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(10-84) CCDCH-6

PLACITA JUDGMENT

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK } ss.

ALBERT GREEN

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 -JULY, 23rd.,
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 **ALBERT GREEN**
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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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

OAK TRUST AND SAVINGS BANK,)
Plaintiff,)
vs.)
TERRY KANE, JUDY KANE f/k/a JUDY LAURA)
GOLDBORTIN; PASTA PRIMA, INC.; ALLAN J.)
DE MARS, as Trustee in Bankruptcy of)
Terry Kane, Judy Kane and Pasta Prima,)
Inc.; THE HANOVER CONDOMINIUM)
ASSOCIATION; THE REGISTRAR OF TITLES OF)
COOK COUNTY, ILLINOIS; and UNKNOWN)
OWNERS,)
Defendants.)

NO.: 85 CH 03598

JUDGMENT OF FORECLOSURE AND SALE

This day came the plaintiff OAK TRUST AND SAVINGS BANK, by its attorneys, McCracken & Walsh, and a default order having heretofore been entered against the following defendants, to-wit:

TERRY KANE, JUDY KANE f/k/a JUDY LAURA GOLDBORTIN; PASTA PRIMA, INC.; ALLAN J. DE MARS, as Trustee in Bankruptcy of Terry Kane, Judy Kane and Pasta Prima, Inc.; THE HANOVER CONDOMINIUM ASSOCIATION and UNKNOWN OWNERS for failure to file their appearances;

THE COURT FINDS:

1. That this court has jurisdiction of the parties to and subject matter of this action.
2. That all material allegations of the complaint are true and proven, and that the allegations are supported by the requisite affidavits filed under Section 15-201 of Chapter 110, Ill. Rev. Stat., which affidavits were made and sworn to by

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Cecilia A. Walsh, Vice President of Oak Trust and Savings Bank, and that the evidence of the indebtedness have been exhibited in open court and have been marked plaintiff's Exhibits B and C, that the security for the indebtedness foreclosed has likewise been exhibited in open court and has been marked plaintiff's Exhibit A, that copies of the aforesaid evidence of indebtedness and security for the indebtedness has been and is attached to the complaint, and leave has been given to withdraw the originals of said evidence of indebtedness and mortgage and to substitute therefor said copies, in view of the fact that copies thereof are attached to the complaint heretofore filed herein.

3. That the material allegations in said complaint are true and proven; that the equities of this cause are with the plaintiff and that there is at this date due to said plaintiff upon the obligations and mortgage security, all of which have been in said complaint described, the following amounts:

Principal	\$ 24,000.00
Interest	6,014.37
Clerk of the Circuit Court	164.20
Sheriff of Cook County	108.07
Recorder of Deeds of Cook County	41.70
Registrar of Titles	40.00
Minutes of Foreclosure	225.00
Publication	487.52
Attorneys Fees	<u>2,000.00</u>
Total mortgage indebtedness	\$ 33,080.86
Total due on Check Credit Account Agreement	<u>7,567.63</u>
TOTAL DUE PLAINTIFF	\$ 40,648.49

all of which have been accounted for in the affidavit heretofore filed in this cause by the plaintiff.

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4. That in said mortgage herein sought to be foreclosed, it is provided that the attorneys for the plaintiff are entitled to reasonable attorneys' fees, and the court being advised that the sum of Two Thousand (\$2,000.00) Dollars has been included in the above indebtedness as and for said attorneys' fees, as provided in said mortgage, and that said sum is the usual, customary, and reasonable charge made by attorneys in like cases, the court orders that they be duly allowed.

5. That under the provisions of said mortgage herein sought to be foreclosed, the costs of the foreclosure as hereinabove set forth are in additional indebtedness for which the plaintiff should be reimbursed, and that such expenses are hereby allowed to the plaintiff.

6. That the mortgage sought to be foreclosed herein was executed after August 7, 1961; that the lien of said mortgage is not governed by the provisions of Sections 12-124, 12-125, 12-126, and 12-127 of Chapter 110, Illinois Revised Statutes and that PASTA PRIMA, INC., TERRY KANE and JUDY KANE f/k/a JUDY LAURA GOLDBORTIN are the owners of the equity of redemption.

7. That the mortgage described in the Complaint and hereby foreclosed appears of record in the office of the Recorder of Deeds of Cook County, Illinois, as document number 26587869, and was registered with the Registrar of Torrens Titles of Cook County, Illinois as document number 3442092; that the premises authorized by this judgment to be sold are situated in the County of Cook and State of Illinois, and described as follows:

