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2465/0080 51 001 Page 1 of 8
1998-10-21 14:46:54
Cook County Recorder 35.00

THIS INSTRUMENT
PREPARED BY AND AFTER
RECORDING MAIL TO:

Ellis B. Rosenzweig, Esq.
30 South Wacker Drive
Suite 2900
Chicago, IL 60606-7484
Box 367



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

FOR RECORDER'S USE ONLY

ROYAL NEIGHBORS OF AMERICA, an)
Illinois Fraternal Benefit Society,)
Plaintiff,)

v.

AMERICAN NATIONAL BANK AND TRUST)
COMPANY OF CHICAGO, not personally or)
individually, but as Trustee under a Trust)
Agreement dated December 12, 1988, and known)
as Trust No. 107080-06, THE ELMS LIMITED)
PARTNERSHIP, an Illinois limited partnership,)
SHEFFIELD PROPERTIES, an Illinois general)
partnership, TG PROPERTIES, INC., an)
Illinois corporation, TERRA CORP., an)
Illinois corporation, THE CHICAGO TRUST)
COMPANY, successor to Chicago Title and)
Trust Company, as Trustee in Trust Deed dated)
December 23, 1988 and Recorded August 15,)
1989 as Document No. 89-378192, MARVIN)
PECHTER and LILLIAN PECHTER, as)
Trustees of THE MARVIN PECHTER TRUST)
under trust agreement dated April 5, 1983,)
PHILLIP PECHTER and ADA PECHTER,)
as Trustees of THE PHILLIP PECHTER)
TRUST under trust agreement dated April 5,)

98CH14249
Case No.

OCT 19 1998

Address of Mortgaged Real Estate
4700 West 95th Street
Oak Lawn, Illinois

Box 367

1983, NICHOLAJ J. LEPKALUK,)
BENJAMIN FRANKLIN FEDERAL SAVINGS)
ASSOCIATION, TAYLOR, GOLDMAN &)
ASSOCIATES, INC., an Illinois corporation,)
C.N. RUSSO & CO., INC., an Illinois)
corporation, UNKNOWN OWNERS and)
NON-RECORD CLAIMANTS,)
Defendants.)

LIS PENDENS NOTICE
AND NOTICE OF FORECLOSURE

The undersigned, pursuant to Illinois Compiled Statutes, Chapter 735, Act 5, Articles II and XV, Section 15-1503, and Section 2-1901, hereby certifies that the above action entitled Verified Complaint To Foreclose Mortgage And For Other And Further Relief brought by the above-named plaintiff against the above-named defendants in the above-named Circuit Court was filed on October 19, 1998, and is now pending in said court against the real estate described on Exhibit A attached hereto and made a part hereof. The undersigned further certifies:

- i) The names of all plaintiffs and the case number are identified above.
- ii) The court in which the action was brought is identified above.
- iii) The name of the title holder of record is American National Bank and Trust Company of Chicago, a national banking association, as Trustee under a Trust Agreement dated December 12, 1988 and known as Trust Number 107080-06.
- iv) The legal description of the real estate sufficient to identify it with reasonable certainty is attached hereto and made a part hereof as Exhibit A.
- v) The common address or description or location of the real estate is 4700 West 95th Street, Oak Lawn, Illinois.
- vi) Identification of the mortgage sought to be foreclosed is as follows:
 - 1. Name of Mortgagor: American National Bank and Trust Company of Chicago, as Trustee under a Trust Agreement dated December 12, 1988 and known as Trust Number 107080-06.

2. **Name of Mortgage:** Royal Neighbors of America
3. **Date of Mortgage:** August 1, 1991
4. **Date and Place of Recording:** August 19, 1991, in the Office of the Recorder of Cook County, Illinois.
5. **Recording Document Identification:** Document No. 91421759

The undersigned further certifies, pursuant to Illinois Compiled Statutes, Chapter 735, Act 5, Article XV, Section 15-1218:

- (a) The names and addresses of the persons making the claim or asserting the interest described in this Notice: Royal Neighbors of America, 230 16th Street, Rock Island, Illinois.
- (b) Royal Neighbors of America claims a mortgage lien upon the subject real estate described on Exhibit A attached hereto.
- (c) The nature of the claim is for foreclosure of the mortgage described above.
- (d) The names of the persons against whom the claim is made are: American National Bank and Trust Company of Chicago, as Trustee under a Trust Agreement dated December 12, 1988 and known as Trust No. 107080-06; The Elms Limited Partnership; Sheffield Properties; TG Properties, Inc.; Terra Corp.; The Chicago Trust Company, successor to Chicago Title and Trust Company, as Trustee under a Trust Deed dated December 23, 1988, Recorded August 15, 1989 as Document No. 89378182; Marvin Pechter and Marian Pechter, as Trustees of The Marvin Pechter Trust under trust agreement dated April 5, 1983; Phillip Pechter and Ada Pechter, as Trustees of The Philip Pechter Trust under trust agreement dated April 5, 1983; Nicholaj J. Lepkaluk; Benjamin Franklin Federal Savings Association; Taylor, Goldman & Associates, Inc.; C.N. Russo & Co., Inc.; Unknown Owners; and Non-Record Claimants.
- (e) The legal description of the real estate sufficient to identify it with reasonable certainty is attached hereto and made a part hereof as Exhibit A and said real estate is commonly known as 4700 West 95th Street, Oak Lawn, Illinois.
- (f) The name and address of the person executing this notice appears below.

