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PLACITA JUDGMENT

48987 8-32586 6 6 (10-84) CCDCH-6

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK

ss.

DAVID J. SHIELDS

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 June, 27th
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 DAVID J. SHIELDS
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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PROPERTY OF COOK COUNTY

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

Fleet Mortgage Corporation,

PLAINTIFF,

-vs-

NO. 86 CH 2870

Wesley D. Averhart, Joyce
Averhart, Harry "Bus" Yourell
Registrar of Titles, AND UN-
KNOWN 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	\$46,337.95
Costs of Suit	\$ 853.02
Attorneys fees	\$ 350.00
TOTAL	\$47,540.97

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

3. That under the provisions of said mortgage the costs of foreclosure and reasonable attorneys fees are an additional

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indebtedness for which the plaintiff should be reimbursed and that such expenses and reasonable attorneys fees are hereby allowed to the plaintiff.

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

Lot 48 in block 1 in Canterbury Gardens Unit No. 3, a resubdivision of part of Canterbury Gardens Unit No. 2, a subdivision of the West 1/2 of the East 1/2 and part of the Northwest 1/4 of Section 24, Township 36 North, Range 13, East of the Third Principal Meridian, according to the plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois, of July 9, 1957, as Document No. 1747357, in Cook County, Illinois.

Common Address: 16301 S. Oxford, Markahm, Illinois 60426

Permanent Index Number: 28-24-210-048.

5. That the rights and interests of all defendants to this cause in and to the property hereinbefore described, are inferior to the lien of plaintiff heretofore mentioned.

6. 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 therefore 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, unless shortened, by further order of Court.

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

Handwritten notes:
9/3/86
Docket # 28-24-210-048
COURT RECORDS

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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 week for three successive weeks in a secular newspaper of general circulation published in Cook-Torrens 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 which shall be recorded 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 amount mentioned in Paragraph 2 of this Decree.
- (c) That if the proceeds of sale shall be more than sufficient to pay said Sheriff's fees and commissions and all sums due Plaintiff, the surplus shall be paid to Defendant, , not to exceed the amount set forth in paragraph seven (7) of the findings of this decree, or to the extent that it may reach, together with interest at 9% per annum from the date of this decree to the date of payment.

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 report of sale and distribution in this court; that if after the payment of all the foregoing items there shall still be remainder, he hold the surplus subject to the further order of

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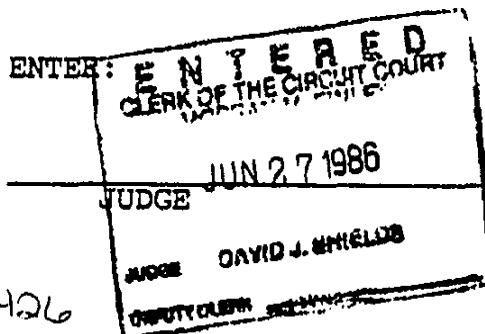
this court, and that if there be insufficient funds to pay in full the amounts found herein, he specify the amount of deficiency for such amount.

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 proved 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 possession of said premises under them, or any of them, since the commencement of this suit, 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 hereto 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.



16301 S. Oxford
Markham, ON L042L6

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DATED: _____

SHAPIRO & KREISMAN, P.C.
Attorneys for Plaintiff
1161 Lake Cook Road
Deerfield, Illinois 60015
(312) 945-6040
ATTY # 91140

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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
Fleet Mortgage Corp. plaintiff/petitioner
and Wesley D. Averhart, et al defendant/respondent.

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

the seal of said Court, in said County, this 1st
day of July 1986

Morgan M. Finley Clerk

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1985 SEP 12 PM 12:45:06
HARRY (BUS) JOURELL
REGISTRAR OF TITLES

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Vol.	2792-1 685-57114
Date	9-16-86
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SHAPIRO & KREISMAN, P. C.
100 N. LA SALLE - SUITE 1210
CHICAGO, ILLINOIS 60652