

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Name of Assigned Judge	JUDGE MORAN	Sitting Judge if Other Than Assigned Judge	
Case Number	85 C 5515	Date	June 26, 1986
Case Title	Tower Federal Savings & Loan Association Terrence E. Fobbs, et al.		

MOTION: (In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3d-party plaintiff, and (b) state briefly the nature of the motion being presented.)

FISHER AND FISHER, ATTORNEYS AT LAW, P.C.

Plaintiff's Motion for: Amended Decree of Foreclosure and Sale
Amended Affidavit
Motion to Enter Amended Decree of Foreclosure & Sale Order

Sent Notice to: All Defendants

DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.) JUL 0 1986

(1) Judgment is entered as follows: (2) [Other docket entry:]

IT IS HEREBY ORDERED that plaintiff be allowed to have entered its amended judgment and foreclosure and Sale and that same be entered instanter. Enter Amended Judgment of Foreclosure and Sale.

(3) Filed motion of [use listing in "MOTION" box above].

(4) Brief in support of motion due _____.

(5) Answer brief to motion due _____ Reply to answer brief due _____.

(6) Hearing Ruling on _____ set for _____ at _____.

(7) Status hearing held continued to set for re-set for _____.

(8) Pretrial conference held continued to set for re-set for _____ at _____.

(9) Trial set for re-set for _____ at _____.

(10) Bench trial Jury trial Hearing held and continued to _____ at _____.

(11) This case is dismissed without with prejudice and without costs by agreement pursuant to FRCP 4(j) (failure to serve) General Rule 21 (want of prosecution) FRCP 41(a)(1) FRCP 41(a)(2)

(12) [For further detail see order on the reverse of order attached to the original minute order form.]

<input checked="" type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail CIV-51 form.	courtroom deputy's initials [Handwritten initials]	Date/time received in central Clerk's Office JUN 27 1986 JMF	number of notices	Document # [Handwritten number]
			date typed envelopes	
date docketed	date mid. notices			
mailing dpty. initials	[Handwritten initials]			

UNOFFICIAL COPY

0 3 5 Fisher And Fisher
File # 12293

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS **8555333**
EASTERN DIVISION

Tower Federal Savings and Loan Association)
Plaintiff)
vs)
Terrence E. Fobbs, Cynthia L. Fobbs, Sheffield Manor Condominium Association and Harry Yourell, Registrar of Titles)
Defendant)

No. 85 C 5515
Judge Moran

DOCKETED
JUN 27 1986

ORDER

This cause coming on to be heard on Motion of the Plaintiff for an Order amending its Judgment of Foreclosure and Sale heretofore entered on 9/5/85, the Court being fully advised;

IT IS HEREBY ORDERED THAT Plaintiff be allowed to have entered its amended Judgment of Foreclosure and Sale and that same be entered instanter.

DATED: 6/26/86

ENTER:

James B. Moran
JUDGE

FISHER AND FISHER
ATTORNEYS AT LAW, P.C.
30 North LaSalle St.
Chicago, IL 60602
312-372-4784

3555333

15

UNOFFICIAL COPY

0 3 5 5 Fisher And Fisher
File # 12293

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Tower Federal Savings and Loan Association)
)
) Plaintiff)
 vs)
 Terrence E. Fobbs, Cynthia L.)
 Fobbs, Sheffield Manor)
 Condominium Association and)
 Harry Youzell, Registrar of)
 Titles)
) Defendant)

No. 85 C 5515
Judge Moran

DOCKETED
JUN 27 1986

AMENDED 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 contained in said Complaint are true and proven.
3. The date when the last of the owners of the equity of redemption was served with summons or by publication was 6/24/85
4. That by virtue of the mortgage and the evidence of the indebtedness secured thereby, there is due from the mortgagors to the Plaintiff and the Plaintiff has a valid lien upon the hereinafter described property, as follows:

Unpaid Principal	\$54,894.43
Accrued interest on unpaid principal	8,879.87
Advances by Plaintiff	1,564.56
Costs of Suit	559.00
Plaintiff's Attorneys' Fees	350.00
Bankruptcy Costs & Fees	365.00
TOTAL JUDGMENT INDEBTEDNESS	\$66,572.86

5. The rights and interest of all the other parties to his cause to the property hereinafter described, are inferior and subordinate to the lien of the Plaintiff.

