

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 ... -DECEMBER 4th .....  
in the year of our Lord, one thousand nine hundred and ... -87 ..... and of the Independence  
of the United States of America, the two hundredth and ... -TWELETH, .....

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

RICHARD M. DALEY, State's Attorney  
JAMES E. O'GRADY  
RICHARD J. ELROD, Sheriff

Attest: MORGAN M. FINLEY, Clerk.

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STATE OF ILLINOIS

COUNTY OF COOK

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

THE LOMAS AND NETTLETON COMPANY

PLAINTIFF

VS

NG. 87 CH 7392

HOUSTON PRUITT; ANNIE B. PRUITT; HARRY  
"BUS" YOURELL, REGISTRAR c/o JOSEPH  
SANDERS; UNKNOWN OWNERS AND NONRECORD  
CLAIMANTS;

DEFENDANTS

JUDGMENT FOR FORECLOSURE AND SALE

THIS CAUSE having been duly heard by this Court upon the record  
hereinthe Court FINDS:

It has jurisdiction to the parties hereto and the subject matter  
hereof.

That all of the allegations of the Complaint, and those deemed to have  
been made pursuant to Chapter 110 Illinois Revised Statutes Section  
15-1504, are true and proven; that by entry of this judgment, the  
mortgage and note which are the subject of these proceedings are merged  
and extinguished by this Judgment, and that by virtue of the Mortgage,  
evidence and affidavits of indebtedness secured thereby alleged in the  
Complaint, there is due to the Plaintiff, and it has a valid subsisting  
lien on the property described hereafter for, the following:

Principal, Accrued Interest and Advances by Plaintiff:	\$	51,129.43
Costs of Suit:	\$	520.28
Attorneys' Fees:	\$	700.00
-----		
TOTAL .....	\$	52,349.71
=====		

All the foregoing amounts have been accounted for in the Affidavit  
filed by Plaintiff.

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The Court further finds that there is due and owing to the Defendants immediately hereinafter stated, if any, the sums set forth, as a lien(s) upon the subject premises subordinate and inferior to the lien and interest of the Plaintiff pursuant to the verified pleadings filed herein:

NONE

That by its terms said mortgage provides that the attorneys for the Plaintiff shall be entitled to an award of reasonable attorneys fees herein, and, that included in the above indebtedness are attorneys' fees, that the following sum is hereby allowed to the Plaintiff:

\$700.00

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

That advances made in order to protect the lien of the judgment and to preserve the real estate, such as, but not limited to, payment of real estate taxes and special assessments, property maintenance, inspections and appraisals, insurance premiums incurred by the Plaintiff and not included in this Judgment, but which shall be incurred prior to the foreclosure sale shall become an additional indebtedness secured by this Judgment lien and bear interest from the date of advance by the mortgagee at the interest rate upon the subject mortgage pursuant to Chapter 110 Illinois Revised Statutes Sections 15-1603(d)(1) and 15-1603(d)(2).

That the Mortgage described in the Complaint and hereby foreclosed appears of record in the Office of the Recorder or Registrar of Deeds, COOK County, Illinois, as Document No. 3139779, and the property herein referred to and directed to be sold is legally described, commonly known as, and a general description of the improvement thereon is as follows:

LOT THIRTY----- (30)  
The East 12 1/2 Feet of LOT THIRTY-ONE----- (31)  
In Rice's Subdivision in Bellewood, a Subdivision of part of  
the Southwest Quarter (1/4) of Section 9, Township 39 North,  
Range 12, East of the Third Principal Meridian, in Cook  
County, Illinois.

COMMONLY KNOWN AS:

3906 St. Paul  
Bellwood, IL 60104

That the Mortgage herein referred to secured a Mortgage Note executed by:

HOUSTON PRUITT; ANNIE B. PRUITT;

That the rights and interests of all the Defendants to this cause in and to the property hereinbefore described are inferior to the lien of Plaintiff heretofore mentioned.

That the mortgagor defendants and owners or co-owners of the subject

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premises as set forth in the Complaint heretofore filed are the sole owners of the equity of redemption and no other person or entity shall be entitled to redeem pursuant to Chapter 110 Illinois Revised Statutes Section 15-1603 and 15-1212.

That the date upon which the last of the owners of the equity of redemption were duly served with summons or jurisdiction by virtue of publication obtained was September 24, 1987, and accordingly:

IT IS ORDERED AND ADJUDGED that the Court finds that the subject real estate is residential in nature as defined by Chapter 110 Illinois Revised Statutes Section 15-1219 and the redemption period herein shall expire on the later of SEVEN (7) MONTHS from the date the Court obtained jurisdiction over the owners of the equity of redemption as set forth above OR three months from the date of the entry of this Judgment, whichever is later.

