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STATE OF ILLINOIS
COUNTY OF COOK

UNITED STATES OF AMERICA

PLACITA JUDICMENT

3757562

(10-84) CCDCH-6

88151201

PLAS, before the Honorable FRANCIS X. GOLNIEWICZ
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 OCTOBER 3

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 THIRTEENTH

PRESENT: The Honorable FRANCIS X. GOLNIEWICZ
Judge of the Circuit Court of Cook County

RICHARD M. DALEY, State's Attorney

JAMES S. O'GRADY
RICHARD J. LENOX, Sheriff

Attest: MORGAN M. FINLEY, Clerk

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and

County, Illinois, being subject to the jurisdiction of this Court,
of Edgewater, and Harry Bus Yourell, Registrar of Titles of Cook
Number 81-03-275, Jordan Huger, Community Bank and Trust Company
under Trust Agreement dated March 11, 1981 and known as Trust
dants Community Bank and Trust Company of Edgewater as Trustee
Guardian, by Fox and Grove, Chartered, its attorneys, and defen-
Service, Inc., an Illinois corporation, hereinafter referred to as
of Foreclosure and sale and plaintiff Guardian Heating & Cooling
This cause comes before the court for entry of judgment

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JUDGMENT OF FORECLOSURE AND SALE

Defendants,

UNKNOWN OWNERS,
OF COOK COUNTY, ILLINOIS, AND
BUS YORELL, REGISTRAR OF TITLES
OF EDGEWATER, IRVING ZADOR, HARRY
COMMUNITY BANK AND TRUST COMPANY
81-03-275, JORDAN HUGER,
1981 AND KNOWN AS TRUST NUMBER
TRUST AGREEMENT DATED MARCH 11,
OF EDGEWATER AS TRUSTEE UNDER
COMMUNITY BANK AND TRUST COMPANY

Plaintiff,

GUARDIAN HEATING & COOLING
SERVICE, INC.,

No. 88 CH 5051

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION
MECHANICS LIEN SECTION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

3-9-4-5-1-2-0-1

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This cause came on to be heard upon the complaint of plaintiff guardian and together with the evidence, oral and documentary, submitted to this court on the issues in this cause, and it appearing that defendant community bank and trust company of Edgewater Trust Number 81-03-275 and community bank and trust company of Edgewater were served with summons on June 10, 1988, that defendant Jordan Hagar was served with summons on June 24, 1988, and that defendant Harry Bus Journal, Registrar of Titles of Cook County, Illinois was served with summons on June 14, 1988, and that an order of default against all of said defendants was entered on August 26, 1988 and that this court has jurisdiction of the subject matter thereof and of all of the parties hereto, and this court being fully advised in the premises,

THE COURT FINDS:

(1) That the equities in this case are with the guardian and that the material allegations in plaintiff's complaint have been proven and that plaintiff guardian is entitled to the relief sought and prayed for as set forth hereinafter.

(2) That this court has jurisdiction of the subject matter of this cause and of all of the parties hereto.

(3) That on December 17, 1987, and throughout the remainder of 1987 and all of 1988 to date, defendant community bank and trust company of Edgewater as Trustee under Trust Number 81-03-275 was the owner of the real estate commonly known as 1428 West Walton Street, Chicago, Illinois having permanent tax number 17-05-315-031-0000 and which is legally described as follows:

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(\$37.00).

December 17, 1987 to date in the sum of thirty seven dollars (\$1,000.00), plus interest thereon at five percent (5%) from there is due said plaintiff, the sum of one thousand dollars of the labor and materials furnished by plaintiff guardian and that

(8) That payments of \$1,400.00 have been made on account Cook County Registrar of Deeds as document number 3699649. a claim for lien to be registered of record in the office of the (7) That on April 11, 1989, plaintiff guardian caused

a permanent improvement thereon and enhanced the value thereof. part of the building on the above described premises and constitute (e) That said labor and materials became a permanent

\$2,400.00.