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Unit #7H as delineated on Survey of the following described real estate (hereinafter referred to as Parcel): Lot 2 in the re-subdivision of the west 1/2 and the west 9 feet of the east 1/2 of sub-lots 2 and 3 of lot 4, together with lots 19 and 20 in Weber and Fischer's Subdivision of lot 3 and the North 1/2 of Lot 2, all in Bronson's Addition to Chicago in Section 4, Township 39 North, Range 14 east of the third principal meridian, also lots 1, 3, and 4 in the resubdivision of the west 1/2 and the west 9 feet of the east 1/2 of sub-lots 2 and 3 of lot 4, together with lots 19 and 20 in Weber and Fischer's Subdivision of Lot 3 and the North 1/2 of Lot 2, all in Bronson's addition to Chicago in Section 4, Township 39 North, Range 14 east of the Third Principal Meridian, also lots 17 and 18 in Weber and Fischer's subdivision of Lot 3 and the North 1/2 of Lot 2 in Bronson's Addition to Chicago in Section 4, Township 39 North, Range 14 east of the Third Principal Meridian, in Cook County, Illinois; which survey is attached as Exhibit "A" to Declaration of Condominium Ownership made by American National Bank and Trust Company of Chicago, as Trustee under Trust #17647, recorded in the Office of the Recorder of Deeds, Cook County, Illinois as Document #24267613, and registered in the Office of the Registrar or Titles, Cook County, Illinois, as Document #LR 2991061; together with an undivided .41851 % interest in said parcel (excepting from said parcel all the property and space comprising all the units as set forth in said Declaration and survey) in Cook County, Illinois.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. That unless within three (3) days from the entry of this decree, there shall be paid to the plaintiffs the sum of the principal balance and the accrued interest mentioned in Paragraph 3 of this decree, with interest thereon at the lawful rate, together with all costs taxed herein, the real estate hereinabove described, together with all improvements thereon and appurtenances belonging thereto or so much thereof as may be sold separately without material injury to the parties in interest, shall be sold at public vendue to the highest and best bidder for cash by the Sheriff of Cook County, Illinois, in Room 702 of the

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Richard J. Daley Center in the City of Chicago, County of Cook and State of Illinois.

2. That said Sheriff shall give public notice of the time, place and terms of said sale by publishing the same at least once in each week for three successive weeks in a secular newspaper of general circulation published in the County of Cook and State of Illinois; that first publication to be not less than twenty (20) days before the date of said sale; that said Sheriff, in his discretion, for good cause shown, may adjourn said sale from time to time by appearing and notifying all parties present of the date and time of such continuance without further publication; and that the plaintiff or any of the parties to this cause may become the purchaser or purchasers at such sale; and that if the plaintiff be the purchaser as such sale, the plaintiff shall be entitled, in making payment for the property or properties purchased, to apply on said purchase price so much as may be necessary of the amounts found to be due and owing to plaintiff as stated aforesaid in this decree.

3. That the said Sheriff 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 the sale and his acts and doings in connection therewith; that out of the proceeds of such sale he shall make distribution in the following manner:

(a) For his own fees, disbursements and commissions on such sale.

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(b) To the plaintiff in the amount of this decree found to be due to it with interest thereon at the legal rate from the date of this decree to the date of such sale, except on attorneys' fees.

4. That the Sheriff take receipts from the respective parties to whom he may have made payments as aforesaid and file the same with his report of sale and distribution in this court; that, if after the payments of all the foregoing items, there shall still be a remainder, he hold the surplus subject to the further order of this court, and that if there be not sufficient funds to pay in full the amounts found due herein, he specify the amount of deficiency in his report of sale; that a deficiency decree for such amount, if any, be at that time entered, and the persons liable therefor be directed to pay the same; and that judgment be entered therefore against said defendants at said time, and the execution issue thereon; and further that said deficiency decree stand as a lien and apply against the rents, issues and profits accruing from said premises during the full period of redemption.

5. That if the premises so sold shall not have been redeemed within six (6) months from the date of the Sheriff's Sale of the subject property, then the Defendants 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 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

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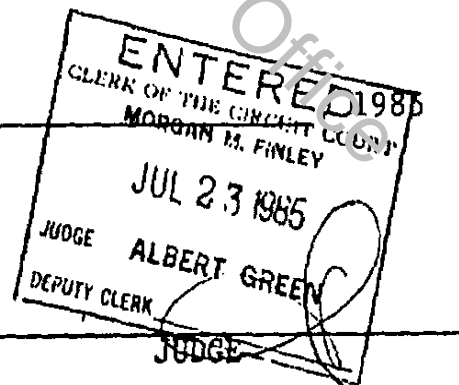
aforesaid, then upon production to the Sheriff or his successor of said certificate or certificates of sale by the legal holder thereof, said sheriff shall execute and deliver to him a good and sufficient deed of conveyance of said premises; and then thereupon the grantee or grantees in such deed or his or her legal representative or assigns be let into possession of said premises, and that any of the parties to this cause who shall be in possession of said premises or any portion thereof, or any person who may have come into such possession under them, or any of them, since the commencement of this suit shall, upon the production of said sheriff's deed of conveyance surrender possession of said premises to said grantee or grantees, his or her representatives or assigns, and in default of so doing, a writ of assistance shall issue.

6. That the court hereby retain jurisdiction of the subject matter of this cause and of all the parties hereto for the purpose of enforcing this judgment.

7. That there is no just reason for delaying the enforcement of this judgment of any appeal therefrom.

DATED: _____

ENTER: _____



McCracken & Walsh (90536)
Attorneys for Plaintiff
134 N. LaSalle St., Suite 600
Chicago, IL 60602
346-7700

17-09-224-043-1059
21 W. 605745 7H

C46.0. 200.6000

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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:**

.....
.....
.....
.....

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in a certain cause lately pending in said Court, between
..... **OAK TRUST AND SAVINGS BANK** plaintiff/petitioner
and **TERRY KANE, et. al.** defendant/respondent.

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

the seal of said Court, in said County, this 8th
day of NOVEMBER 19. 85

Morgan M. Finley Clerk

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REGISTRATION	
CH. COUNTY	1268528
NO.	2542-2 265
DATE	258725-79
TIME	11-8-85

Nov 8 1 37 PM '85

REGISTRAR OF TITLES

Tom Mappitt
McCluckey's
134 N. La Salle
Chicago IL 60602