

ORDER

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Community Bank & Trust Co. of Edgewater

v.

NO.

85 CH 9647

Luis H. Rivera, et al.

**ORDER APPROVING SHERIFF'S
REPORT OF SALE AND DISTRIBUTION**

NOW COMES the Plaintiff by FISHER AND FISHER, ATTORNEYS AT LAW, P.C., its attorneys, presenting to the Court the Report of Sale and Distribution made by RICHARD J. ELROD, Sheriff of Cook County, concerning the premises directed to be sold by him in the Judgment of this Court heretofore entered; the Court having examined the same, it appearing that no objections have been filed to said report, and being fully advised in the premises, FINDS:

That the Sheriff has in all matters proceeded in due form of law and in accordance with the terms of said former Judgment of this Court, and that the sale made by him and the distribution of the proceeds were in all respects legal and proper;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that said sale and distribution of the proceeds thereof, and the same Sheriff's Report, be and the same are hereby approved and confirmed.

IT IS FURTHER ORDERED that the Defendant(s) remain in possession of the subject premises for the period of redemption rent free, and that the Court be advised if the property is vacated.

Lot 17 in Block 7 of Keeney & Penberthy's Addition to Pennock, being a subdivision of the S.W. 1/4 of the S.E. 1/4 of S. 27, T. 40 N., R. 13; E. of the 3rd P.M., in Cook County, IL c/k/a 2414 N. Tripp, Chicago, IL

ID#13-27-418-026

MC

Name	FISHER AND FISHER #3309
Attorney for	Plaintiff
Address	30 N. LaSalle St.
City	Chicago, IL 60602
Telephone	372-4784

ENTER:

ENTERED 19.....
 CLERK OF THE CIRCUIT COURT
 APR 1 1986
 JUDGE GEORGE M. MAROVICH
 COUNTY CLERK

MORGAN M. FINLEY, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

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FISHER AND FISHER
ATTORNEYS AT LAW, P. C.
30 N. LA SALLE STREET
CHICAGO, ILLINOIS 60602

I HEREBY CERTIFY THE ABOVE TO BE CORRECT.

DATE 4/1/86

Morgan M. Finley
af

CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILL.

THIS ORDER IS THE COMMAND OF THE CIRCUIT
COURT AND VIOLATION THEREOF IS SUBJECT TO THE
PENALTY OF THE LAW

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

Fleet Mortgage Corp., f/k/a)	
Mortgage Associates, Inc.,)	
PLAINTIFF,)	
-vs-)	NO. BSCM 10332
)	SHERIFF'S NO. NONE
Lillie B. Franklin, Harry)	
"Bus" Yourell, Registrar of)	
Titles,)	
AND UNKNOWN OWNERS)	
DEFENDANTS.)	

JUDGMENT OF FORECLOSURE AND SALE

This cause having been duly heard by this Court upon the record herein, the Court FINDS:

1. It has jurisdiction of the parties hereto and the subject matter hereof.
2. That all the material allegations of the complaint are true and proven, 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 hereinafter for the following accounts:

Principal, Accrued Interest and Advances by Plaintiff	\$51,036.79
Costs of Suit	\$341.42
Attorneys fees	\$350.00

TOTAL-----	\$51,728.21

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

3. That in said mortgage it is provided that the attorneys for plaintiff are entitled to reasonable attorneys' fees; and that the sum of \$350.00 has been included in the above indebtedness as

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and for said attorneys' fees; that said sum is the usual, customary and reasonable charge made by attorneys in like cases and said sum is hereby allowed to the Plaintiff.

4. 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.

5. That the mortgage described in the complaint and hereby foreclosed appears of record in the Office of the Registrar of Titles and the property herein referred to and directed to be sold is described as follows:

Lot 4 and Lot 5 (Except the South 15 feet thereof) in Block 10 in Harvey, being a Subdivision of that part of the South 1/2 of Section 17, Township 36 North, Range 14, East of the Third Principal Meridian, lying West of Illinois Central Railroad, together with Blocks 53, 54, 55, 62, 63, 64, 65, 67, 68, 69 to 84 and that part of Block 67 lying South of the Grand Trunk Railroad, all of South Lawn, a subdivision of Section 17, and South 1/2 of Section 8, Township 36 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois.

