

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK ss.

ROGER J. KILEY, JR.

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 August 19,
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 eleventh

PRESENT: - The Honorable ROGER J. KILEY, JR.
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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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF C O O K )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
CHANCERY DIVISION

ENTERED  
CLERK OF THE CIRCUIT COURT  
NOV 19 1936  
AUG 19 1936  
JUDGE JOHN A. ELLIOTT  
DEPUTY CLERK

CONTINENTAL BANK OF BUFFALO GROVE, N. A. )  
Formerly BUFFALO GROVE NATIONAL BANK, )  
a National Banking Association, )

Plaintiff, )

v. )

IN CHANCERY

AMERICAN NATIONAL BANK & TRUST COMPANY OF )  
CHICAGO, a National Banking Association, )  
as Trustee, Trust 21229, and ENRICO )  
FERRIGNO, JERRY FERRIGNO and ANTHONY )  
SCANDURRA, et al., )

Defendants. )

Case No. 85 CH 7996

JUDGMENT OF FORECLOSURE AND SALE

THIS DAY comes the plaintiff, CONTINENTAL BANK OF BUFFALO GROVE, N. A., formerly BUFFALO GROVE NATIONAL BANK, a National Banking Association, by ROBERT F. MOORE of the LAW OFFICES OF VICTOR J. CACCIATORE, its attorney, and an Order of default having been herewith entered against the defendants, AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO, a National Banking Association, as Trustee, Trust 21229, and ENRICO FERRIGNO, JERRY FERRIGNO and ANTHONY SCANDURRA, for failure to file their Appearance and/or Answer herein; and this cause coming on to be heard upon the Complaint;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said

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defendants are in default and the Complaint is confessed against said defendants herein.

IT APPEARING to the Court that the following defendants, AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO, a National Banking Association, as Trustee, Trust 91229, and ENRICO FERRIGNO, JERRY FERRIGNO and ANTHONY SCANDURRA, are the owners of the equity of redemption which has been waived and were duly and properly served as follows:

AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO, a National Banking Association, as Trustee, Trust 91229, personally served and failed to file an Appearance.

The Court, having examined the files and records in this cause and having heard the evidence and being fully advised in the premises, FINDS that the fee simple title holders, AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO, Trustee under Trust 91229, have been duly and properly brought before the Court through service of summons or publication, all in the manner provided by law; that due and proper notice has been given to said defendant during the progress of this cause, as required by law; and that this Court now has jurisdiction over said defendant to this cause and the subject matter of this cause; and

This cause coming on to be heard upon the Complaint herein and upon all other pleadings and upon the files and matter of record herein; and the Court having heard the testimony of witnesses and arguments of counsel and being fully advised in the

premises; and

It further appearing to the Court that due notice of the presentation of this Judgment of Sale has been given to all parties entitled thereto

THE COURT THEREFORE FINDS:

1. That all material allegations of the Complaint are true and proven, and that the evidence of the indebtedness has been exhibited in open Court and has been marked plaintiff's Exhibit A and that the security foreclosed has likewise been exhibited in open Court and has been marked plaintiff's Exhibit B. That copies of the aforesaid evidence of indebtedness and security foreclosed have been and are attached to the Complaint and leave has been given to withdraw the original of said obligation and mortgage, and substitute therefor said copies in view of the fact that copies are attached to the Complaint heretofore filed herein.

2. That the material allegations in said Complaint herein filed are true and proven; that the equities of this cause are with the plaintiff and that there is due and owing to the plaintiff as of July 23, 1986 upon the obligation and mortgage together with advancements made, each of which has been in said Complaint described, the following amounts:

a. Principal and Interest	\$ 189,361.21
b. Real Estate Taxes	1,752.11
c. Insurance	221.00
d. Attorney Fees	2,400.00
Total ....	\$ 194,134.32

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plus court costs, all of which have been accounted for in the testimony heretofore presented in this cause by the plaintiff.

3. That in said mortgage herein sought to be foreclosed, it is provided that the attorneys for the plaintiff are entitled to reasonable attorneys' fees, and the Court being advised that the sum of TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS has been included in the above indebtedness as and for said attorneys' fees, as provided in said mortgage; and that said sum in the usual, customary and reasonable charge made by attorneys in like cases, the Court orders that it be duly allowed.

4. That under the provisions of said mortgage herein sought to be foreclosed, the costs of the foreclosure, as herein above set forth, are an additional indebtedness for which the plaintiff should be reimbursed, and that such expenses are hereby allowed to the plaintiff.

5. That the lien of plaintiff's mortgage is prior and superior to all rights and interests of all parties in this cause and to any and all other claims, rights, interests or liens upon the real estate hereinafter described.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO, a National Banking Association, as Trustee, Trust 21229, are the owners of the fee interest and were duly and properly served as follows:

AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO,

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a National Banking Association, as Trustee, Trust 21229, within three (3) days from the date of the entry of this Judgment of Sale pay, or cause to be paid, to the plaintiff the sum of ONE HUNDRED NINETY FOUR THOUSAND ONE HUNDRED THIRTY FOUR and 54/100 (\$194,134.54) DOLLARS plus interest on the sum of ONE HUNDRED NINETY FOUR THOUSAND ONE HUNDRED THIRTY FOUR and 54/100 (\$194,134.54) DOLLARS from July 23, 1986 to the date of the entry of this Judgment of Sale at fifteen (15) percent interest and thereafter at the legal rate to the date of payment, and PAY TO the officers of this Court the taxed costs of this proceeding, that the premises hereinafter and in said Complaint described, or so much thereof as may be necessary to pay the amounts found to be due to the plaintiff with interest thereon and the costs aforesaid, may be sold without material injury to the parties in interest at public vendue to the highest and best bidder for cash by the Sheriff of Cook County.