materials were furnished on December 23, 1987 to the value of furnished and installed a new furnace, the last of which labor and (5) That pursuant to said contract, plaintiff guardian

question. entered into an oral contract with plaintiff whereby said plaintiff Trust Company of Edgewater as Trustee under Trust Number 81-03-275 was to furnish and install a new furnace on the premises in

authorized or knowingly permitted by defendant Community Bank and (c) That on December 17, 1987, defendant Jordan Hugar

Lot 18 in Subdivision of the East 1/2 of the North 1/2 of Block 22 in Canal Trustee's Sub-Division of the West 1/2 of Section 5, Township 39 North, Range 14, lying east of the 3rd principal meridian in Cook County, Illinois.

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(9) That as a result of the proceedings herein said plaintiff Guardian was required to expend the sum of one hundred ninety six dollars and thirty two cents (\$196.32) for court costs herein and a claim for lien recording fee and that said sum should be allowed as an additional charge against the instant property.

(10) That there is a now due and owing the plaintiff Guardian for principal, interest and costs, the following sums from defendant Community Bank and Trust Company of Edgewater as Trustee under Trust Number 81-03-275 and Jordan Hugar: under Trust Number 81-03-275 and Jordan Hugar:

Principal balance due..... \$1,000.00

Interest thereon at the rate of 5% per annum from December 17, 1987 to the date of this judgment..... 37.00

Claim for lien registration fee 32.00

Filing fee 81.00

Sheriff's fee 83.32

Total costs 196.32

Total..... \$1,233.32

(11) That the plaintiff Guardian has a prior and superior lien upon said premises heretofore described in accordance with the statute in such case made and provided.

(12) That the rights and interests of defendant Community Bank and Trust Company of Edgewater as Trustee under Trust Number 81-03-275, Jordan Hugar, Community Bank and Trust Company of Edgewater, and Harry Bus Yourell, Registrar of Titles of Cook County, Illinois is subject, subordinate and inferior to the lien of plaintiff Guardian.

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(5%) annum from December 17, 1987, to the date of this judgment, thirty seven dollars (\$37.00) computed at the rate of five percent thousand dollars (\$1,000.00) together with interest thereon of Inc. within five (5) days from the date hereof, the sum of one their behalf, pay to plaintiff, Guardian Heating & Cooling Service, and known as Trust Number 81-03-275, Jordan Hugar, or someone on of Edgewater as Trustee under Trust Agreement dated March 11, 1971 B. That the Defendants Community Bank and Trust Company

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this judgment of \$37.50 plus costs advanced of \$190.62. statutory interest thereon from December 17, 1987 to the date of \$1,233.32, consisting of the contract sum of \$1,000.00 plus Inc. have a lien on said described premises in the amount of A. That plaintiff Guardian Heating & Cooling Service,

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FOLLOWS:
IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED AS

acts amendatory thereof, to Mechanics' Lien" approved and in force July 1, 1903, and all said, under and by virtue of "An Act to Revise the Law in Relation for the amount so found due to said plaintiff Guardian as afore- is entitled to a lien upon the real estate hereinbefore described, (14) That by reason of the foregoing, plaintiff Guardian

\$1,233.32 for which plaintiff is entitled to a lien. material and labor provided by plaintiff Guardian amounts to work and materials and that the fair and reasonable value of the been enhanced in the amount of \$1,233.32 by virtue of plaintiff's (13) The fair market value of the real estate has thus

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without further publication of notice.

cause, continue said sale from time to time, by public proclamation such sale and that the sheriff may at his discretion, for good

parties to this cause may become the purchaser or purchasers at

tion, published in said city, and that plaintiff or any of the three successive weeks in a secular newspaper of general circula-

and terms of such sale by previously publishing the same weekly for foreclosure and sale; that he give public notice of the time, place

