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(10-84) CCDCH-6

PLACITA JUDGMENT

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK

HAROLD A. SIEGAN

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 July 24,

86
In the year of our Lord, one thousand nine hundred and and of the Independence
e leventh
of the United States of America, the two hundredth and

HAROLD A. SIEGAN
PRESENT: - The Honorable
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)
COUNTY OF COOK) SS.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
CHANCERY DIVISION

BELL FEDERAL SAVINGS AND LOAN ASSOCIATION,)
a Federal savings and loan association,)

Plaintiff,)

vs.)

No. 85 CH 6915

ROBERT LEE SCOTT, et. al.,)

Defendants.)



JUDGMENT OF FORECLOSURE AND SALE

THIS DAY comes the Plaintiff, BELL FEDERAL SAVINGS AND LOAN ASSOCIATION, a Federal savings and loan association, by its attorneys, KELLY, OLSON, PUSCH, ROCAN AND SIEPKER, and an Order of Default having been herewith entered against the Defendants, ROBERT LEE SCOTT and VERA LEE SCOTT, his wife, DON COMBS, as Trustee under Trust Deed Doc. No. 3344614 and UNKNOWN OWNERS, for failure to file their appearance or answer herein; and this cause coming on to be heard on the Complaint, and the Answers of HARRY "BUS" YOURELL and UNITED STATES OF AMERICA.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that ROBERT LEE SCOTT and VERA LEE SCOTT, his wife, and DON COMBS, as Trustee under Trust Deed Doc. No. 3344614 and UNKNOWN OWNERS, are in default and the Complaint is confessed against said Defendants.

It appearing to the Court that there is no material, triable issue of fact between Plaintiff and Defendants, HARRY "BUS" YOURELL and UNITED STATES OF AMERICA.

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that there is no material, triable issue of fact between Plaintiff and Defendants, HARRY "BUS" YOURELL and UNITED STATES OF AMERICA, and Summary Judgment is herewith entered against said Defendants and in favor of Plaintiff.

IT APPEARING to the Court that the Defendants, ROBERT LEE SCOTT and VERA LEE SCOTT, his wife are the owners of the equity of redemption and were duly and properly served on January 14, 1986 by publication.

The Court having examined the files and records in this cause, and being fully advised in the premises, FINDS that each of the Defendants in this cause has 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 each of the Defendants during the progress of this cause, as required by law; and that this Court now has jurisdiction over all of the parties 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 matters of record herein; and the Court having taken evidence pursuant to Section 15-201 of the Illinois Code of Civil Procedure 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

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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 MAY 30, 1986 upon the obligation and mortgage, together with advancements made, each of which has been in said Complaint described, the following amounts:

Unpaid Principal Balance	\$14,826.69
Interest from 10-12-84 to 5-30-86	1,838.63
Unpaid late charges	42.96
Advances for FHA Insurance Premiums	66.74
FHA Insurance Premium Pending	5.47
Advances for Hazard Insurances	18.00
Advance for 1985 R.E. taxes-1st Installment	231.09
Advance for 1984 R.E. taxes-2nd Installment	233.76
Interest on above advances	24.76
Return Premium	(228.00)
Interest from 6-21-85 to 5-30-86	(16.27)
Court costs	202.26
Attorneys' Fees	1,210.00
	<hr/>
TOTAL	<u>\$19,196.09</u>

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 ONE THOUSAND TWO HUNDRED FIFTY AND 00/100's DOLLARS has been included in the above indebtedness as and for said

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attorneys' fees as provided in said mortgage and that the sum is the usual, customary and reasonable charge made by attorneys in like causes, the Court orders that it be duly allowed.

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

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

6. It further appearing to the Court that the defendant UNITED STATES OF AMERICA, has a good and valid Judgment lien on the subject property in the amount of \$13,256.87, plus penalties and statutory interest, by reason of Notices of Federal Tax Liens filed by the District Director of Internal Revenue with the Recorder of Deeds of Cook County Illinois, against Robert Scott and Eva J. Scott for taxes as follows

<u>NATURE OF TAX</u>	<u>TAXABLE PERIOD</u>	<u>ASSESSMENT DATE</u>	<u>DATE OF RECORDATION</u>	<u>DOCUMENT NUMBER</u>	<u>AMOUNT OF ASSESSMENT</u>
1040	12/31/77	2/18/80	5/22/80	25464820	\$2,392.30
1040	12/31/80	9/5/83	1/27/84	26946004	3,905.09

and, against Robert Kenneth Scott for taxes as follows:

1040	12/31/80	06/08/81	11/05/81	26049726	\$1,127.08
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and, against George Waller, Robert Scott and John Waller, partners, for taxes as follows:

941	6/30/81	03/22/82	02/17/83	26511333	\$692.70
941	09/30/81	02/08/82	02/17/83	26511333	589.86
941	12/31/81	01/26/83	02/17/83	26511333	665.36
941	03/31/82	01/26/83	02/17/83	26511333	638.92
941	06/30/82	01/26/83	02/17/83	26511333	605.63
941	09/30/82	01/26/83	02/17/83	26511333	556.09
941	12/31/82	01/26/83	02/17/83	26511333	495.95
1065	12/31/81	10/11/82	02/17/83	26511333	750.00
940	12/31/79	11/03/80	02/17/83	26511333	528.34
940	12/31/81	01/26/83	02/17/83	26511333	105.05
940	12/31/82	01/26/83	02/17/83	26511333	204.00

The Court further finds that there is due and owing on the above described lien from the Defendants and to defendant UNITED STATES OF AMERICA the sum of \$13,256.87, plus interest and penalties from the effective date to the date of payment. The Court further finds that the judgment lien of UNITED STATES OF AMERICA is inferior and junior to the first mortgage lien of BELL FEDERAL SAVINGS AND LOAN ASSOCIATION under which the first mortgage herein is being foreclosed.

