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RECORDED

LEGAL DESCRIPTION

The North Half of Lot 50 and the North Half of Lot 51 in the resubdivision of Block 21 (except lot 3 and part taken for Randolph Street) of West Chicago Land Company's Subdivision in the east half of the southwest quarter of Section 10, Township 39 North, Range 13, East of the Third Principal Meridian, according to the plat thereof recorded October 1, 1890 as document 1345905 in Cook County Illinois

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Atty No. 28772

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT-DOMESTIC RELATIONS DIVISIONS

IN RE THE MARRIAGE OF)
DOROTHY M. FLY,)
Petitioner,)
)
and) Case No.
HARRY L. FLY,)
Respondent.)

TEMPORARY RESTRAINING ORDER

This matter coming on to be heard on the verified Petition of Petitioner, DOROTHY M. FLY, supported by Petitioner's affidavit, for a Temporary Restraining Order against Respondent, HARRY L. FLY, and the Court having heard the evidence, and being fully advised in the premises; the Court finds:

1. Without Petitioner's consent, Respondent sold the marital property at 2823 W. Flournoy, Chicago. Respondent did not share any of the proceeds of this property with Petitioner and Petitioner has no knowledge as to where Respondent placed the proceeds of this sale.

2. Respondent intends to sell the property at 4401 W. Maypole, Chicago, which was also purchased with marital funds during the course of the parties' marriage.

3. Petitioner is likely to be successful in her Petition for a Dissolution of Marriage, which prays that an equitable portion of the marital estate be allocated to her and further prays that Petitioner be awarded maintenance, children's support, and the attorney's fees and costs incurred by her.

4. Petitioner will be irreparably damaged if Respondent is not enjoined from dissipating and transferring the marital assets of the parties, because Respondent has put substantial portions of the marital estate and income at risk, because Petitioner does not know the whereabouts of assets transferred out of joint tenancy, and because gifts to the children of the parties reduce the marital estate.

5. Petitioner has no adequate remedy at law to protect her interests and those of the minor children if Respondent is not restrained from reducing the marital estate, concealing assets, dissipating assets, and depriving Petitioner of her rightful share in them.

6. A temporary restraining order should issue without notice to Respondent, inasmuch as it clearly appears from Respondent's prior actions that notice will cause Respondent to accelerate the very transactions that will irreparably damage the marital estate

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before the time for responding has elapsed and before the injunction can issue.

7. Damage to Respondent as a result of this injunction is unlikely, and sufficient marital assets are allocable to Petitioner to pay damages, if any, so that no bond is necessary or appropriate.

8. The entry of a temporary restraining order and thereafter a preliminary injunction will preserve the status quo during the pendency of these proceedings, and will enable the court to properly adjudicate the property rights of the parties.

IT IS THEREFORE HEREBY ORDERED:

A. A Temporary Restraining Order is hereby issued against Respondent, without notice, and without bond, enjoining and restraining Respondent from transferring, assigning, encumbering, concealing, hypothecating, pledging, mortgaging, borrowing against, damaging, destroying, depreciating, selling, withdrawing, dissipating, making gifts of, guarantying debts with, expending, or otherwise dealing with or disposing of any real or personal property, or income in which Petitioner or Respondent have any interest whatsoever, except in the usual course of business or for the necessities of life, including, but not limited to, enjoining and restraining Respondent from removing Petitioner's name from property, using securities as collateral in a margin account, or proceeding to mortgage the marital home.

B. Respondent shall notify Petitioner and her attorney at least 15 days in advance of any proposed extraordinary expenditures after the date of this injunctive order.

C. The hearing on the Petition for Preliminary Injunction is set for 3/27, 1998 before Judge Knell at 9:30 a.m., in Room 1603, at the courthouse located at the Richard J. Daley Center, cnr Randolph and Dearborn, Chicago, Illinois

D. This Temporary Restraining Order is entered on 3/17, 1998 at 9:30 a.m./~~p.m.~~, and shall expire on 3/27/98, unless extended by the Court.

ENTER: _____
JUDGE MAR 17 1998

RECEIVED
Circuit Court of Cook County
Judge Herman Knell
1998

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