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PLACITA - APPEALS/TRANSFER

(Rev. 12/17/96) CCG-76

UNITED STATES OF AMERICA

STATE OF ILLINOIS]
COUNTY OF COOK] ss:

ELLIS E. REID-191

PLEAS, before the Honorable

one of the Judges of the Circuit Court of Cook County, in the State of Illinois, holding a branch Court of

said Circuit Court, at the Court House in said County and State, on *August 11*

in the year of our Lord, one thousand nine hundred and *nineteen* and of the Independence

of the United States of America, the two hundredth and *23rd*

PRESENT: The Honorable **ELLIS E. REID-191**
Judge of the Circuit Court of Cook County

Attest: AURELIA PUCINSKI, Clerk.

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

Lazarus Properties, Inc., an Illinois corporation, as assignee to Bank One, Illinois, NA, As Successor in Interest to Bank One, Chicago, NA;

Plaintiff,

vs

No. 98 CH 4364

Winston Properties Incorporated, an Illinois corporation; Stephen I. Iwerebon; Unknown Owners and Non-Record Claimants;

Defendants.

JUDGMENT OF FORECLOSURE AS TO PLAINTIFF'S COMPLAINT
IN MORTGAGE FORECLOSURE PURSUANT TO 735 ILCS 5/15-1402

THIS CAUSE HAVING BEEN HEARD By the Court upon the pleadings and affidavits filed herewith, the Court finds:

1. That it has jurisdiction of the parties to and the subject matter of this suit.
2. That all of the material allegations in the Complaint herein are true and proved.
3. That the equities of this case are with the Plaintiff.
4. That the following named Defendants were personally served with summons on the date following their name. Any Defendant served by publication has been served by publication on the three dates following their name:

Winston Properties Incorporated, an Illinois corporation 2/13/98

Stephen I. Iwerebon - Served 2/20/98

Unknown Owners and Non-Record Claimants - June 16, 23 and 30, 1998

5. That the time for said Defendants to file their answers or otherwise plead to the Complaint or to move in regard to said Complaint has now expired and that the following Defendants are in default for failure to enter their respective appearances or

pleadings to the Complaint, and the Complaint thereby was taken and is hereby again taken as confessed against the following Defendants:

Winston Properties Incorporated, an Illinois corporation

Stephen I. Iwerebon

Unknown Owners and Non-Record Claimants

6. That the following Defendants have filed their answer or have otherwise plead to the Complaint, and based on the answer or pleadings filed by said Defendants, there appears to be no material issue of fact and judgment is hereby entered against the following Defendants:

None

7. That the Defendant, Winston Properties Incorporated, an Illinois corporation, and the Plaintiff, the Owner of the secured indebtedness, by Consent to Entry of Judgment as to Plaintiff's Complaint, executed by the parties and previously filed, consent to the entry of a Judgment satisfying each of the indebtedness in full by vesting title in the properties which are the subject of Plaintiff's Complaint, in the Plaintiff, pursuant to Chapter 110, Section 15-1402 Illinois Revised Statutes.

8. That Lazarus Properties, Inc., an Illinois corporation, as the owner of the indebtedness being foreclosed herein, consents to the waiver of any an all rights to a Deficiency Judgment, in Personam, in accordance with the provisions of Chapter 110, Section 15-1402 of the Illinois Revised Statutes as to the Note, Mortgage and Guaranty which are the subject of Plaintiff's Complaint.

9. That due Notice of Plaintiff's Motion for Entry of Judgment of Foreclosure pursuant to Chapter 110, Section 15-1402,

of the Illinois Revised Statutes, was timely served on all parties who have not previously been found in default and that no party, by answer or response to Plaintiff's Motion or Stipulation, within the time allowed for such answer or response has filed objections to the entry of this Judgment.

10. That the mortgage designated in the Complaint and hereby foreclosed by this Judgment appears of record in the office of Recorder, in Cook County, Illinois as Document No. 96581218, recorded on July 30, 1996, and the property referred to and directed to be sold is described as follows:

LOTS 97 AND 98 IN FIRST ADDITION TO BRYN MAWR HIGHLANDS, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 500 1/2 FEE THEREOF AND EXCEPT BRYN MAWR HIGHLANDS SUBDIVISION AND EXCEPT 67TH AND EAST 68TH STREET HERETOFORE DEDICATED) IN COOK COUNTY, ILLINOIS.

P.I.N. NO. 20-24-415-014-0000

Commonly known as: 6916 South Clyde Avenue, Chicago, Illinois 60649

12. That under the provisions of the mortgages sought to be foreclosed herein, the cost of the foreclosure suit is an additional indebtedness which the Plaintiff should be reimbursed and that such expenses are hereby allowed the Plaintiff.

13. That the Plaintiff has a valid and subsisting first lien on the property described in Plaintiff's Complaint and that said first lien is superior to the lien of any and all parties hereto for the sums of the total amounts stated below with interest as stated.

