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PLACITA JUDGMENT (10-84) CCDCH-6

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK | ss.

PLEAS, before the Honorable CHARLES E. FREEMAN 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 -FEBRUARY. 24th, in the year of our Lord, one thousand nine hundred and -86 and of the Independence of the United States of America, the two hundredth and -TENTH

PRESENT: - The Honorable CHARLES E. FREEMAN
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

UNITED SAVINGS OF AMERICA, successor to RELIANCE FEDERAL SAVINGS AND LOAN ASSOCIATION, Plaintiff,	)	
vs.	)	Case No. 85 CH 2454
CHARLES G. ALLEN, et al., Defendants.	)	

JUDGMENT FOR FORECLOSURE AND SALE

Plaintiff, UNITED SAVINGS OF AMERICA, successor to RELIANCE FEDERAL SAVINGS AND LOAN ASSOCIATION, by its attorneys, MORRISSEY AND KAY, bringing this action, and the Court being fully advised in the premises, does find from the files, records and competent evidence as follows:

1. This action was commenced by filing the Complaint against the defendants on March 12, 1985.

2. The court has jurisdiction over this matter.

3. The affidavits required to make unknown parties defendants to this action were duly filed and "UNKNOWN OWNERS" have been duly and regularly made party defendants to this action in the manner provided by law.

4. The person designated as "UNKNOWN OWNERS" included other persons who are interested in this action and who have or claim some right, title, interest or lien in, to or upon the real estate or some part thereof in this Complaint described as tenant in possession; and, in addition, other persons who are interested in this action and who have or claim some right, title, interest or lien in, to or upon the real estate or some part thereof in this Complaint; as the name of each of such other persons' interested in this action is unknown to the plaintiff and upon diligent inquiry cannot be ascertained, and all such other persons are, therefore, made parties defendant to this action by the name and description of "UNKNOWN OWNERS".

5. The Court having examined the files and records in this cause and having heard evidence and being fully advised in the premises determined that each of the defendants in this cause have been duly and properly brought before the Court, either through the service of summons or publication, all in a manner provided by law; that due and proper notice has been given to each of the defendants during the progress of this cause as required by law and that this Court acknowledged jurisdiction over all the parties to this cause and the subject matter hereof.

6. This cause was heard on the Complaint herein, and upon all the pleadings and upon all the files and matters of record herein.

7. That due notice of the presentation of this Judgment has been given to all parties entitled thereto.

8. That all pleadings on file show that there is no genuine issue as to any material facts and that plaintiff is entitled to a Judgment as a matter of law.

9. That all the material allegations of the Complaint are true and proven, and by virtue of the Mortgage and the evidence of the indebtedness secured thereby alleged in the Complaint, there is due to plaintiff, and it has a valid and subsisting lien on the property described hereafter for the following amounts:

Principal balance	$ 16,894.40
Accrued interest as of February 24, 1986	2,377.47
Late charges	251.64
Escrow shortage (funds actually paid out)	2,425.10
Cost of Suit	665.42
Attorney's Fees	2,339.20
TOTAL JUDGMENT INDEBTEDNESS	$ 24,953.23

10. That in said Mortgage it is provided that the attorneys for plaintiff are entitled to reasonable attorneys' fees; that the sum of $2,339.20 has been included in the above indebtedness for said attorneys' fees as provided in said Mortgage; that that sum is the usual, customary and reasonable charge made by

attorneys in like cases and that said sum is hereby allowed to the plaintiff.

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

12. That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Register of Torrens Titles of Cook County, Illinois as Document No. LR-2698181 and the property herein referred to on the record to be sold is described as follows:

> Lots 66 and 67 in the Resubdivision of Blocks 15 and 16, together with vacated streets and alleys, in and between said blocks, all in Morton Park, in the North East ¼ of Section 28, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

The property is commonly referred to as: 5041 West 25th Place
Cicero, Illinois

P.I.N# 16-28-228-004 Lot 66
-003 Lot 67

13. That the rights and interests of all the other parties to this cause and into the property hereinabove described are inferior to the lien of the plaintiff heretofore mentioned.

14. 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 Section 12-124, 12-125, 12-126 or 12-127 of Chapter 110 of the Illinois Revised Statutes, and

that CHARLES G. ALLEN and DONNA M. ALLEN are the owners of the equity of redemption.

