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UNITED STATES OF AMERICA

44960  
8/11/85  
9-11-85

STATE OF ILLINOIS,  
COUNTY OF COOK

ss.

JOSEPH M. WOSIK

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  
Court, at the Court House in said County, and State, on ..... August 9th .....  
in the year of our Lord, one thousand nine hundred and ..... 85 ..... and of the Independence  
of the United States of America, the two hundredth and ..... tenth .....

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

RICHARD M. DALEY, State's Attorney

RICHARD J. ELROD, Sheriff

Attest: MORGAN M. FINLEY, Clerk.

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STATE OF ILLINOIS

COUNTY OF COOK

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

GILDOORN MORTGAGE MIDWEST

PLAINTIFF

VS

NO. 85 CH 5442

GUARANTY BK. & TR. CO., AS TRUSTEE U/T/A  
#70070, n/k/a INDEPENDENCE BK. OF  
CHICAGO; TOMMY HURT, BACHELOR; REBA  
HURT, SEPERATED; HARRY "BUS" YOURELL,  
REGISTRAR OF TITLES; MR. PETER OPYT;  
UNKNOWN OWNERS; MRS. PETER OPYT;

DEFENDANTS

JUDGMENT FOR FORECLOSURE AND SALE

THIS CAUSE having been duly heard by this Court upon the record hereinthe Court FINDS:

It has jurisdiction to the parties hereto and the subject matter hereof.

That all the material allegations of the Complaint are true and proven; that by entry of this Judgment for Foreclosure and Sale, the Mortgage and Note which is the subject matter of these proceedings is extinguished and merged into Judgment and default no longer exists, but has been replaced by Judgment, and that by virtue of the Mortgage, and the evidences of indebtedness secured thereby alleged in the Complaint, there is due to the Plaintiff, and it has a valid subsisting lien on the property described hereafter for the following accounts:

Principal, Accrued Interest and Advances by Plaintiff:	\$	23,627.40
Costs of Suit:	\$	709.72
Attorneys' Fees:	\$	631.00
		-----
TOTAL .....	\$	24,968.12

\*\*\*\*\*

All the foregoing amounts have been accounted for in the Affidavit filed by Plaintiff.

The Court further finds that there is due and owing to the Defendants

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immediately hereinafter stated, if any, the sums set forth, as a lien(s) upon the subject premises subordinate and inferior to the lien and interest of the Plaintiff pursuant to the verified pleadings filed herein:

NONE

That by its terms said mortgage provides that the attorneys for the Plaintiff shall be entitled to an award of reasonable attorneys fees herein, and, that included in the above indebtedness are attorneys' fees, that the following sum is hereby allowed to the Plaintiff:

\$631.00

That under the provisions of said Mortgage, the costs of foreclosure are an additional indebtedness for which the Plaintiff should be reimbursed, and that such expenses are hereby allowed to the Plaintiff.

That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder or Registrar of Deeds, Cook County, Illinois, as Document No. 2828407, and the property herein referred to and directed to be sold is described as follows:

LOT 15 (EXCEPT THE NORTH 9 FEET THEREOF) NORTH 11 FEET OF LOT 16, IN BLOOM'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE INDIAN BOUNDARY LINE IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS:

12040 SOUTH LAFAYETTE  
CHICAGO, ILLINOIS 60678

That the Mortgage herein referred to secured a Mortgage Note executed by:

TOMMY HURT, BACHELOR; REBA HURT, SEPERATED;

That the rights and interests of all the Defendants to this cause in and to the property hereinbefore described are inferior to the lien of Plaintiff heretofore mentioned.

That the Defendant(s) named in the caption hereof, excepting the Registrar of Titles and any party dismissed by Order of Court herein, are the owner(s) of the equity of redemption. That the original Note and the original Mortgage have been offered in evidence and exhibited in open Court, and Plaintiff is hereby given leave to withdraw the original Note and the original Mortgage and in lieu thereof, substitute true and correct copies which are attached to the Complaint filed herein, and no further copies need be filed.

IT IS ORDERED AND ADJUDGED that the last of the owners of the equity of redemption has been duly served with summons or by publication on June 19, 1985; and that the period of redemption shall expire and terminate six (6) months after the date of sale herein, except that the Court retains jurisdiction to shorten the redemption period herein as by statute provided in Sec. 12-129 of the Ill. Civil Code of

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Procedure, upon Petition properly presented and supported by Affidavit.

This Judgment is entered pursuant to Sec. 12-128 of the Ill. Civil Code of Procedure.

IT IS FURTHER ORDERED AND ADJUDGED that unless within three (3) days from the date of the entry of this Judgment there shall be paid to the Plaintiff the respective sums, with interest thereon (except on attorneys' fees), at the rate of nine percent (9%) per annum from the date of this Judgment to the date of payment, and for the uses and benefits mentioned in Paragraph 2 of this Judgment, the real estate hereinabove described, together with all improvements thereon and appurtenances belonging thereto, or so much thereof as may be necessary to pay the amounts found due, and which may be sold separately without material injury to the parties in interest, be sold at public venue to the highest and best bidder for cash, by the Sheriff or Judge of Cook County, Illinois in place ordinary and customary for such sales; Room 702, Executive Offices Richard J. Daley Center, Chicago, Cook County, and State of Illinois.