D. (1) That said sheriff execute this judgment of according to statute.

by the sheriff of Cook County, at such time as he shall prescribe,

Richard J. Daley Center Building, Chicago, Cook County, Illinois, at public auction for cash to the highest bidder, in Room 704

separately without material injury to the parties interest, be sold

aforsaid, disbursements and commissions, and which may be sold principal and interest, the cost of this suit and other fees as

to the Plaintiff Guardian Heating & Cooling Service, Inc., for 3 or so much thereof as may be sufficient to satisfy the amount due

that event the premises as hereinabove described in finding number and known as Trust Number 81-03-275 and Jordan Hugar, then and in

of Edgewater as Trustee under Trust Agreement dated March 11, 1961 as aforsaid by said defendants Community Bank and Trust Company

C. That in case of default of said payment being made six dollars and thirty two cents (\$196.32) and also the costs of this suit in the sum of one hundred ninety

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(2) Said sheriff shall give to any purchaser a certificate of sale as required by law, and shall cause a duplicate of such certificate to be recorded in the proper office.

(3) Out of the proceeds of sale, he shall retain his fees, disbursements and commissions relating to said sale, and see that all unpaid costs are paid to the persons entitled to receive the same. He shall then pay to the plaintiff Guardian Heating & Cool, Inc. or to Fox and Grove, Chartered, plaintiff's attorney of record, the amount due under this judgment of foreclosure and sale, with interest as aforesaid, and all taxable costs advanced by plaintiff Guardian Heating & Cooling Service, Inc. If the remainder of proceeds is sufficient, he shall apply such remainder in satisfaction of said amount due as far as it will reach, and report the deficiency. If there shall be a surplus, he shall deposit such with the clerk of the circuit court of Cook County subject to further order of the court.

(4) The sheriff shall file his Report of Sale and Distribution and obtain confirmation thereof by order of court.

E. That if the premises so sold shall not have been redeemed within the time allowed by the laws of this state, as hereinafter set forth, said sheriff or his successor in office, upon production of any certificate of sale aforesaid by the purchaser or purchasers, his or their heirs, successors or assigns, shall execute to the legal holder or holders thereof a deed conveying of the premises in such certificate described.

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f. That the period of redemption shall expire and terminate six (6) months after said Sheriff's Sale, and that thereafter defendant in this cause and all persons claiming under said defendant shall be forever barred and foreclosed from all right to redeem and claim an interest in and to said premises.

g. That upon the execution and delivery of the deed or deeds as aforesaid, the grantee or grantees, his or their heirs, successors or assigns, be let into possession of the portion of said premises so conveyed, and that any of the parties to this cause who may be in possession of said premises, or any part thereof, and any person who since the commencement of this suit shall have come into possession under them or either of them, shall, upon production of said Sheriff's Deed and the service of a certified copy of this judgment, surrender possession thereof to such grantee or grantees, his or their heirs, successors or assigns; and in default of so doing that a writ of assistance may issue in accordance with the practice of this Court.

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RUSSELL M. ROFORD
FOX AND GROVE, CHARTERED #24710
Attorneys for Plaintiff
233 South Wacker Drive
Sears Tower - Suite 1818
Chicago, Illinois 60606
(312) 876-0500

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JUDGE	
ENTERED	ENTER: OCT - 3 1988

DATED _____

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the court expressly finds that there is no just reason to delay the enforcement of this judgment or an appeal therefrom.

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Mail to:
Russell M. Kelley
Fox and Grove, Chicago
Suite 7818, Sears Tower
233 S. Wacker Drive
Chicago, Illinois 60606

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Clerk

1988

OCTOBER

day of

the seal of said Court, in said County, this 6th

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed

and COMMUNITY BANK AND TRUST COMPANY OF EDGEWATER, ET AL., defendant/respondent.

GUARDIAN HEATING & COOLING SERVICE, INC., plaintiff/petitioner

in a certain cause lately pending in said Court, between

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and complete COPY OF A CERTAIN JUDGMENT MADE AND ENTERED OF RECORD IN SAID COURT;

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

STATE OF ILLINOIS
COUNTY OF COOK

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COOK COUNTY RECORDER

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Register of Titles
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12/11/88

Russell Foster
Fox am grave, Child
233 S Wacker, Ste 1818
Chgo., Ill 60606