LOAN BALANCE THROUGH July 8, 1998:

Unpaid principal balance \$829,967.72

Uncollected interest 53,635.59
 Accrued late charges 610.44 884,213.75

ADVANCES:

Real Estate Taxes \$21,482.58
 Other Advances 18,200.00 39,682.58

FORECLOSURE COSTS:

Clerk \$324.00
 Tri-County Investigations 45.00
 Recorder of Deeds 47.00
 Title Insurance 280.00
 Publication for Service 379.26
 Overnight Deliver 35.00 1,110.26

SUBTOTAL LOAN BALANCES, ADVANCES
 AND COSTS \$925,006.51
 Attorney's Fee 7,500.00
 TOTAL \$932,506.51

IT IS ADJUDGED That the owners of the equity of redemption were personally served with summons as shown in paragraph four above.

ITS IS, THEREFORE, ORDERED AND ADJUSTED That Title to the real estate legally described as:

LOTS 97 AND 98 IN FIRST ADDITION TO BRYN MAWR HIGHLANDS, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 500 1/2 FEE THEREOF AND EXCEPT BRYN MAWR HIGHLANDS SUBDIVISION AND EXCEPT 67TH AND EAST 68TH STREET HERETOFORE DEDICATED) IN COOK COUNTY, ILLINOIS.

P.I.N. NO. 20-24-415-014-0000

Commonly known as: 6916 South Clyde Avenue, Chicago, Illinois 60649
 (referred herein as premises) shall be conveyed to the Plaintiff, Lazarus Properties, Inc., an Illinois corporation, immediately upon

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entry of this Judgment. That as of entry of this Judgment, all title, claims, interest and liens of all parties herein, and all clouds on title arising therefrom shall cease and Plaintiff shall have fee simple title of the premises free and clear of said claims, interest and liens.

IT IS FURTHER ORDERED AND ADJUDGED That as of the entry of this Judgment the Defendants:

Winston Properties Incorporated, an Illinois corporation

Stephen I. Iwerebon

Unknown Owners and Non-Record Claimants

and all persons claiming under them, or any of them since the commencement of this suit, be forever barred, foreclosed of and from all rights and equities, in and to said premises, or any part thereof.

IT IS FURTHER ORDERED AND ADJUDGED, That upon entry of this Judgment, the Plaintiff/Mortgagee is forever barred from seeking a personal Judgment for deficiency against the following Defendants:

Winston Properties Incorporated, an Illinois corporation

Stephen I. Iwerebon, or any other party, arising out of the indebtedness or other obligation(s) secured by the mortgages and which are the subject of this cause.

IT IS FURTHER ORDERED AND ADJUDGED, That upon entry of this Judgment the Plaintiff or its assignee be let into possession of the portion of the premises conveyed, and the Defendants who may be in possession thereof, or anyone in possession thereof through, by or under them, shall upon production of this Judgment, surrender possession thereof to the purchaser or its assignee. The purchaser

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or its assigns shall be entitled to this Court's Writ of Assistance to gain possession thereof.

IT IS FURTHER ORDERED AND ADJUDGED That the Court hereby retains jurisdiction to and over the subject matter of this case and of all the parties thereto for the purpose of enforcing this Judgment.

IT IS FURTHER ORDERED AND ADJUDGED That the Plaintiff have, and leave is hereby granted, to withdraw all original documents pertaining hereto and exhibited to the Court, and to therefore substitute photostatic copies thereof.

IT IS FURTHER ORDERED AND ADJUDGED That there is no just reason for delaying enforcement or appeal for this final judgment.

DATE:	ENTERED CLERK OF THE CIRCUIT COURT AURELIA PUCINSKI
ENTER:	AUG 11 1998
	JUDGE E. NEID #191
	DEPUTY CLERK

ROCK, FUSCO & GARVEY, LTD.
350 NORTH LASALLE STREET, SUITE 900
CHICAGO, ILLINOIS 60610
(312) 464-3500

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HEREBY CERTIFY THE ABOVE TO BE CORRECT.
DATE AUG 11 1980

Chantia 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.

Clerk's Office

LEGAL DESCRIPTION

LOTS 97 AND 98 IN FIRST ADDITION TO BRYN MAWR HIGHLANDS, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 500 1/2 FEE THEREOF AND EXCEPT BRYN MAWR HIGHLANDS SUBDIVISION AND EXCEPT 67TH AND EAST 68TH STREET HERETOFORE DEDICATED) IN COOK COUNTY, ILLINOIS.

PIN: 20-24-415-014-0000

Commonly known as: 6916 South Clyde Avenue, Chicago, Illinois 60649

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STATE OF ILLINOIS,
COUNTY OF COOK

ss.

I, AURELLA 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:

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in a certain cause lately pending in said Court, between

Lazerus Properties, Inc. plaintiff/petitioner
and *Winsten Properties, Incorporated* defendant/respondent.

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

the seal of said Court, in said County, this *August*
day of *11* 19 *98*.

Aurella Pucinski Clerk

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