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PLACITA JUDGMENT

3691175

(10-84) CCDCH-6

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK ss.

ALBERT GREEN

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
-JANUARY 21st.,
in the year of our Lord, one thousand nine hundred and -88
and of the Independence
of the United States of America, the two hundredth and -TWELFTH

PRESENT: - The Honorable ALBERT GREEN
Judge of the Circuit Court of Cook County.

RICHARD M. DALEY, State's Attorney

JAMES E. O'GRADY
RICHARD L. ELROD, Sheriff

Attest: MORGAN M. FINLEY, Clerk.

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT-CHANCERY DIVISION

*Handwritten initials*

DIAMOND MORTGAGE CORPORATION OF  
ILLINOIS,

Plaintiff,

vs.

SAMUEL BUTLER; HARRY "BUS" YOURELL,  
Registrar of Titles; UNKNOWN OWNERS  
and NON-RECORD CLAIMANTS,

Defendants.

No. 87 CH 4465

JUDGMENT FOR FORECLOSURE AND SALE

This day comes the Plaintiff, authorized to do business in the State of Illinois, by its attorney, DAVID F. PLATEK,

And it appearing to the Court that the Plaintiff heretofore commenced this action by filing its Complaint against the defendants, SAMUEL BUTLER; HARRY "BUS" YOURELL, Registrar of Titles; UNKNOWN OWNERS and NON-RECORD CLAIMANTS, and that the affidavits required to make such unknown parties Defendants to this action were duly filed and Unknown Owners and Non-Record Claimants have been duly and regularly made parties Defendant to this action in manner provided by law;

That the persons designated as Unknown Owners included other persons who are interested in this action and who have or claim some right, title, interest or lien in, to or upon the real estate, or some part thereof in this Complaint described as tenants in possession; and in addition other persons who are interested in this action and who have or claim some right, title, interest or lien in, to or upon the real estate, or some part thereof in this

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Complaint; that the name of each of such other persons interested in this action is unknown to the Plaintiff, and upon diligent inquiry cannot be ascertained, and all such persons are, therefore, made parties defendant to this action by the name and description of UNKNOWN OWNERS.

And the Court having examined the files and records in this cause and having examined the affidavits on file 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, either through service of summons or publications, all in 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 hereof;

And it further appearing to the Court that Defendants, SAMUEL BUTLER; Unknown Owners and Non-Record Claimants, failed to plead to Plaintiff's Complaint within the time required by law, but therein made default, and that an Order of Default has been heretofore entered against the above mentioned Defendants, so failing to plead, and that Plaintiff's Complaint has been taken as confessed by and against them.

And it further appearing to the Court that Defendant HARRY "BUS" YOURELL, Registrar of Titles having failed to resist the plaintiff's Motion for Summary Judgment, and an Order granting the plaintiff's Motion for Summary Judgment against the said defendant having been entered by this Court;

And this cause coming on now to be heard upon the Complaint herein, and upon all other pleadings and upon all the files and matters of record herein;

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And it further appearing to the Court that due notice of the presentation of this Judgment has been given to all parties entitled thereto, and competent evidence herein, as follows:

1. That all the material allegations of the Complaint are true and proven, and that by virtue of the mortgage and the evidence of indebtedness secured thereby alleged in the Complaint, there is due to the Plaintiff, and it has a valid and subsistent item on property described hereafter for the following amounts:

Principal & Interest as of January 10, 1988	\$37,405.20
Minutes of Foreclosure	280.00
Filing of suit	81.00
Summons	24.88
Lis Pendens	26.00
Attorney's fees	1,250.00
Publication fee	204.86
Tax reserve to date	711.36
Insurance reserve to date	409.28
Credit life reserve to date	0.00
Late charges	375.20
Anticipated additional costs	500.00
Anticipated Sheriff's charges	0.00
Less unapplied funds	0.00
<b>Total Amount Due</b>	<b>\$41,267.78</b>

2. That in said mortgage it is provided that the attorneys for Plaintiff are entitled to reasonable attorneys' fees; that the sum of \$1,250.00 has been included in the above indebtedness as for said attorneys' fees as provided in said mortgage; that said sum is the usual customary and reasonable charge made by attorneys in like cases; and the said sum is hereby allowed to the Plaintiff.

3. That under the provisions of said mortgage the costs of this foreclosure are in additional indebtedness for which the Plaintiff should be reimbursed, and that such expenses are hereby allowed to the Plaintiff.

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4. That 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 number 3538093 and the property herein referred to and directed to sold is described as follows:

Lot Thirty Nine (39) in Block Three (3) in William A. Bond and Company's First Addition to Austin, being Frank T. Crawford's Subdivision of Blocks Six (6) and Seven (7) in Commissioner's Subdivision of the South West Quarter (1/4) of the North East Quarter (1/4) of Section 4, Township 39 North, Range 13, East of the Third Principal Meridian, also the North West Quarter (1/4) of the North West Quarter (1/4) of the South East Quarter (1/4) of Section 4 aforesaid, in Cook County, Illinois.

