

United States District Court

FOR THE

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

CIVIL ACTION FILE NO.

83 CV 1728

ADVANCE MORTGAGE CORPORATION

vs.

JUDGMENT

LAWRENCE A. WARREN, JR., WILLIE J. WARREN, CHICAGO TITLE & TRUST COMPANY, and SIDNEY R. OLSEN

CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

I, H. STUART CUNNINGHAM, Clerk of the United States District Court for the NORTHERN District of ILLINOIS

do hereby certify the annexed to be a true and correct copy of the original judgment entered in the above entitled action on April 26, 1983, as it appears of record in my office, and that

* NO NOTICE OF APPEAL FROM THE SAID JUDGMENT HAS BEEN FILED IN MY OFFICE AND THE TIME FOR APPEAL COMMENCED TO RUN ON April 27, 1983 UPON THE ENTRY OF THE JUDGMENT.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the said Court this 25 day of November, 1986.

H. STUART CUNNINGHAM, Clerk By Debbie Dismukes Deputy Clerk

Debbie Dismukes

* When no notice of appeal from the judgment has been filed, insert "no notice of appeal from the said judgment has been filed in my office and the time for appeal commenced to run on [insert date] upon the entry of [If no motion of the character described in Rule 73(a) F.R.C.P. was filed, here insert 'the judgment', otherwise describe the nature of the order from the entry of which time for appeal is computed under that rule.] If an appeal was taken, insert "a notice of appeal from the said judgment was filed in my office on [insert date] and the judgment was affirmed by mandate of the Court of Appeals issued [insert date]" or "a notice of appeal from the said judgment was filed in my office on [insert date] and the appeal was dismissed by the [insert 'Court of Appeals' or 'District Court'] on [insert date]", as the case may be.

Handwritten: Cancels subject to 83 CV 1728

Vertical stamp: 3572399

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I have hereunto
affixed the seal of
the State of Illinois,
at Chicago, Illinois.



15-7-51

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PROBATION DEPARTMENT
COUNTY OF COCONINO
COCONINO COUNTY
SHERIFF'S OFFICE

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UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Name of Presiding Judge, Honorable Judge Moran

Cause No. 83 C 1728

Date 4/26/83

Title of Cause ADVANCE MORTGAGE CORP.

v. LAWRENCE A. WARREN, JR., et al.

Brief Statement of Motion Decree of Foreclosure & Sale
Order of Default

Order Appointing Special Commissioner

APR 27 1983

The rules of this court require counsel to furnish the names of all parties entitled to notice of the entry of an order and the names and addresses of their attorneys. Please do this immediately below (separate lists may be appended).

Names and Addresses of moving counsel

Fisher & Fisher, Attorneys at Law, P.C.

30 N. LaSalle St., Chicago, IL 60602

Representing

Plaintiff

Names and Addresses of other counsel entitled to notice and names of parties they represent.

M

John Klich - 118 N. Clark #230, Chicago, IL 60602

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APR 27 1983

Reserve space below for notations by minute clerk

Enter Decree of Foreclosure and Sale. (DRAFT) Enter
Order of Default. (DRAFT) Enter Order of Appointing
Special Commissioner. (DRAFT) (See DRAFTS for particulars)

Moran

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ADVANCE MORTGAGE CORP.)

Plaintiff,)

-vs-)

Case No. 83 C 1728

LAWRENCE A. WARREN, JR.,)
WILLIE J. WARREN, CHICAGO)
TITLE & TRUST CO. AS TRUSTEE)
IN TRUST DEED Defendants.

DOC. 25185967 & 3129219 &
SIDNEY R. OLSEN, REGISTRAR
OF TITLES JUDGEMENT 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 were served with summons or by publication was March 16, 1983.

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	46,163.59
Accrued interest on unpaid principal	3,415.84
Advances by Plaintiff 7/82-4/83	202.35
Costs of Suit	348.50
Plaintiff's Attorneys' Fees	350.00
	<hr/>

TOTAL DECREE INDEBTEDNESS \$50,480.28

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.

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6. 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 No. 24488890 & and the subject property is legally described as follows: 3023981

Lot 1631 in Woodland Heights Unit No. 4, being a Subdivision in Section 23 & Section 24, Township 41 North, Range 9 East of the Third Principal Meridian according to the Plat thereof registered in the Office of the Registrar of Titles of Cook County on July 1, 1960 as Doc. 17908375 in Cook County, IL

c/k/a 2000 Mayfield
Streamwood, IL

7. SEE BELOW**

PROPERTY INDEX NUMBERS

06	-	23	-	216	-	035	-	0000
A		SA		BLK		PCL		UNIT BBO 4/10

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 some secular newspaper of general circulation published in said County. The Plaintiff or any of the parties to this cause, may become the purchasers at such sale, and 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.

7. That the Court further finds that CHICAGO TITLE & TRUST CO. as Trustee has an interest in the property by reason of a Trust Deed dated 9/18/79 and recorded 10/10/79 as Doc. 25185667 made by Lawrence & A. Warren, Jr. & Willie J. Warren in the amount of \$9,360.00, and by reason of a Trust Deed dated 9/18/79 and registered 11/5/79 as Doc. 3129219 made by Lawrence A. Warren Jr. & Willie J. Warren in the amount of \$9,360.00, which lien is subservient & subordinate to the lien of the Plaintiff.

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3. PROCEEDS AND REPORT OF SALE: 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 Decree 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 Decree 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 Decree 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, a Writ of Assistance, 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 Decree.

DATED:

April 26, 1983

ENTER:

James B. Moran
JUDGE

FISHER AND FISHER
ATTORNEYS FOR PLAINTIFF
30 N. LaSalle St.
Chicago, IL 60602
372-4784

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

ADVANCE MORTGAGE CORP.)

Plaintiff,)

v.)

LAWRENCE A. WARREN, JR.,)
et al.)

Defendants.)

Case No. 83 C 1728

ORDER OF DEFAULT

On motion of BARRY M. FISHER, Attorney for the Plaintiff, the requisite affidavit having been filed, and due notice of the pendency of this suit having been given to the defendants, LAWRENCE A. WARREN, JR., WILLIE J. WARREN, CHICAGO TITLE & TRUST CO. AS TRUSTEE IN TRUST DEEDS either by personal service of summons or by Publication and mailing, which notice in manner and content was in all respects as required by law, and pursuant to Order of Court heretofore entered and

Said defendants having failed to plead or otherwise defend pursuant to said Order of Court, and pursuant to said notice.

IT IS ORDERED that by this Court that the Complaint herein be taken as confessed against the said defendants, and each of them.

DATED: April 26, 1983

ENTERED: James B. Moran
JUDGE

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

ADVANCE MORTGAGE CORP.

Plaintiff,

v.

LAWRENCE A. WARREN, JR.,
et al.

Defendants.

Case No. 83 C 1728

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ORDER APPOINTING SPECIAL COMMISSIONER

IT IS ORDERED THAT *Harold Abram* be and the
same is hereby appointed Special Commissioner of this Court for
the purpose of the sale and public venue of the property commonly
known as: 2000 Mayfield
Streamwood, IL

ENTERED: *James B. Mora*
JUDGE

FISHER AND FISHER
ATTORNEYS AT LAW, P.C.
30 North La Salle St.
Chicago, Illinois 60602
312-372-4784

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INTERCOUNTY
TITLE INS. CO. 5/12/60

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HARRY (BUS) YOURELL
REGISTRAR OF TITLES

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