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UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Name of Assigned Judge	Kocoras	Sitting Judge if Other Than Assigned Judge	
Case Number	88 C 1905	Date	November 28, 1988
Case Title	The New York Guardian Mortgagee Corp.		
	vs. L.C. Austin, et al.,		

**MOTION:** (In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3d-party plaintiff, and (b) state briefly the nature of the motion being presented.)

Sent for Absorption NOV 29 1988 NOV 30 1988	Plaintiff's Attorney, SHAPIRO & KREISMAN  MOTION FOR ENTRY OF AN ORDER APPROVING THE REPORT OF SALE AND DISTRIBUTION AND ORDER OF POSSESSION
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**DOCKET ENTRY:** (The balance of this form is reserved for notations by court staff.)

(1) <input type="checkbox"/> Judgment is entered as follows:	(2) <input checked="" type="checkbox"/> [Other docket entry:]	
Enter order approving Report of Sale and Distribution and order of possession.		
(3)	<input type="checkbox"/>	Filed motion of (use listing in "MOTION" box above)
(4)	<input type="checkbox"/>	Brief in support of motion due _____
(5)	<input type="checkbox"/>	Answer brief to motion due _____, Reply to answer brief due _____
(6)	<input type="checkbox"/>	Hearing on _____ set for _____ at _____
(7)	<input type="checkbox"/>	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(8)	<input type="checkbox"/>	Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(9)	<input type="checkbox"/>	Trial <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(10)	<input type="checkbox"/>	<input type="checkbox"/> Bench trial <input type="checkbox"/> jury trial <input type="checkbox"/> Hearing held and continued to _____ at _____
(11)	<input type="checkbox"/>	This case is dismissed <input type="checkbox"/> without <input type="checkbox"/> with prejudice and without costs <input type="checkbox"/> by agreement <input type="checkbox"/> pursuant to <input type="checkbox"/> FRCP 4(j) (failure to serve) <input type="checkbox"/> General Rule 21 (want of prosecution) <input type="checkbox"/> FRCP 41(a)(1) <input type="checkbox"/> FRCP 41(a)(2)
(12)	<input checked="" type="checkbox"/>	[For further detail see <input type="checkbox"/> order on the reverse or <input checked="" type="checkbox"/> order attached to the original minute order form.]

No notices required. Notices mailed by judge's staff. Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. Mail AO 950 form. courtroom deputy's initials	Date/time received in central Clerk's Office NOV 29 1988	number of r. files 3 date docketed NOV 29 1988 docketing by initials Ear date m.d. notices NOV 29 1988 mailing rpty. initials Ear	Document #  <div style="font-size: 2em; border: 1px solid black; padding: 10px; display: inline-block;">37</div>
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88-6814

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

The New York Guardian Mortgagee )  
Corp. )

PLAINTIFF,

-vs-

L.C. Austin, Harry "Bus"  
Yourell, Registrar of Titles,  
United States of America,  
Dorothy Austin

DEFENDANTS.

DOCKETED

NOV 29 1988

NO. 88 C 1905  
Judge Kocoras

ORDER APPROVING  
REPORT OF SALE AND DISTRIBUTION  
AND ORDER OF POSSESSION

This cause coming to be heard on Plaintiff's motion for the entry of an order approving the Report of Sale and Distribution filed by the duly appointed Special Commissioner of this Court.

The Court having examined said report finds that the Special Commissioner has in every respect proceeded in accordance with the terms of this Court's Judgment, and that said sale was fairly and properly made, and that the proceeds derived therefrom were properly distributed, but were not sufficient to pay in full the amount due the Plaintiff, leaving a deficiency of \$38,011.21, together with interest thereon at the rate of nine percent per annum from the date of sale.

IT IS ORDERED that the sale of the premises involved herein by said Commissioner, the distribution by him of the proceeds of sale, issuance of the Commissioner's certificate of sale and his Report of Sale and Distribution of proceeds of sale, be and the same are hereby approved and confirmed.

That the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the date of the special commissioner's sale are approved, ratified and confirmed.

That the Special Commissioner shall execute and deliver to

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*[Handwritten initials]*

*[Handwritten mark]*

*[Handwritten signature]*

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successful bidder, pursuant to Chapter 110, Paragraph 15-1508 a certificate of sale and a duplicate thereof to be recorded with the Recorder of Deeds of Cook County, Illinois.

It is further ordered that upon request by the successful bidder, the Special Commissioner shall execute and deliver to the successful bidder, a deed sufficient to convey title provided that all required payments have been made pursuant to Illinois Revised Statutes Chapter 110, Section 15-1509.

That the successful bidder is entitled to possession of the premises, commonly known as:

Lot 10 (except the West 37 1/2 feet thereof) and the West 1/2 of Lot 17 in Block 2, in Schmidt's Resubdivision of Blocks 1 and 2, in Schmidt's Subdivision of the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 32, Township 38 North, Range 14, East of the Third Principal Meridian, lying West of the Chicago, Rock Island and Pacific Railroad, in Cook County, Illinois. Commonly known as 860 West 87th Street, Chicago, Illinois 60620.

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effective upon the entry of this order; that said Sheriff is directed to evict and dispossess, L.C. Austin, Dorothy Austin and any unknown occupants claiming through them from the subject premises.

IT IS FURTHER ordered that said property is subject to a special right of redemption for 30 days hereafter the entry of this order. That if said redemption occurs there will remain an in rem deficiency against said property in the amount of \$39,011.21 with the same lien priorities as to the underlying mortgage herein foreclosed without any rights of homestead.

IT IS FURTHER ordered that a Judgment In Personam shall be entered in favor of Plaintiff for the amount of \$39,011.21 against the following named persons, if any L.C. Austin and a memorandum of Judgment shall issue without the right of homestead.

That there is no just cause for delay in the enforcement of or appeal from this order.

ENTER:

*Charles P. Kosorus*

JUDGE

DATED:

11/29/88

SHAPIRO & KREISMAN  
Attorneys for Plaintiff  
1161 A Lake Cook Road  
Deerfield, Illinois 60015  
(312) 945-6040

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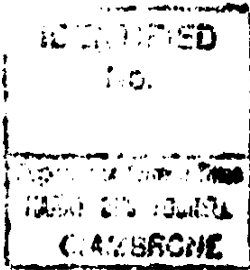
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DEC 13 10 23 AM '00

REGISTER OF TITLES



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SHAPIRO & KREISMAN  
100 N LaSalle St  
SUITE 102  
Chicago IL 60610

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