IT IS FURTHER ORDERED that the Sheriff of Cook County give public notice of the time, place and terms of such sale previously publishing the sale weekly for three (3) successive weeks in a secular newspaper of general circulation, published in said County; the first publication thereof to be at least twenty (20) days prior to the date of Sale and that plaintiff or any of the parties to this cause, may become the purchaser or purchasers at such sale.

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That the Sheriff of Cook County may adjourn the sale so advertised by giving public notice by proclamation without further publication.

That the Sheriff of Cook County give to any purchaser a Certificate or Certificates of Sale, as required by law, and shall cause a duplicate of such certificate to be recorded in the proper office.

IT IS FURTHER ORDERED that said Sheriff of Cook County, upon making such sale, shall with convenient speed report the same to this 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 out of the proceeds of such sale, he shall make distribution in the following order of priority:

- (a) For his own fees, disbursements and commission of such sale;
- (b) The taxed costs of this proceeding;
- (c) To the plaintiff, CONTINENTAL BANK OF BUFFALO GROVE, N. A., or its attorneys, the sum of \$194,134.54 at the rate of 15% to the date of the entry of the Judgment of Sale and interest of the sum of \$194,134.54 at the legal rate after the entry of the Judgment of Sale to the date of sale.

IT IS FURTHER ORDERED that the Sheriff of Cook County 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 payments of all



the foregoing items there shall still be a remainder, he hold the surplus subject to the further order of this Court; that if there be insufficient funds to pay in full the amounts found due herein, he specify the amount of deficiency in his Report of Sale. That a Deficiency Decree for said amount, if any, be at that time entered; and further that said Deficiency Decree stand as a lien and apply against the rents, issues and profits accruing from said premises during the period of redemption; and that a Receiver be appointed to collect said rents, issues and profits and to apply them against said deficiency.

IT IS FURTHER ORDERED that if the premises so sold shall not be redeemed according to and within the time provided by law, 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 hereof; and, in case said premises shall not be redeemed, as aforesaid, then upon the production to the Sheriff of Cook County or his successor, of said Certificate or Certificates of Sale by the legal holder thereof, said Sheriff of Cook County shall execute and deliver to him a good and sufficient Deed of Conveyance to 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

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of the parties to this cause who shall be in possession of said premises, or any portion thereof, of any person who may have come into possession under them, or any of them, since the commencement of this suit, shall, upon the production of said Deed of Conveyance, surrender possession of said premises to said Grantee or Grantees, his or their legal representatives or assigns, and in default of so doing that a Writ of Assistance shall issue.

IT IS FURTHER ORDERED that 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 of Sale.

The premises by this Judgment of Sale authorized and directed to be sold are situated in the County of Cook and State of Illinois, and are legally described as follows, to-wit:

- 6f.0. 03-02-331-010 2d. 10 Lot Ten ----- (10)
- 03-02-331-011 2d. 11 Lot Eleven ----- (11)
- 03-02-331-012 2d. 11 Lot Twelve ----- (12)

Holland's Resubdivision of Lots 1 to 109, inclusive and vacated Streets and Alleys in Dall's Sunnyside Addition to Wheeling, in the South Half (1/2) of Section 2, Township 42 North, Range 11, East of the Third Principal Meridian, according to Plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois, on September 16, 1955, as Document Number 1621040.

and

That part of Lot Fifteen (15) described as follows: The North 65 feet of the South 215 feet of the West 150 feet lying East of the East line of Wolf Road, in Utpedal's Sunnyside Addition to Wheeling in the

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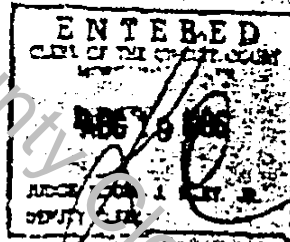
Southeast Quarter (1/4) of Section 2, Township 42 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof filed in the Office of the Registrar of Titles of December 30, 1930, as Document Number 531289.

THE COURT EXPRESSLY FINDS that there is no just reason for delaying the enforcement of this Judgment of Sale or any appeal therefrom.

ENTER:

*[Handwritten Signature]*  
8-19-56

Dated:



Attorney Robert F. Moore  
Law Offices of Victor J. Cacciatori  
527 South Wells Street  
Chicago, Illinois 60607  
Telephone: (312) 987-1900  
Attorney Code No. 00278

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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:**

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in a certain cause lately pending in said Court, between . . . . .  
CONTINENTAL BANK OF BUFFALO GROVE, ETC., . . . . . plaintiff/petitioner  
and AMERICAN NATIONAL BANK & TRUST., ETC., ET AL . . . . . defendant/respondent.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed  
the seal of said Court, in said County, this . 18th . . . . .  
day of . . . . . March, . . . . . 1987.

*Morgan M. Finley* Clerk



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Robert Morgan  
527 S. Wella  
Chicago, IL 60607

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