(g) The name and address of the person preparing this notice appears below.



ELLIS B. ROSENZWEIG
One of the Attorneys for Plaintiff

SACHNOFF & WEAVER, LTD.
30 South Wacker Drive - Suite 2900
Chicago, Illinois 60606-7484
(312) 207-1000
Attorney No. 24711

Property of Cook County Clerk's Office

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE FOLLOWING DESCRIBED LAND LYING SOUTH OF A LINE 250 FEET NORTH OF AND PARALLEL WITH THE HEREINAFTER MENTIONED SOUTH LINE OF SECTION 3, SAID LAND BEING A TRACT COMMENCING AT POINT ON THE SOUTH LINE OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, HEREINAFTER DESCRIBED, SAID POINT BEING 165.96 FEET WEST OF THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED AS FOLLOWS:

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION LYING SOUTH OF THE CHICAGO AND STRAWN RAILROAD COMPANY (NOW WABASH RAILROAD COMPANY), RIGHT-OF-WAY EXCEPTING THEREFROM THE EAST 11.40 ACRES CONVEYED BY WARRANTY DEED DATED OCTOBER 15, 1921 TO JOHN TIBSTRA AND HATTIE TIBSTRA, HIS WIFE, RECORDED AS DOCUMENT NO. 7301002;

THENCE RUNNING NORTH 665.44 FEET TO A POINT WHICH IS 165.68 FEET WEST OF THE EAST LINE OF THE ABOVE DESCRIBED TRACT OF LAND; THENCE RUNNING WEST 165.68 FEET; THENCE RUNNING SOUTH 665.27 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE RUNNING EAST ON THE SOUTH LINE OF SAID SECTION 165.96 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM ABOVE DESCRIBED PREMISES THAT PART LYING SOUTH OF A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 3, AFORESAID), ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR ACCESS FOR AUTOMOBILES AND OTHER VEHICULAR TRAFFIC AND FOR THE PARKING OF AUTOMOBILES AND OTHER VEHICLES AS SET FORTH IN EASEMENT AGREEMENT RECORDED DECEMBER 11, 1980 AS DOCUMENT NO. 25701933, AND SUPPLEMENTED BY DOCUMENT NO. 85297948. OVER THE FOLLOWING DESCRIBED PROPERTY:

A. THE SOUTH 106.00 FEET OF THAT PART OF THE FOLLOWING DESCRIBED LAND LYING NORTH OF A LINE LYING 250 FEET NORTH OF AND PARALLEL WITH THE HEREINAFTER MENTIONED SOUTH LINE OF SECTION 3; SAID LAND BEING A TRACT COMMENCING AT A POINT ON THE SOUTH LINE OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, HEREINAFTER DESCRIBED, SAID POINT BEING 165.96 FEET WEST OF THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED AS FOLLOWS:

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION LYING SOUTH OF THE CHICAGO AND STRAWN RAILROAD COMPANY (NOW WABASH

RAILROAD COMPANY) RIGHT-OF-WAY EXCEPTING THEREFROM THE EAST 11.40 ACRES CONVEYED BY WARRANTY DEED DATED OCTOBER 15, 1921 TO JOHN TIBSTRA AND HATTIE TIBSTRA, HIS WIFE, RECORDED AS DOCUMENT NO. 7301002;

THENCE RUNNING NORTH 665.44 FEET TO A POINT WHICH IS 165.68 FEET WEST OF THE EAST LINE OF THE ABOVE DESCRIBED TRACT OF LAND; THENCE RUNNING WEST 165.68 FEET; THENCE RUNNING SOUTH 665.27 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE RUNNING EAST ON THE SOUTH LINE OF SAID SECTION, 165.96 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM THE ABOVE DESCRIBED PREMISES THAT PART LYING SOUTH OF A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 3, AFORESAID), IN COOK COUNTY, ILLINOIS.

ALSO

B. THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 3; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 3, 497.40 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 54 SECONDS EAST, 274.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0 DEGREES 00 MINUTES 54 SECONDS EAST ALONG THE AFORESAID LINE, 68.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 157.882 FEET, MORE OR LESS, TO A POINT OF TANGENCY; THENCE NORTHEASTERLY ALONG A CURVED LINE, CONVEX TO SOUTHEASTERLY AND HAVING A RADIUS OF 8.00 FEET AN ARC DISTANCE OF 12.568 FEET TO A POINT OF CURVE; THENCE SOUTH 0 DEGREES 00 MINUTES 29 SECONDS EAST ALONG A LINE FOR A DISTANCE OF 76.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 165.85 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO

C. THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 3; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 331.44 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 29 SECONDS WEST, 298.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0 DEGREES 00 MINUTES 29 SECONDS WEST FOR A DISTANCE

