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

Name of Assigned Judge	JUDGE GRADY	Sitting Judge if Other Than Assigned Judge	
Case Number	86 C 6097	Date	October 15, 1986
Case Title	Fleet Mortgage Corp.		
	Lemuel Moses, etal.		

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.	Sent for Microfilming
Decree of Foreclosure and Sale	
Order of Default	OCT 16 1986
Order Appointing Special Commissioner	
Sent Notice to: Harry Yourell	FILED ON OCT 17 1986

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

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

*Enter Judgment of Foreclosure & Sale*  
*Enter Order of Default*  
*Enter Order Appointing Special Commissioner*  
*Judgment granted in favor of Plaintiff.*

(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 \_\_\_\_\_  
(7)  Status hearing  held  continued to  set for  re-set for \_\_\_\_\_ at \_\_\_\_\_  
(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.)

No notices required.		number of notices	Document #
Notified counsel by telephone.		date typed envelopes	
Docketing to mail notices.		date docketed	13
Mail CIV-31 Form 5		date mtd. notices	
courtroom desk initials		mailing dpty. initials	
	Date/time received in central Clerk's Office		

OCT 16 1986  
 805 V 91 10 934  
 FILED - 03714

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

Fleet Mortgage Corp.  
Plaintiff

vs

Lemuel Moses, Johnetta Moses,  
Hallmark Builders & Harry  
Yourell, Registrar of Titles  
Defendant

No. 86 C 6097  
Judge Grady

DOCKETED

OCT 16 1986

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 8/26/86.
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	\$42,372.77
Accrued interest on unpaid principal	5,076.20
Advances by Plaintiff	1,133.60
Costs of Suit	397.00
Plaintiff's Attorneys' Fees	350.00
<b>TOTAL JUDGMENT INDEBTEDNESS</b>	<b>\$49,329.57</b>

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 Deed of Cook County, Illinois, as Document No.3448997, and the subject property is legally described as follows:

Lot 13 in block 2, in Merrionette Manor First Addition, being a subdivision of the East 1/2 of the Northeast 1/4 of Section 12, North of the Indian Boundary Line, Township 37 North, Range 14, East of the Third Principal Meridian, according to the plat thereof registered in the office of the registrar of Titles as Document #1196452, in Cook County, IL c/k/a 9645 S. Merrian, Chicago, IL ID#25-12-228-014 BBO

7. That the Court further finds that Hallmark Builders has an interest in the property by reason of Lien dated March 26, 1986 and recorded March 26, 1986 as Document #3503846 against Gregory & Joyce Stoudamire in the amount of \$5,334.84, which lien is subservient and subordinate to the lien of the plaintiff.

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.

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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 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:  
OCT. 15 1986

ENTER:

JUDGE

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

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Fisher And Fisher  
File # 14643

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

Fleet Mortgage Corp.	)	
Plaintiff	)	
vs	)	
Lemuel Moses, Johnetta Moses,	)	
Hallmark Builders & Harry	)	No. 86 C 6097
Yousef, Registrar of Titles	)	Judge Crady
Defendant	)	
	)	
	)	

OCT 16 1986

### ORDER OF DEFAULT

On motion of the Plaintiff, due notice of the pendency of this suit having been given to the defendants, Lemuel Moses, Johnetta Moses

either by personal service of Summons or by Publication 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.

OCT. 1 1986

DATED: \_\_\_\_\_

ENTERED: \_\_\_\_\_

JUDGE

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

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Fisher And Fisher  
File # 14643

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

Fleet Mortgage Corp.  
Plaintiff

vs

Lemuel Moses, Johnetta Moses,  
Hallmark Builders & Harry  
Yourell, Registrar of Titles  
Defendant

No. 86 C 6097  
Judge Grady

**DOCKETED**  
**OCT 16 1986**

ORDER APPOINTING SPECIAL COMMISSIONER

IT IS ORDERED THAT William Levinson is hereby appointed Special Commissioner of this Court for the purpose of the sale at public vendue of the property that is the subject matter of this action.

OCT 15 1986

ENTERED:

John P. Grady  
JUDGE

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

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Fisher And Fisher  
File # 14643

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

Fleet Mortgage Corp. )  
Plaintiff )  
vs )  
Lemuel Moses, Johnetta Moses, )  
Hallmark Builders & Harry )  
Yoursell, Registrar of Titles )  
Defendant )

DOCKETED

OCT 16 1986

No. 86 C 6097  
Judge Grady

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### ORDER

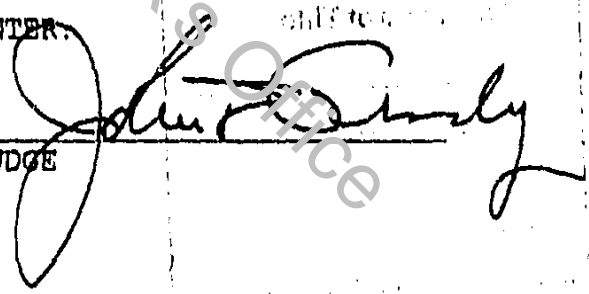
This cause coming on to be heard on motion of the Plaintiff for Judgment on the basis of the Pleadings filed herein, the Court being advised;

IT IS HEREBY ORDERED that Motion for Judgment on the Pleadings in favor of the Plaintiff is hereby granted.

DATE: OCT. 15 1986

ENTER:

JUDGE



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

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1434960  
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Cook County Titles and other titles documents	
or Certificate of Title	
No. <u>1434960</u>	
Page <u>2874-2</u>	Page <u>461</u>
<u>83859-86</u>	
<u>1-2-87</u>	
CHICAGO	

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