\$ 1,288.87
6. Plaintiff's Attorneys' Fees	\$ 11,839.00

TOTAL \$362,774.67

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- (l) Names of present owners of said premises:

LASALLE NATIONAL BANK, as Trustee U/T/A No. 112984
RICHARD C. G'SELL, as Beneficiary

- (m) Names of other persons who are joined as defendants and whose interest in or lien on the mortgage real estate is sought to be terminated:

HOUSEHOLD FINANCE CORPORATION; AVONDALE FEDERAL SAVINGS BANK; BOARD OF MANAGER OF 1444 NORTH ASTOR CONDOMINIUM ASSOCIATION; STATE OF ILLINOIS; UNKNOWN OWNERS GENERALLY AND NONRECORD CLAIMANTS.

- (n) Names of persons claimed to be personally liable for deficiency:

NONE

- (o) Capacity in which plaintiff brings this suit:

LEGAL OWNER OF NOTE AND MORTGAGE

- (p) Facts in support of redemption period: Shorter than the longer of (i) seven (7) months from the date the mortgagor or, if more than one, all the mortgagors have been served with summons or by publication or have otherwise submitted to the jurisdiction of the court, or (ii) three (3) months from the entry of the judgment of foreclosure, if sought:

- (q) Statement that the right of redemption has been waived by all the owners of redemption, if applicable:

THE PARTIES HERETO HAVE AGREED TO A CONSENT JUDGMENT WHEREIN THE MORTGAGORS WAIVE ANY REDEMPTION RIGHTS.

- (r) Facts in support of request for attorneys' fees and of costs and expenses, if applicable. Plaintiff has been required to retain counsel for prosecution of this foreclosure and to incur substantial attorneys' fees, court costs, title insurance and other expenses which should be added to the balance secured by said mortgage.

4.A.

That RICHARD G'SELL executed a Note in favor of HOUSEHOLD FINANCE CORPORATION on April 12, 1989. To secure repayment of said Note a mortgage was executed by LASALLE NATIONAL BANK AND TRUST in favor of HOUSEHOLD FINANCE CORPORATION and recorded with the Recorder of Deeds. That a default occurred with the payment of the amounts due under said documents and is due and owing to HOUSEHOLD FINANCE CORPORATION the following sum:

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(a) Principal:	\$198,672.10
(b) Interest:	\$ 70,803.02
(c) Appraisal Cost:	\$ 405.00

TOTAL. \$ 269,880.12

- B. The total amount due to HOUSEHOLD FINANCE CORPORATION, assignee of the RIVER VALLEY SAVINGS BANK loan, totals the sum of \$388,450.67 which is a first lien on the premises being foreclosed herein, superior to all rights of any party herein.
- C. The total amount due HOUSEHOLD FINANCE CORPORATION is in the sum of \$259,345.60, which is a second lien on the premises, junior only to that of HOUSEHOLD FINANCE CORPORATION as assignee of RIVER VALLEY SAVINGS BANK.
- D. The total amount due and owing pursuant to this Consent Judgment is the sum of \$658,330.79.
- E. The Judgment entered in favor of 1444 North Astor CONDOMINIUM ASSOCIATION against RICHARD G'SELL in Case Number 93M1705962 is hereby junior to that of the liens foreclosed hereinabove by HOUSEHOLD FINANCE CORPORATION as assignee of RIVER VALLEY SAVINGS and junior to that of HOUSEHOLD FINANCE CORPORATION III.
- F. That the Notice of Lien filed by 1444 NORTH ASTOR CONDOMINIUM ASSOCIATION as Document Number 95235139 in the amount of \$20,160.67 for unpaid assessments and special assessments is hereby found to be a junior lien, junior to that of HOUSEHOLD FINANCE CORPORATION as assignee of RIVER VALLEY SAVINGS and HOUSEHOLD FINANCE CORPORATION III.
- G. Board of Managers of 1444 N. Astor Condominium Association, not-for-profit Illinois corporation, by virtue of special assessment which were not properly noticed or voted upon to pay for legal services and litigation involving the Association.
- H. Board of Managers of 1444 N. Astor Condominium Association, not-for-profit Illinois corporation, by virtue of outstanding accounts payable which should have been properly assessed against the units and the unit owners in which amounts are still outstanding, i.e., loans from Brian Johnson and David Farris for attorneys' fees to Lawrence Miller and Lita Brody.

