

_____, certify under penalty of perjury that with regard to the
Citation Respondent
property of the judgment debtor, the Citation Respondent files the following answer to this Citation to Discover Assets and
is in possession of the following property of the judgment debtor.

Circle one or more of the following and indicate the amount held:

- A) Savings Account (Amount withheld) \$ _____
- B) Checking and/or Now Account (Amount withheld) \$ _____
- C) Certificate of Deposit (Amount held) \$ _____
- D) Money Market Account (Amount held) \$ _____
- E) Trust Account (Amount held) \$ _____
- F) Safety Deposit Box _____
- G) No Accounts _____
- H) Adverse Claimant: Name _____ Address: _____
- I) Wages, Salary or Commissions _____
- J) Other Personal Property (Describe) _____

Attach a sheet for any additional information required by the Citation

Less right of offset for other loans _____	Sub Total _____
Less deduction for fees limited by 205 ILCS 5/48.1 _____	Total _____

According to the business records kept by the Citation Respondent we show the above accounts to be correct.

Agent for Citation Respondent

Jacqueline Negulescu on oath state.

I am over 21 years of age and not a party to this case. I served the citation to discover assets as follows:

on Beverly Williams by leaving a copy with the third party defendant on April 9, 1998

at the hour of 11:30 A.M. at 7054 Jeffrey street, Cook County, Illinois

On the third party defendant Edward D. Russell by mailing a copy on April 13, 1998

by certified mail addressed to agent of the third party defendant, return receipt requested.

(attached green card receipt
of service here)

Jacqueline Negulescu
designated and sworn by party making service
April 13, 1998

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EXHIBIT A TO THIRD PARTY CITATION TO DISCOVER ASSETS SOUTH SHORE BANK

1. All accounts and/or statement of accounts due judgment debtor, including but not limited to, checking accounts, savings accounts and money market accounts issued to judgment debtor personally or as a holder; certificates of beneficial interest (and all trust documents relating to the trust in which judgment debtor has any interest) and/or land contracts, including Articles of Agreement for Deed, in any property in which judgment debtor has an interest; deeds, titles, papers and documents concerning real estate in which judgment debtor has an interest (equitable or legal); any and all financial statements executed by judgment debtor; and all stock certificates in any and all corporations in which judgment debtor has any interest.
2. Any and all contracts and associated instruments and documents pertaining to any transaction you presently have or previously had within the last two (2) years with the judgment debtor, including but not limited to, transaction(s) between judgment debtor and/or Venter & Associates, Inc. and/or Austin Bank of Chicago, as Trustee of Trust No. 7323, together with any agreement and associated instruments and documents pertaining to consideration paid or due to be paid (whether or not in controversy) to judgment debtor and/or Venter & Associates, Inc. and/or Austin Bank of Chicago as Trustee of Trust No. 7323, for the purchase or mortgage of the real estate which is the subject matter of the attached Motion to Turnover Asset to Sheriff for Sale (Lot 41), which motion is made a part hereof as Exhibit 1.
3. Any and all records of payment made by you on your behalf, or pursuant to authorization from you or any third party, to judgment debtor (whether directly to him or as per his direction) with reference to the matters referred to in number 2 above, including but not limited to, checks (both front and back side showing endorsements and deposit stamps), closing statements, statements of account, loan documents, loan disbursement statements and authorizations to pay from loan proceeds. Without limiting the foregoing, any and all records pertaining to the consideration paid for the purchase and/or mortgage of Lot 41 (legally described in the attached motion), together with any and all records pertaining to the underlying transaction.
4. Any and all real estate title searches, title insurance policies, loan title policies and/or commitment(s) for title insurance and/or commitment(s) for loan title insurance, affidavit(s) of title and agreements and records, with respect to a prospective sale, sale, or use of any real estate of the judgment debtor, including but not limited to,

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

STANDARD ACCEPTANCE COMPANY,

Plaintiff,

v.

EDWARD D. RUSSELL,

Defendant.

No. 97 L 8910

MOTION TO TURNOVER ASSET TO SHERIFF FOR SALE

Judgment Creditor, Standard Acceptance Company, by and through its attorneys, Holleb & Coff, moves this Court for turnover of certain real estate, hereinafter legally described, to the Sheriff of Cook County for sale, and in support thereof, states as follows:

1. On August 22, 1997, judgment in the amount of \$99,806.26 was entered in this matter in favor of Standard Acceptance Company ("Standard"), an Illinois corporation, against defendant Edward D. Russell ("Russell").