IT IS ORDERED AND ADJUDGED that the right to cure the default and reinstate the subject mortgage shall expire ninety (90) days after the date upon which the Court obtained jurisdiction over the owners of the equity of redemption as set forth above.

IT IS ORDERED AND ADJUDGED that the right to redeem herein shall expire on March 7, 1988, unless shortened by further order of Court.

That the original Note and the original Mortgage have been offered in evidence and exhibited in open Court, and Plaintiff is hereby given leave to withdraw the original Note and the original Mortgage and in lieu thereof, substitute true and correct copies which are attached to the Complaint filed herein, and no further copies need be filed.

This Judgment is entered pursuant to Section 15-1506 and Section 15-1603 of Chapter 110 of the Illinois Revised Statutes.

IT IS FURTHER ORDERED AND ADJUDGED that unless the subject premises are redeemed herefrom as by statute is prescribed, 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 venue to the highest and best bidder for cash, by the Sheriff or Judge of COOK County, Illinois in a place ordinary and customary for such sales; Room 702, Executive Offices Richard J. Daley Center, Chicago COOK County, and State of Illinois.

That attorneys for Plaintiff shall give notice of the time, place and terms of such sale by publishing the same at least once in each week for three successive weeks in a secular newspaper of general circulation published in COOK County, Illinois, the first publication to be not more than thirty-five (35) days prior to the date of said sale and the last of such notices shall be published not less than seven (7) days prior to the date of such sale, as by Chapter 110 Illinois Revised Statute Section 15-1507(c) is provided by advertisement in the section of that newspaper where legal notices are commonly placed, and, by separate advertisement in the section of that or some other newspaper where real estate other than that being sold as part of legal proceedings is commonly advertised to the general public, provided that where both advertisements could be published in the same newspaper and that newspaper does not have separate legal notices and real estate advertisement sections,

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a single advertisement shall be sufficient. The Attorney for the Plaintiff shall also give notice of public sale to all parties herein who have not been found by the Court to be in default pursuant to Section 15-1507(c)(3).

The notices of sale aforesaid may be given prior to the expiration of the redemption or reinstatement periods provided for herein.

The Plaintiff or any of the parties hereto may become the purchaser at such sale. If the Plaintiff is the successful bidder at the sale the amount due the Plaintiff, plus all costs, advances and fees hereunder with interest incurred between the entry of judgment and sale shall be taken as a credit on its bid at the sale.

That the Sheriff, Judge or other Sale Officer may adjourn or continue the sale subject to the notice and advertisement requirements of Section 15-1507(4).

TERMS OF SALE: The Sheriff, Judge or Sale Officer shall offer for sale the real estate described herein with all improvements thereon and appurtenances belonging thereto, or so much thereof as may be necessary to pay the amounts to be found due herein and which may be sold separately without material injury to the parties in interest, at a public sale and for cash to the highest bidder by requiring payment of not less than ten percent (10%) at the time of sale and the balance to be paid within twenty-four (24) hours thereafter plus interest at the mortgage rate from the date of sale to the date of payment. All payments of the amount bid shall be in cash or certified funds payable to the Sheriff, Clerk of the Court or Sale Officer. In the event the bidder fails to comply with the terms of the sale bid, then upon demand by the Plaintiff's attorney in the form of notice served upon the Sale Officer, the funds submitted shall be forfeited to the Plaintiff. Notice by regular mail to the address given by the bidder at the sale shall be deemed sufficient notification by Plaintiff to exercise its option to forfeit the funds paid by the bidder hereunder. The subject premises shall be offered for sale without representation as to the nature, quality or quantity of title or recourse to Plaintiff.

That out of the proceeds of such sale, the Sheriff, Judge or Sale Officer shall distribute the proceeds in the following priority:

- (a) Retain his fees, disbursements and commission on such sale;
- (b) The reasonable expenses for securing possession before, holding, maintaining, and preparing the real estate for sale, including payment of real estate taxes and other governmental charges, insurance premiums, receiver's and management fees, attorneys fees, payments made pursuant to Section 15-1505, and expenses incurred by the mortgagee pursuant to statute or as by the mortgage is provided.
- (c) To the Plaintiff, or its attorney of record, the amounts found to be due to Plaintiff in this Judgment with statutory interest.
- (d) To the parties mentioned in Paragraph 3, if any, the sums mentioned therein with statutory interest, except on attorneys' fees as their priorities appear.