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III. DEEMED ALLEGATIONS PROVED

1. On the date indicated in the complaint, the obligor of the indebtedness or other obligations secured by the mortgage was justly indebted in the amount of the indicated original indebtedness to the original mortgagee or payee of the mortgage note.
2. The exhibits attached to the complaint are true and correct copies of the mortgage and note.
3. The mortgagors were, at the date indicated in the complaint, owners of the interest in the complaint, owners of the interest in the real estate described in the complaint and on the date made, executed and delivered the mortgage as security for the note or other obligations.
4. The mortgage was recorded in the county in which the mortgaged real estate is located, on the date indicated, in the book and page or as the document number indicated.
5. Defaults occurred as indicated in the complaint and in evidence or affidavits presented to the court.
6. The persons named as present owners are the owners of the indicated interests in and to the real estate described.
7. The mortgage constitutes a valid, prior and paramount lien upon the indicated interest in the mortgaged real estate, which lien is prior and superior to the right, title, interest, claim or lien of all parties and nonrecord claimants whose interests in the mortgaged real estate are terminated by this foreclosure.
8. By reason of the defaults alleged and proved, if the indebtedness had not matured by its terms, the same became due by the exercise, by the plaintiff or other persons having such power, of a right or power to declare immediately due and payable the whole of all indebtedness secured by the mortgage.
9. Any and all notices of default or election to declare the indebtedness due and payable or other notices required to be given have been duly and properly given.
10. Any and all periods of grace or other period of time allowed for the performance of the covenants or conditions claimed to be breached or to the curing of any breaches have expired.
11. The amount indicated to be due is broken down in the statement in the complaint or in the evidence or affidavits correctly stated and if such breakdown indicated any advances made or to be made by the plaintiff or owner of the mortgage indebtedness, such advances were, in fact, made or will be required to be made, and under and by virtue of the mortgage the same constitutes additional indebtedness secured by the mortgage.

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IV. FEES AND COSTS

1. Plaintiff has been compelled to employ and retain attorneys to prepare and file the complaint and to represent and advise the plaintiff in the foreclosure of the mortgage, and the plaintiff has and will thereby become liable for the usual, reasonable and customary fees of the attorneys in that behalf.
2. The plaintiff has been compelled to advance or will be compelled to advance, various sums of money in payment of costs, fees, expenses and disbursements incurred in connection with the foreclosure, including, without limiting the generality of the foregoing, filing fees, stenographer's fees, witness fees, costs of publication, costs of procuring abstracts of title, Torrens certificates, foreclosure minutes and a title insurance policy.
3. Under the terms of the mortgage, all such advances, costs, attorneys' fees and other fees, expenses and disbursements are made a lien upon the mortgaged real estate and the plaintiff is entitled to recover all such advances, costs, attorneys' fees, expenses and all disbursements, together with interest on all advances at the rate provided in the mortgage, or, if no rate is provided herein, at the statutory judgment rate, from the date on which such advances are made.
4. In order to protect the lien of the mortgage, it may or has become necessary for plaintiff to pay taxes and assessments which have been or may be levied upon the mortgaged real estate.
5. In order to protect the lien of the mortgage, it may or may also become necessary for the plaintiff to pay fire and other hazard insurance premiums on the real estate or to make such repairs to the real estate as may reasonably be deemed necessary for the proper preservation thereof.
6. Under the terms of the mortgage, any money so paid or expended has or will become an additional indebtedness secured by the mortgage and will bear interest from the date such monies are advanced at the rate provided in the mortgage, or, if no rate is provided, at the statutory judgment rate.

V. ULTIMATE FINDINGS

1. The allegations of plaintiff's complaint are true substantially as set forth, the equities in the cause are with plaintiff, and plaintiff is entitled to the relief requested in the complaint including foreclosure of said mortgage upon the real estate described herein in the amount of the Total Balance Due, as found in paragraph 4 above, together with interest thereon at the statutory rate after the entry of this judgment and additional court costs, including publication costs and expenses of sale.
2. All lien or mortgage claimants defaulted are found and declared to have no interest in the real estate foreclosed, as they have offered no evidence of said interest.