That said Sheriff or Judge give public notice of the time, place and terms of such sale by publishing the same at least once in each week for three successive weeks in a secular newspaper of general circulation published in Cook County, Illinois, the first publication to be not less than twenty (20) days before the date of said sale; that the Sheriff or Judge may, in his discretion, for good reason, adjourn such sale so advertised and continue the same from time to time without further notice or publication of such sale by oral proclamation by him at the time and place set by the notice of publication of such sale or such announced subsequent date; that Plaintiff or any of the parties to this cause, may become the purchaser or purchasers at such sale; that in the event Plaintiff is the successful bidder at the sale, the Sheriff or Judge may accept Plaintiff's receipt for its distributive share of the proceeds of sale in lieu of cash; that upon such sale being made, said Sheriff or Judge shall execute and deliver to the purchaser or purchasers, Certificate or Certificates of Sale, and he shall file for record a duplicate thereof, as required by law.

That out of the proceeds of such sale, he shall make distribution in the following order of priority:

- (a) Retain his fees, disbursements and commission on such sale;
- (b) To the Plaintiff, or its attorney of record, the amounts mentioned in Paragraph 2 of this Judgment with statutory interest except on the attorneys' fees.
- (c) To the parties mentioned in Paragraph 3, if any, the sums mentioned therein with statutory interest, except on attorneys' fees as their priorities appear.

That said Sheriff or Judge, upon making such sale, shall with all convenient speed, report the same to the Court for its approval and confirmation, and he shall likewise report the distribution of the proceeds of sale and his acts and doings in connection therewith; that the Sheriff or Judge take receipts from the respective parties to whom he may have made payments as aforesaid, and file same with his report

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of sale and distribution in this Court; ~~That~~ ~~if~~ ~~after~~ ~~the~~ ~~payment~~ of all the foregoing items there shall be a remainder, he holds the surplus subject to the further Order of this Court, and that if there be insufficient funds to pay in full amounts found due herein, he specify the amount of deficiency in his report of sale. That Plaintiff shall be entitled to a deficiency for such amount IN REM, or IN PERSONAM as by the Court determined, upon Petition of the Plaintiff to approve the report of sale and distribution of said Sheriff or Judge.

That Plaintiff shall be entitled to a lien upon the premises, the rents, issues and profits from the premises involved herein during the statutory period of redemption for the amount of such deficiency, and any sums advanced for the purpose of taxes, maintenance, insurance and preservation of said property, whether or not a redemption is made from the sale hereunder prior to the expiration of said period of redemption.

That if the premises so sold shall not be redeemed according to and within the time provided by law, then upon issuance of a Sheriff's or Judicial Deed, the Defendants, and all persons claiming under them, or any of them, since the commencement of this suit be forever barred and foreclosed of and from all rights and equity of redemption or claim of, in and to said premises, or any part thereof; and in case said premises shall not be redeemed as aforesaid, then upon the production to the Sheriff or Judge or his successor, of said Certificate of Sale by the legal holder thereof; said Sheriff or Judge shall execute and deliver to him a good and sufficient Deed of conveyance of said premises; and that whereupon the grantee or grantees in such Deed, or his or their legal representative or assigns be let into possession of said premises; and that any of the parties hereto who shall be in possession of said premises, or any portion thereof, or any person who may have come into possession of said premises under them, or any of them, since the commencement of this suit, shall, upon production of said Sheriff's or Judicial Deed of conveyance, surrender possession of said premises to said grantee or grantees, his or their representatives or assigns, and in default of so doing, a Writ of Assistance shall issue.

In the event the subject real estate is registered with the Registrar of Torrens Titles of Cook County, Illinois, it is further ordered that the Registrar of Torrens Titles is hereby directed to cancel the outstanding Certificate of Title and issue a new Certificate without requiring the surrender of the Mortgagee's Duplicate Certificate of Title.

That there is no just cause for delaying the enforcement of this Judgment or an appeal therefrom.

The Court retains jurisdiction for the purpose of enforcement of this Judgment, approval of sale, for the purpose of Receiver and to determine the period of redemption of the equity of redemption as and by statute provided, upon Petition properly presented.

ENTER:

SEAL OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY	
MORGAN M. FINLEY	
AUG 9 1985	
JUDGE	JOSEPH WOBIK
DEPUTY CLERK	

J U D G E

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PIERCE & ASSOCIATES  
Attorneys for Plaintiff  
Seventh Floor  
30 South Michigan Avenue  
Chicago, Illinois 60603  
Tel. (312)-346-9088  
ATTORNEY CODE #91220  
PA842170

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STATE OF ILLINOIS, )  
COUNTY OF COOK ) ss.

I, MORGAN M. FINLEY, 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:**

28th MAUG 11 85 100

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in a certain cause lately pending in said Court, between . . . . .  
Gildorn Mortgage Midwest . . . . . plaintiff/petitioner  
and Guaranty Bk. & Tr. Co., etc. et al . . . . . defendant/respondent

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed  
the seal of said Court, in said County, this . . . . . 12th

day of . . . . . August . . . . . 19 . . . . . 85  
*Morgan M. Finley* Clerk



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Cook County Clerk's Office DEPARTMENT OF TITLES	
Certificate of Title	
No. <u>1227333</u>	Page <u>167</u>
Vol. <u>2455-1</u>	Subj. <u>10-2385</u>

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PIERCE & ASSOCIATES  
ATTORNEYS AT LAW  
20 SOUTH MICHIGAN AVENUE  
SEVENTH FLOOR  
CHICAGO, ILLINOIS 60609

Box 1