Permanent Index Number 29-17-315-025, Vol. 209.

Common Address: 15706 South Lexington, Harvey, Illinois 60426

6. That the mortgage herein referred to secured a mortgage note executed by:

Lillie B. Franklin

7. 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.

8. That the following defendants are the owner(s) of the equity of redemption:

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Lillie B. Franklin

9. 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 period of redemption shall expire and terminate six (6) months after foreclosure sale as provided by Chapter 110, Section 12-128, Illinois Code of Civil Procedure, as amended.

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 attorney's 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 vendue to the highest and best bidder for cash, by Richard J. Elrod, Sheriff of Cook County in Room 704 of the Richard J. Daley Center, Chicago, Illinois

That said Sheriff give public notice of the time, place and terms of such sale by publishing the same at least once in each

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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 may, in his discretion for good reason, adjourn such sale so advertised and continue the same from time to time without further notice of 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 may accept plaintiff's receipt for its distributive share of the proceeds of sale in lieu of cash; that upon sale being made, said Sheriff shall execute and deliver to the purchaser or purchasers a Certificate or Certificates of Sale and duplicates thereof and they shall record the same 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 Decree.

That 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 sale and his acts and doings in connection therewith, that the Sheriff take receipts from the respective parties to whom he may have made payments as aforesaid, and file same with his

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report of sale and distribution in this court; that if after the payment 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 insufficient funds to pay in full the 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.

That Plaintiff shall be entitled to a lien upon the rents, issues and profits from the premises involved herein during the statutory period of redemption for the amount of such deficiency 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 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 his successor, of said Certificate 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 that thereupon the grantee or grantees in such deed, or his or their legal representatives 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

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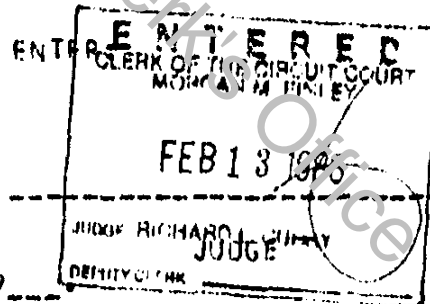
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possession of said premises under them, or any of them, since the commencement of this suit, shall, upon production of said Sheriff's Deed of conveyance, surrender possession of said premises to said grantee or grantees, his or her representatives or assigns, and in default of so doing, a writ of assistance shall issue.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Registrar of Titles is hereby directed to cancel the outstanding Certificate of Title and issue a new Certificate without surrendering the mortgagee's duplicate Certificate of Title.

The court hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto for the purpose of enforcing this Judgment, and for the purpose of appointing or continuing a Receiver herein during the period of redemption.

Dated: _____, 19____



SHAPIRO & KPLISMAN, P.C.
ATTORNEY # 91140
Attorneys for Plaintiff
1535 Lake Cook Road
Northbrook, Illinois 60062
312/564-9000

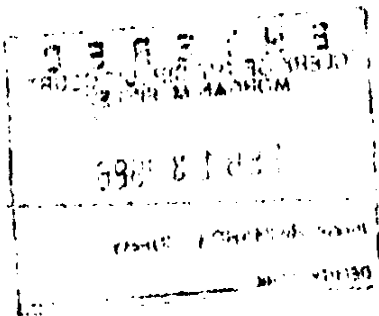
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15706 S. Lexington
Attorney, J. S. COVINO

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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
Fleet Mortgage Corp., etc. plaintiff/petitioner
and Lillie B. Franklin, et al defendant/respondent.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed
the seal of said Court, in said County, this 18th
day of February 19 86

Morgan M. Finley
Clerk

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Register of Titles
 Department

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DATE

SANCHEZ

Shapiro & Kremen
 100 N. LaSalle
 Chicago, IL
 Sr 1210

*08-81771
 S.W. Gil*

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