IT IS THEREFORE ORDERED AND ADJUDGED that unless within three (3) days from the entry of this Judgment there shall be paid to the plaintiff the sum of the principal balance and the accrued interest mentioned in Paragraph 9 of this Judgment, with interest thereon at the lawful rate, together with all costs taxed herein, the real estate hereinabove described, together with all improvements thereon and the appurtenances belonging thereto or so much thereof as may be necessary to pay the amount 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 the Sheriff of Cook County, Illinois.

IT IS FURTHER ORDERED AND ADJUDGED that said Sheriff give public notice of the time, place and terms of said sale by publishing the same at least once each week for three (3) successive weeks in a secular newspaper of general circulation in the County of Cook and State of Illinois; the first publication to be not less than twenty one (21) 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 a date and time of such continuance without further publication; that the plaintiff or

any of the parties to this cause may become the purchaser or purchasers at such Sale; that upon such Sale being made, said Sheriff shall execute and deliver to the purchaser or purchasers a certificate or certificates of sale and record a duplicate thereof as required by law.

IT IS FURTHER ORDERED AND ADJUDGED that said Sheriff upon making such sale, shall with all convenient speed report the same to the Court for approval and confirmation, and he shall likewise report distribution of the proceeds of sale and his acts and doings in connection therewith; that out of the proceeds of such sale he shall make distribution in the following order of priority:

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

(b) To the plaintiff, UNITED SAVINGS OF AMERICA, successor to RELIANCE FEDERAL SAVINGS AND LOAN ASSOCIATION, the sum of the principal balance and accrued interest mentioned in Paragraph 9 of this Judgment with interest thereon at the lawful rate, together with all costs taxed herein, including attorney's fees.

IT IS FURTHER ORDERED AND ADJUDGED 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 payment of all the foregoing items there shall be a remainder, he hold the

surplus subject to the further order of this Court, and that if the remainder of the proceeds shall not be sufficient to pay the above described amounts and interest in full, the Sheriff shall apply the remainder to the extent to which it may be reached in satisfaction thereof and shall then specify the amount of the deficiency in his report of sale, and the plaintiff, UNITED SAVINGS OF AMERICA, successor to RELIANCE FEDERAL SAVINGS AND LOAN ASSOCIATION, as first mortgagee, shall be entitled to judgment for the amount of such deficiency against DONNA M. ALLEN who is personally liable therefore and said plaintiff shall be entitled to a lien upon the rents, issues and profits from the premises involved herein during the full period of redemption for the amount of such deficiency whether or not redemption is made from the sale hereunder prior to the expiration of said period of redemption, and that a receiver be appointed to collect the rent, issues and profits, and to apply them upon their deficiency.

IT IS FURTHER ORDERED AND ADJUDGED that on March 30, 1985, the owner of the equity of redemption in the premises hereinabove described was served with summons as required by law; that if the premises so sold shall not have been redeemed within six (6) months from the date of the foreclosure sale, 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 in equity of redemption or claim in and to said premises and 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 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 representatives or assigns be let into possession of said premises, and that any of the parties to this cause who shall be in possession of the 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 legal representatives or assigns, and in default in so doing, a writ of assistance shall issue.

IT IS FURTHER ORDERED AND ADJUDGED that the attorneys for plaintiff may withdraw from the files of this cause all original exhibits offered in evidence by them.

The Court retains jurisdiction of the subject matter of this cause and of all the parties hereto, for the purpose of enforcing this Judgment can expressly find that there is no just reason for delaying enforcement of this decree or an appeal therefrom.

Dated: February 24, 1986.

ENTERED
CLERK OF THE CIRCUIT COURT
FEB 24 1986
JUDGE CHARLES E. FREEMAN
DEPUTY CLERK

ENTER:

MICHAEL R. KOLLOWAY
MORRISSEY AND KAY
1301 West 22nd Street, Suite 807
Oak Brook, IL 60521
(312) 887-1313
Attorney I.D. No. 26564

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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:

in a certain cause lately pending in said Court, between

UNITED SAVINGS OF AMERICA, etc., plaintiff/petitioner

and CHARLES G. ALLEN, et al., defendant/respondent.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the seal of said Court, in said County, this 3rd. day of APRIL, 1986.

Morgan M. Finley Clerk

(10-84) CCDCH-6

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Decree

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