OF 104.994 FEET TO A POINT OF CURVE; THENCE ALONG A CURVED LINE CONVEX TO NORTHWESTERLY AND HAVING A RADIUS OF 35.00 FEET, AN ARC DISTANCE OF 54.983 FEET TO A POINT OF TANGENCY, SAID POINT OF TANGENCY BEING 438.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG A LINE 438.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF SOUTHWEST 1/4 A DISTANCE OF 48.32 FEET; THENCE SOUTH 55 DEGREES 00 MINUTES 29 SECONDS EAST, 12.207 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 41.50 FEET; THENCE NORTH 55 DEGREES 00 MINUTES 29 SECONDS EAST, 12.207 FEET TO A POINT IN SAID LINE BEING 438.00 FEET NORTH OF SAID SOUTH LINE OF SOUTHWEST 1/4; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID PARALLEL LINE 154.00 FEET TO A POINT IN A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID SOUTHWEST 1/4, SAID LINE BEING THE WEST LINE OF SOUTH KENTON AVENUE AS OCCUPIED; THENCE SOUTH 0 DEGREES 02 MINUTES 34 SECONDS WEST ALONG SAID PARALLEL LINE 140.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 298.70 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS SET FORTH IN THE EASEMENT GRANT RECORDED APRIL 6, 1973 AS DOCUMENT NUMBER 22278632 OVER, UNDER AND ACROSS THE EAST 20 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A PART OF THE FOLLOWING DESCRIBED LAND LYING NORTH OF A LINE 250 FEET NORTH OF AND PARALLEL WITH THE HEREINAFTER MENTIONED SOUTH LINE OF SECTION 3; SAID LAND BEING A TRACT COMMENCING AT A POINT ON THE SOUTH LINE OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN. HEREINAFTER DESCRIBED, SAID POINT BEING 165.96 FEET WEST OF THE SOUTH EAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED AS FOLLOWS:

THAT PART OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SAID SECTION LYING SOUTH OF THE CHICAGO AND STRAWN RAILROAD COMPANY (NOW WABASH RAILROAD COMPANY RIGHT OF WAY) EXCEPTING THEREFROM THE EAST 11.40 ACRES CONVEYED BY WARRANTY DEED DATED OCTOBER 15, 1921, TO JOHN TIBSTRA AND HATTIE TIBSTRA, HIS WIFE, RECORDED AS DOCUMENT NO. 7301002;

THENCE RUNNING NORTH 665.44 FEET TO A POINT WHICH IS 165.68 FEET WEST OF THE EAST LINE OF THE ABOVE DESCRIBED TRACT OF LAND; THENCE RUNNING WEST 165.68 FEET; THENCE RUNNING SOUTH 665.27 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE RUNNING EAST ON THE SOUTH LINE OF SAID SECTION 165.96 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM ABOVE DESCRIBED PREMISES THAT PART LYING SOUTH OF A LINE 50 FEET NORTH OF AND

PARALLEL WITH THE SOUTH LINE OF SECTION 3, AFORESAID), IN COOK COUNTY, ILLINOIS.

PARCEL 4:

PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR AUTOMOBILE PARKING AND FOR INGRESS AND EGRESS THERETO AND THEREFROM AS SET FORTH THE EASEMENT GRANT RECORDED APRIL 6, 1973 AS DOCUMENT NO. 22278633 IN, OVER, UPON AND ACROSS THE SOUTH 140 FEET (EXCEPT THE EAST 20 FEET THEREOF) OF THE FOLLOWING DESCRIBED PROPERTY:

A PART OF THE FOLLOWING DESCRIBED LAND LYING NORTH OF A LINE 250 FEET NORTH OF AND PARALLEL WITH THE HEREINAFTER MENTIONED SOUTH LINE OF SECTION 3; SAID LAND BEING A TRACT COMMENCING AT A POINT ON THE SOUTH LINE OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, HEREINAFTER DESCRIBED, SAID POINT BEING 165.96 FEET WEST OF THE SOUTH EAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED AS FOLLOWS:

THAT PART OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SAID SECTION LYING SOUTH OF THE CHICAGO AND STRAWN RAILROAD COMPANY (NOW WABASH RAILROAD COMPANY RIGHT OF WAY) EXCEPTING THEREFROM THE LAST 11.40 ACRES CONVEYED BY WARRANTY DEED DATED OCTOBER 15, 1921 TO JOHN TIBSTRA AND HATTIE TIBSTRA, HIS WIFE, RECORDED AS DOCUMENT NO. 7301002;

THENCE RUNNING NORTH 665.44 FEET TO A POINT WHICH IS 165.68 FEET WEST OF THE EAST LINE OF THE ABOVE DESCRIBED TRACT OF LAND; THENCE RUNNING WEST 165.68 FEET; THENCE RUNNING SOUTH 665.27 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE RUNNING EAST ON THE SOUTH LINE OF SAID SECTION 165.96 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM ABOVE DESCRIBED PREMISES THAT PART LYING SOUTH OF A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 3, AFORESAID), IN COOK COUNTY, ILLINOIS.

The common address of the Mortgaged Real Estate is: 4700 West 95th Street
Oak Lawn, Illinois

Permanent Index No.: 24-03-313-046-0000