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3. Said real estate is free and clear of all liens and encumbrances except:
 - (a) General real estate taxes for the year 1993 and thereafter and special assessments, if any.
 - (b) Plaintiff's mortgage is ordered foreclosed herein.
 - (c) Covenants, conditions, restrictions and easements of record.
4. Plaintiff's said mortgage is prior and superior to all other mortgages, claims or interests and liens upon said real estate except for real estate taxes.
5. The sum of attorney fees allowed herein as stated above is the fair, reasonable and proper fee to be allowed to plaintiff as attorneys' fees in this proceeding in accordance with the terms of the note and mortgage given to plaintiff by said defendants, which should be added to and become a part of the indebtedness due to plaintiff.
6. There has been filed herein a Stipulation for the Entry of a Consent Judgment pursuant to 735 ILCS 15-1402 of the Code of Civil Procedure. This Court finding that said Stipulation is effective and this judgment is entered pursuant to 735 ILCS 15-1402 of the Code of Civil Procedure.
7. The Court has had the opportunity to read the First Amended Complaint filed by the plaintiff herein. The Plaintiff having explained to the Court that all association liens and unpaid assessments have accrued since the mortgage date of September 13, 1988. The Court having been advised that the Declaration of Condominium provides in section 25 that all association liens or assessments accrued subsequent to the recording of the first mortgage shall be extinguished. The Court also takes Judicial notice of 765 ILCS 605/9(g) which provision extinguishes association liens which are Junior to a recorded mortgage. The Court further finding that the Association was properly served and given notice of this hearing. The Court hereby orders that all liens or assessments, as well as the amounts due under defendant's I (e) and (f) as set forth in the Amended Complaint and reiterated herein as defendant's IV (e), (f) and (g) to 1444 N. Astor Condominium Association are hereby Junior to that of plaintiff herein and are hereby foreclosed and forever barred from being a lien against this property.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that a judgment of foreclosure is granted to plaintiff and against all defendants.

IT IS FURTHER ORDERED:

1. That by this Order title to the property described in Sec. II (3)(i) above shall vest immediately in the mortgagee/plaintiff HOUSEHOLD FINANCE CORPORATION III and this Order shall be effective for said title.

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2. In the event a junior lien holder objects to the entry of this judgment pursuant to Section 15-1402(3) above, the amount needed to redeem is set forth in Section II (4), with statutory interest thereon. That said objecting party shall have thirty (30) days from the entry of this Order to redeem said property pursuant to said statute and in the event that no redemption is made the real estate described in Section II (3)(i) shall vest in the mortgagees/plaintiffs and this Order shall be effective to transfer said title.
3. In the event that no objection is made and the failure of a defendant entitled thereto to redeem pursuant to the statutory provisions, the defendants made parties to the Foreclosure in accordance with statutory provisions, and all nonrecord claimants given notice of the foreclosure in accordance with statutory provisions, and all persons claiming by, through or under the, and each and any all of them, shall be forever barred and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate.

VI. OTHER MATTERS

1. (POSSESSION)

Plaintiff is authorized to take exclusive possession of said real estate, immediately after entry of this judgment.

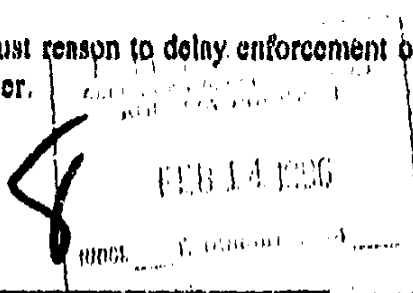
2. (DEFICIENCY)

The plaintiffs herein expressly agrees to waive any personal judgment for deficiency against the mortgagor and all other persons or entities which may be personally or individually liable for the indebtedness secured by the mortgage being foreclosed herein, including RICHARD G'SELL and SUSAN G'SELL on the RIVER VALLEY SAVINGS BANK LOAN and RICHARD G'SELL on the HOUSEHOLD FINANCE CORPORATION loan.

3. (APPEALABILITY)

There is no just reason to delay enforcement of or appeal from this final appealable judgment order.

ENTER:



Prepared By + Mailed To:
FREEDMAN, ANSELMO & LINDBERG
1807 W. Diehl Road, Ste. 200
Naperville, Illinois 60566-7107
Phone 3-0770 / 708-983-1487 Fax
Cook Atty No.: 26122
Kane Atty No.: 031-26104



...brett@g'sellcojf.doc

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EXHIBIT C

UNIT NUMBER 1 IN 1444 NORTH ASTOR CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 5 IN BLOCK 3 IN CATHOLIC BISHOP OF CHICAGO'S LAKE SHORE DRIVE ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE NORTH 18.83 CHAINS OF FRACTIONAL SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN.

WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 88421146, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.

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PLACITA JUDGMENT

(Rev. 9-22-93) CCCH- 6

UNITED STATES OF AMERICA

STATE OF ILLINOIS,]
COUNTY OF COOK] ss.

THOMAS P. DURKIN-474

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 House in said County, and state, on Feb. 14 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 20

THOMAS P. DURKIN-474

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

JACK O'MALLEY, State's Attorney

MICHAEL F. SHEEHAN, Sheriff

Attest: AURELIA PUCINSKI, Clerk.

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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:

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

36171566

In a certain cause lately pending in said Court, between *Household Finance Corp.* plaintiff/petitioner
and *Richard C. G'Sell* defendant/respondent.

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

the seal of said Court, in said County, this *14*
day of, *Feb.* 19*96* ..
Aurelia Pucinski Clerk



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