2. On August 26, 1997, a memorandum of the \$99,806.26 judgment was filed with the Cook County Recorder as Document No. 97627177. A copy of the memorandum is attached as "Exhibit A."

3. On August 26, 1997, Russell was the owner of the real estate legally described as follows:

LOT 41 IN BLOCK 6 IN MCCHESENEY'S RESUBDIVISION OF THE NORTH 1/2 OF BLOCKS 1 TO 7 IN MCCHESENEY'S HYDE PARK HOMESTEAD SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

4. Russell obtained title of the real estate described in Paragraph 3 above ("Lot 41") by a November 30, 1992 deed from



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7. This Court has the authority, pursuant to 735 ILCS 5/2-1402(c)(5), to compel any cited person to execute a conveyance of title to real or personal property to enforce payment of a judgment or aid in the enforcement of a judgment. All such property ordered to be delivered up shall, pursuant to 735 ILCS 5/2-1402(e), be delivered to the sheriff for public sale and the proceeds shall be applied toward the judgment.

WHEREFORE plaintiff Standard Acceptance Company, prays that this Court enter an Order as follows:

A. Determining, as a matter of law, that Standard's August 26, 1997 judgment lien on Lot 41 has priority over each of the following instruments recorded with the Cook County Recorder:

- (a) Warranty deed from Russell to Venter, recorded January 14, 1998.
- (b) Deed in trust from Venter to Austin Bank of Chicago as trustee under Trust No. 7323, recorded January 14, 1998.
- (c) Mortgage from Austin Bank of Chicago as trustee under Trust No. 7323 to South Shore Bank of Chicago, recorded January 15, 1998.

B. Ordering that Austin Bank of Chicago, as trustee under Trust No. 7323 and/or Venter & Associates, Inc., and/or any party presently holding title to Lot 41, execute a conveyance of title to Lot 41 to the sheriff for public sale.

C. Ordering that the proceeds of the sale be applied toward the payment of costs and the satisfaction of judgment herein (partial or total, as the case may be).

D. Stating that the Order shall not be construed to constrain Standard, in any manner, from enforcing any of its

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other remedies in order to collect the full amount of its judgment.

E. Stating that if Standard is the successful bidder at said sale, the bid shall be taken as a credit on the judgment herein to the extent of the bid only; and

F. Ordering such other and further relief as this Court deems just and proper.

STANDARD ACCEPTANCE COMPANY

By: _____
One of its Attorneys

Jon Zimring
HOLLEB & COFF
55 East Monroe Street
Suite 4100
Chicago, Illinois 60603
312/807-4600
Attorney I.D. 21432
0218052.WP

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027177
0030 15 001 06/21/97 12:10:53
Cook County Recorder 88.70

IN THE CIRCUIT COURT OF
COOK COUNTY, ILLINOIS

STANDARD ACCEPTANCE
COMPANY

v.

EDWARD D. RUSSELL

95314575

Recorder's Stamp

No. 97L08910

No. _____

Property of Cook County Clerk's Office

MEMORANDUM OF JUDGMENT

AUGUST 21

On, 19 97., Judgment was entered in this court :

In favor of the plaintiff STANDARD ACCEPTANCE COMPANY

and against defendant EDWARD D. RUSSELL

whose address is 7337 SOUTH SHORE DRIVE, APT. 1219, CHICAGO, IL 60637

In the amount of \$ 99,806.26



Joseph H. Casciato
Judge Judge's No.

Name Jon Zimring
Attorney for BOLLEB & COFF
Address Plaintiff
55 E. Monroe St., Suite 4100
City Chicago, IL 60603
Telephone 312/807-4600
Atty No. 21432

JUDGE JOSEPH H. CASCIATO

AUG 22 1997

Circuit Court-522

AURELIA PUCINSKI, CLERK OF COURT OF COOK COUNTY, ILLINOIS

EXHIBIT
A



TRACT INDEX SEARCH

HOLLER & COFF
 55 E MONROE ST
 SUITE 4100
 CHICAGO, ILLINOIS 60603
 ATTN: JOHN ZIMRING

CTIC Order No.: 1401 S9489728 SP
 Cover Date: JANUARY 21, 1991
 Ref: RE: STANDARD ACCEPTANCE CORP
 MM/EO

Legal Description of Land Searched: (See Attached)

Permanent Tax Number (P.I.N.):
 20-22-226-003-1000

Street Address of Land Search (as furnished by Applicant):
 ILLINOIS

Grantee(s) in last recorded conveyance:
 AUSTIN BANK OF CHICAGO, TRUST NUMBER 7323

In accordance with the application, a search of tract indices discloses the following items. With respect to residential properties, we may not have shown mortgages, trust deeds, or other liens which were eliminated by transactions closed through CTIC or Chicago Title and Trust Company.