3555333

(16)

UNOFFICIAL COPY

0 3 5 5 5 3 3 0

6. The mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder of Deed of Cook County, Illinois, as Document No.3378760, and the subject property is legally described as follows:

SEE ATTACHED RIDER

IT IS THEREFORE ADJUDGED AND DECREED BY THIS COURT as follows:

1. SALE OF THE PREMISES: The premises hereinabove described, covered by the security foreclosed in this action, shall be sold at public venue at the County seat of the County wherein the subject premises are located by a Special Commissioner of this Court. The Commissioner shall give public notice of the time, place and terms of such sale by publishing the same at least once in each week for four (4) successive weeks in a newspaper of general circulation published in the said County. The Plaintiff or any of the parties to this cause, may become the purchasers at such sale, the Commissioner may adjourn or continue the sale so advertised without further publication.

2. CERTIFICATE OF SALE: Upon the sale being made, the Commissioner shall execute and deliver to the purchaser a Certificate of Sale evidencing such purchase and describing the premises purchased and the amount paid therefor, and the time when such purchaser will be entitled to a Deed to said premises if the premises are not redeemed according to law. Within ten (10) days from the date of sale, the Commissioner shall file a duplicate of such Certificate of Sale in the Office of the Recorder of Deeds of said County.

3555333

Clerk's Office

UNOFFICIAL COPY

LEGAL RIDER, #02293 5 5 5 3 3 3

Lots 1 to 176, both inclusive, and the West 4 feet of that part of Outlot 7 lying East of the East lines of Lots 118 and 119, South of the North line extended East of Lot 118, and North of the South line extended East of Lot 119 all in Sheffield Manor Unit Two, and Lots 1 to 46, both inclusive, in Sheffield Manor Unit Three, both being Subdivisions of parts of the West Half of the Southeast Quarter of Section 18, Township 41 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois.
ID #07-18-404-153-106 c/k/a 547 Manor Circle, Schaumburg, IL

Property of Cook County Clerk's Office

3555333

UNOFFICIAL COPY

3. PROCEEDS AND REPORT OF SALE: 0 3 5 5 5 3 3 3
Out of the proceeds of the sale, the Commissioner shall retain his fees and costs. Out of the remainder of such proceeds, the Commissioner shall pay the amount by this Judgment found to be due to the Plaintiff with interest on said sum, less the listed Plaintiff's attorneys' fees, at the rate of Nine (9%) percent per annum from the date of this Judgment to the date of sale. If the Plaintiff is the successful bidder, he shall not pay money to the Special Commissioner (other than for the Commissioner's costs and fees) but shall receive satisfaction of the Total Judgment Indebtedness herein found due (with interest) to the extent covered by the remainder of the Sale proceeds. If the remainder of the proceeds shall not be sufficient to pay the above described amounts and interest the Commissioner shall then specify the amount of the deficiency in his Report of Sale. If such remainder shall be more than sufficient to pay such amounts and interest, the Commissioner shall hold the surplus subject to the further order of this Court.

4. PERIOD OF REDEMPTION: Upon the expiration of six (6) months from the date of sale, if the premises so sold shall not have been redeemed according to law, the defendants and all persons claiming under them shall be forever barred and foreclosed from all right equity of redemption, or claim of any kind to the premises or any part thereof.

5. COMMISSIONER'S DEED: If the premises are not redeemed as described above, the Commissioner shall execute and deliver to the legal holder of the Certificate of Sale a good and sufficient deed of conveyance of the premises. The grantee in such deed shall then be let into possession of the premises.

6. POSSESSION OF PREMISES: 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 since the commencement date of the suit, shall, upon the production of the Commissioner's deed of conveyance, (or a photostatic copy thereof) surrender possession of the premises to said grantee; in default of so doing, an Order for Possession shall then issue.

7. JURISDICTION: 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.

DATED: 6/26/86

ENTER: James B. Moran
JUDGE

FISHER AND FISHER
Attorneys at Law, PC
Attorney for Plaintiff
30 N. LaSalle St.
Chicago, IL 60602
(312) 372-4784

3555333

1
1354200

UNOFFICIAL COPY

3555333

Property of Cook County Clerk's Office

3555333

REC'D
OCT 13 1935

INDEXED	FILED
No.	
Registrar of Towns Titles	
HARRY 'BUS' YURELL	
MEHALOS	

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