Permanent Tax Index No.: 16-04-401-027

*BHO*

which has the common address of: 1136 North LeClaire, Chicago, Illinois 60631

5. That the rights and interest of all the other parties to this cause in and to the property hereinbefore described are inferior to the lien of the Plaintiff heretofore mentioned.

6. That the mortgage sought to be foreclosed herein was executed after January 1, 1980; and that SAMUEL BUTLER; is the owner of the equity of redemption.

IT IS THEREFORE ORDERED AND ADJUDGED that Judgment is hereby entered in favor of the Plaintiff and against the Defendant SAMUEL BUTLER; in the amount of \$41,267.78 and that unless within three days from the entry of this Judgment there shall be paid to the plaintiff, the sum of the principal balance and the accrued interest mentioned in paragraph 1 of this Judgment with interest

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thereon at the lawful rate, together with all costs taxed therein, the real estate hereinabove described, together with all improvements thereon and appurtenances belonging thereto or so much thereof as may be necessary to pay the amounts found due and which may be sold separately without material injury to the parties in interest, be sold at public vendue, to the highest and best bidder for cash by the Sheriff of Cook County, State of Illinois.

IT IS FURTHER ORDERED AND ADJUDGED that said Sheriff of Cook County give public notice of the time, place and terms of said sale by publishing the same at least once in each week for three successive weeks in a secular newspaper of general circulation published in the County of COOK and State of Illinois; the first publication to be not less than twenty days before the date of said sale; that said Sheriff of Cook County, in his discretion, for good cause shown, may adjourn said sale from time to time by appearing and notifying all parties present of the date and time of such continuance without further publication; that the Plaintiff or any of the parties to this cause may become the purchaser or purchasers at such sale; that upon such sale being made, certificates of sale and record a duplicate thereof as required by law.

IT IS FURTHER ORDERED AND ADJUDGED that said Sheriff of Cook County upon making such sale, shall with all convenient speed report the same to the Court for its approval and confirmation, and shall likewise report the distribution of the proceeds of sale and his acts and doings

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in connection therewith; that out of the proceeds of such sale, he shall make distribution in the following order of priority:

- (a) For his fees, disbursements and commissions on such sale;
- (b) To the Plaintiff, the sum of the principal balance and the accrued interest mentioned in paragraph 1 of this judgment with interest thereon at the lawful rate, together with all costs taxed herein.

IT IS FURTHER ORDERED AND ADJUDGED that the Sheriff of Cook County take receipts from the respective parties to whom he may have made payment 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 be a remainder, he hold the surplus subject to the further order of this Court, and that if there be not sufficient funds to pay in full the amounts found due herein, he specify the amount of deficiency in his report of sale; and further, that said deficiency stand as a lien and apply against the rents, issues and profits accruing from said premises during the period profits, and to apply them upon said deficiency.

IT IS FURTHER ORDERED AND ADJUDGED that on May 16, 1987 the owners of the equity of redemption in the premises hereinabove described were served with summons as required by law; that if the premises so sold shall not have been redeemed within six months of the date of sale, then the defendants and all persons claiming under them, or any of them since the commencement of this suit, be forever barred, foreclosed of and from all rights and equity of redemption of claim or, in and to said

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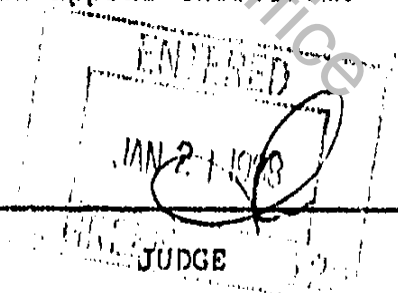
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premises and any part thereof, and in case said premises shall not be redeemed as aforesaid, then upon production to the Sheriff of Cook County or his successor of said certificate or certificates of sale by the legal holder thereof, said Sheriff of Cook County shall execute and deliver to him a good and sufficient deed of conveyance of said premises; and then thereupon the grantee or grantees in such deed or his or her legal representative 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 portion thereof, or any person who may have come into such 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 her representatives or assigns, and in default of so doing, a writ of assistance shall issue.

IN IS FURTHER ORDERED AND ADJUDGED that the attorneys for Plaintiff may withdraw from the files of this cause all original exhibits offered in evidence by them.

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 and expressly finds that there is no just reason for delaying the enforcement of this decree of an appeal therefrom.

ENTER: \_\_\_\_\_



DAVID F. PLATEK #12914  
Attorney at Law  
175 N. Franklin St.  
Suite 201  
Chicago, Illinois 60606  
(312) 372-7399

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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:**

3694175

in a certain cause lately pending in said Court, between . . . . .  
DIAMOND MORTGAGE CORPORATION OF ILLINOIS . . . . . plaintiff/petitioner  
and SAMUEL BUTLER, 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 . . . . . 21st . . . . .  
day of . . . . . JANUARY . . . . . 19. . . . . 88

*Morgan M. Finley* . . . . . Clerk

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A. J. Johnson Sr.  
175 N. Franklin St.  
Chicago, IL 60606