DOCUMENT/CASE NO.: 94ML401830
 GRANTOR: CITY OF CHGO
 GRANTEE: CAPITOL BK & TR TR#2314, ET AL
 INSTRUMENT: BV
 DATE:
 RECORDED: 03/08/94
 REMARKS:

DOCUMENT/CASE NO.: 94253184
 GRANTOR: 94ML401848 (CITY OF CHGO VS MARI S. JACKSON, ET AL)
 GRANTEE:
 INSTRUMENT: LPN
 DATE:
 RECORDED: 03/21/94
 REMARKS:

(CONTINUED)



CHICAGO TITLE INSURANCE COMPANY

By: Ernestina Z...

SEE ATTACHED FOR TERMS AND CONDITIONS OF SEARCH AND EXPLANATION OF ABBREVIATIONS
 This is not a title insurance policy, guarantee, or opinion of title and should not be relied upon as such.



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CHICAGO TITLE INSURANCE COMPANY

98314575

Order No.: 1401 S9489728 SP

Disclosures (Continued):

DOCUMENT/CASE NO.: 94253186
GRANTOR: 94ML401850 (CITY OF CHGO VS CAPITOL BK & TR, ET AL)
GRANTEES:
INSTRUMENT: LPN
DATE:
RECORDED: 03/21/94
REMARKS:

DOCUMENT/CASE NO.: 98036356
GRANTOR: BANCO POPULAR ILL TR#2314
GRANTEES: EDW D. RUSSELL
INSTRUMENT: D
DATE: 11/30/92
RECORDED: 01/14/98
REMARKS:

DOCUMENT/CASE NO.: 98036357
GRANTOR: EDW D. RUSSELL
GRANTEES: VENTER & ASSOC INC
INSTRUMENT: W
DATE: 01/09/98
RECORDED: 01/14/98
REMARKS:

DOCUMENT/CASE NO.: 98036358
GRANTOR: VENTER & ASSOC INC
GRANTEES: AUSTIN BK OF CHGO TR#7323
INSTRUMENT: DT
DATE: 01/09/98
RECORDED: 01/14/98
REMARKS:

DOCUMENT/CASE NO.: 98040489
GRANTOR: AUSTIN BANK OF CHGO TR#7323
GRANTEES: SOUTH SHORE BANK OF CHGO
INSTRUMENT: M
DATE: 01/09/98
RECORDED: 01/15/98
REMARKS: \$90,212.88



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CHICAGO TITLE INSURANCE COMPANY

400 S. JEFFERSON, CHICAGO, IL 60627

TRACT INDEX SEARCH

Order No: 1401 S9489728 SP

Additional Tax Numbers:

Legal Description:

LOT 41 IN BLOCK 6 IN MCCHESENEY'S RESUBDIVISION OF THE NORTH 1/2 OF BLOCKS 1 TO 7 IN MCCHESENEY'S HYDE PARK HOMESTEAD SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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STANDARD ACCEPTANCE COMPANY
V.
EDWARD D. RUSSELL

98314575

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
LAW DIVISION

CASE NO. 97L 8910

AFFIDAVIT OF PROCESS SERVER

I, Jacqueline L. Moynihan, being first duly sworn on oath deposes and says that she was duly appointed by the court to serve process in the above mentioned cause.

That she served the within : ALIAS CITATION TO DISCOVER ASSETS TO THIRD PARTY.

I served the Citation to Discover Assets as Follows:

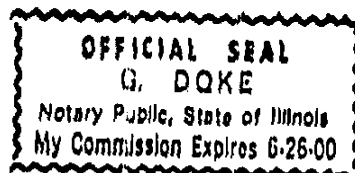
On April 9, 1998 at 11:30 a.m. by leaving a copy with MS. BEVERLY WILLIAMS, ASSISTANT TO MR. CHRISTOPHER HORSCH, GENERAL COUNSEL TO SOUTH SHORE BANK located at 7054 South Jeffrey Blvd., Chicago, Illinois.

And by mailing a copy to the Judgment Debtor, Mr. EDWARD D. RUSSELL 4567 Lake Park Avenue, Chicago, Illinois 60653 on APRIL 13, 1998 by certified mail, Return receipt requested.

Signed and Sworn to before me
this 10 Day of April 1998

Jacqueline L. Moynihan
Jacqueline L. Moynihan
Legal Assistant, Inc.
367 North Canal St.
Chicago, Illinois 60606

G. Doke



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