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That said Sale Officer, 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 the Sheriff or Judge take receipts from the respective parties to whom he may have made payments as aforesaid, and file same with his report of sale and distribution in this Court; that if after the payment of all the foregoing items there shall be a remainder, he shall hold the surplus subject to the further Order of this Court, and that if there be insufficient funds to pay in full amounts found due herein, he specify the amount of deficiency in his report of sale. That Plaintiff shall be entitled to a deficiency for such amount IN REM, or IN PERSONAM as by the Court determined, upon Petition of the Plaintiff to approve the report of sale and distribution.

That upon the sale of the mortgaged real estate, the Sale Officer shall promptly give a receipt of sale to the purchaser. The receipt shall set forth the description of the real estate purchased and state the amount paid or to be paid therefor. An additional receipt shall be given at each subsequent payment. Upon the request of the successful bidder, the Sale Officer shall deliver a certificate of sale and record a duplicate of said certificate in accord with Sections 12-119 and 12-121 of the Code of Civil Procedure. The certificate of sale shall be freely assignable by endorsement thereon.

The Court shall, upon notice in accord with the rule of the Court applicable to motions generally, conduct a hearing to confirm the sale, and enter an order providing said sale is confirmed and include an award for possession which shall become effective thirty (30) days after entry. The confirmation order may also:

(a.) Approve the mortgagee's fees, costs and additional advances arising between the entry of judgment of foreclosure and the confirmation;

(b.) Provide for the finding of a personal judgment against those deemed personally liable therein;

(c.) Determine the priority of the judgments of parties who deferred proving the priority pursuant to Section 15-1506(h).

That in the event the subject real estate is sold to the mortgagee or its nominee for a sum less than the amount necessary to redeem as set forth in Section 15-1603(d), then the owner of the right to redeem as set forth in Section 15-1603(a) shall have a special right to redeem for a period ending thirty (30) days after the date of confirmation of such sale to redeem by paying the amount in the manner set forth in Section 15-1604 of the Code of Civil Procedure. Property so redeemed shall remain subject to a lien for any deficiency remaining and such lien shall have the same priority as the underlying mortgage foreclosed herein without any rights of homestead.

Upon the expiration of reinstatement and redemption rights, the Sale Officer, upon evidence of the confirmation of sale and payment of the amount bid at sale or deposit of appropriate receipts, shall execute and deliver to the holder of the certificate of sale, or if no certificate of sale has been issued then to the holder of the receipt issued for tender of the amount bid at sale, or the assignee thereof,

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a deed sufficient to convey title, and said conveyance shall be an entire bar to all claims of any party hereto and all persons claiming thereunder and all claims of Unknown Owners and Nonrecord Claimants.

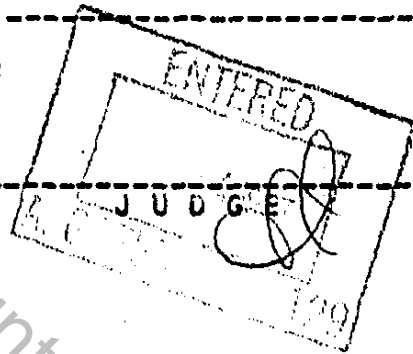
In the event the subject real estate is registered with the Registrar of Torrens Titles of Cook County, Illinois, it is further ordered that the Registrar of Torrens Titles is hereby directed to cancel the outstanding Certificate of Title and issue a new Certificate without requiring the surrender of the Mortgagee's Duplicate Certificate of Title.

That there is no just cause for delaying the enforcement of this Judgment or an appeal therefrom.

The Court retains jurisdiction for the purpose of enforcement of this Judgment, approval of sale, for the purpose of appointing a Receiver and to determine the period of redemption of the owners and holders of the equity of redemption as and by statute provided, upon Petition properly presented.

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

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



LAW OFFICES  
BASHAW & ASSOCIATES  
Attorneys for Plaintiff  
211 West Chicago Avenue  
Suite 210  
Hinsdale, Illinois 60521  
Telephone: (312) 789-1888  
DuPage Attorney #3901  
Kane Attorney #00129313  
Cook Attorney #21890  
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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 . . . . .  
THE LOMAS & NETTLETON COMPANY . . . . . plaintiff/petitioner  
and HOUSTON PRUITT, 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 . . . 7th . . . . .

day of . . . . . DECEMBER . . . . . 19. 87

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

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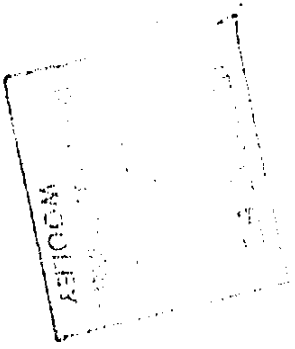
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HARRY (SUS) YOURELL  
REGISTRAR OF TITLES

*Handwritten:* 3702130

*Handwritten:* 1399967



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