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Robert Lee Scott and Vera Lee Scott, his wife, are the owner(s) of the equity of redemption and were duly and properly served as follows: Both defendants were served with summons on January 14, 1986.

and that the period of redemption shall expire six (6) months from the date of Sheriff's Sale had herein.

IT IS FURTHER ORDERED that unless the defendants Robert Lee Scott and Vera Lee Scott, his wife,

within three (3) days from the date of the entry of this Judgment of Sale pay or cause to be paid to plaintiff the sum of NINETEEN THOUSAND ONE HUNDRED NINETY-SIX AND 09/100's (\$ 19,196.09) DOLLARS and additionally with interest on the sum of FIFTEEN THOUSAND THREE HUNDRED EIGHTY-ONE AND 75/100's (\$ 15,381.75) DOLLARS from MAY 30, 1986 to the date of the entry of this Judgment of Sale at SEVEN AND ONE HALF (7 1/2%) percent interest and thereafter at the legal rate to the date of payment; AND PAY TO defendant UNITED STATES OF AMERICA the sum of \$13,256.87, plus interest and penalties, from the effective date to the date of payment,

AND PAY TO the officers of this Court the taxed costs of this cause, 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 plaintiff, with interest thereon and the costs aforesaid, may be sold separately and 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, Illinois, in room 704 of the Richard J. Daley Center, Chicago, Cook County, Illinois.

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IT IS FURTHER ORDERED that the Sheriff give public notice of the time, place and terms of such sale by previously publishing the sale weekly for three (3) successive weeks in a secular newspaper of general circulation published in said County; the first publication of which 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(s) at such sale.

The Sheriff may adjourn the sale so advertised by giving public notice by proclamation without further publication.

He shall give to any purchaser(s) a Certificate 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 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 out of the proceeds of such sale, he shall make distribution in the following order of priority:

1. For his own fees, disbursements and commission for such sale;
2. The taxed costs of this proceeding;
3. To the plaintiff, BELL FEDERAL SAVINGS AND LOAN ASSOCIATION, a Federal savings and loan association, or its attorneys, the sum of \$ 19,196.09 with interest on the sum of \$ 15,381.75 at the rate of 7 1/2% to the date of the entry of this Judgment of Sale and with interest on the sum of \$ 19,196.09 at the legal rate after decree to the date of sale; and

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4. To defendant, UNITED STATES OF AMERICA, the sum of \$13,256.87, plus interest and penalties from the effective date to the date of payment.

IT IS FURTHER ORDERED that the Sheriff take receipts from the respective parties to whom he may have made payments, as foresaid, and file the same with his Report of Sale and Distribution with the Court; that if after the payments of all the foregoing items, there shall 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 to be 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, profits and issues 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 upon 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 of, claim of, in and to said premises, of any part thereof; and, in case said premises shall not be redeemed as foresaid, then upon the production to the Sheriff of Cook County, Illinois or his successor, of the Certificate of Sale by the legal holder, said Sheriff shall execute and deliver to him and good and sufficient Deed of Conveyance to said

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premises; that thereupon, the grantee(s) in such Deed, or his legal representatives or assigns be let into possession of said premises and that any of the parties to this cause who shall be in possession of said premises, or any part thereof or any person who may have come into possession under them or any of them since the commencement of this suit, shall, upon production of said Deed of Conveyance, surrender possession of said premises to said grantee(s), his legal representatives or assigns and in default of so doing, that a Writ of Assistance shall issue.

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:

Lot Twelve (12) in Frank L. Johnson's North Sheldon Heights Second Addition, being a subdivision of Lots 51 and 54 in School Trustee's Subdivision of Section 16, Township 37 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

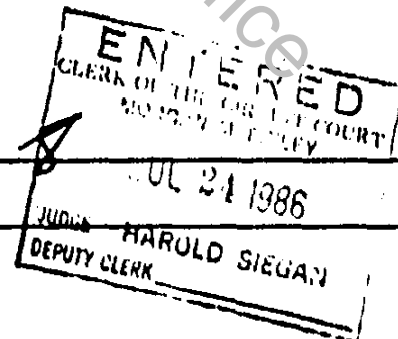
#25-16 319 029 5710 1/2

Commonly known and described as 10934 S. Eggleston, Chicago, IL; improved with a 1-1/2 story expandible frame residence.

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

ENTER:

DATED:



KELLY, OLSON, PUSCH, ROGAN & SIEPKER
Three First National Plaza, 2350
Chicago, IL 60602
312/236-2150
#08937

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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
BELL FEDERAL S&L ASSOC., ETC. plaintiff/petitioner
and ROBERT LEE SCOTT, ET AL. defendant/respondent.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed
the seal of said Court, in said County, this 13th
day of March, 1987.

Morgan M. Finley Clerk

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Registrar of Titles Enter this document on Certificate of No. <u>1084489</u> Vol. <u>2173153E</u> <u>245</u>	
DATE	<u>11/11/87</u>
CATIONE	

Kelly, Olson, Reed
Rogan and Sipek
351st National Plaza
Chicago Ill
60602