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Date/Time Received in District Court Office	7/21/89	Initials deputy government	
	1989		
number of notices	1	No notices required.	<input type="checkbox"/>
date docketed	7/21/89	Notices mailed by judge's staff.	<input checked="" type="checkbox"/>
date mailed		Mailed manual by telephone.	<input type="checkbox"/>
mailing date		Mailed by mail.	<input checked="" type="checkbox"/>
date mailed		Mailed by mail.	<input type="checkbox"/>

(12) <input checked="" type="checkbox"/>	[For further details see order on the reverse of]
(11) <input type="checkbox"/>	This case is dismissed with prejudice and without cost.
(10) <input type="checkbox"/>	Bench trial <input type="checkbox"/> Jury trial <input type="checkbox"/>
(9) <input type="checkbox"/>	Trial <input type="checkbox"/>
(8) <input type="checkbox"/>	Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/>
(7) <input type="checkbox"/>	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/>
(6) <input type="checkbox"/>	Hearing on <input type="checkbox"/>
(5) <input type="checkbox"/>	Answer brief to motion due <input type="checkbox"/>
(4) <input type="checkbox"/>	Brief in support of motion due <input type="checkbox"/>
(3) <input type="checkbox"/>	Brief motion of (see listing in "MOTION" box above)

Enter order dismissing "Bodha and Jean Bell as party defendants, defendants Warrata Yoa, "Walton, Crystal Jones and Velma Fultz for failure to answer or otherwise plead to the complaint, Enter order appointing Nancy Malone as special commissioner.

Judgment is entered as follows:

JUL 21 1989

DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

Plaintiff's Attorney, SHAPIRO & KREISMAN
MOTION FOR ENTRY OF AN ORDER TO DISMISS PARTY DEFENDANTS
MOTION FOR DEFAULT, JUDGMENT OF FORECLOSURE AND SALE, AND ORDER APPOINTING SPECIAL COMMISSIONER

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.)

Name of Assigned Judge	Judge Varovich	Sitting Judge if Out of District	
Case Number	88 C 10883	Date	July 20, 1989
Case Title	Fleet Mortgage Corp. v. Warrata Yoa, et. al.		

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Handwritten initials or mark.

SHAPIRO & KREISMAN
Attorney at Law
1161 A. Lake Cook Rd.
Deerfield, IL 60015
(312) 945-6040

DATED: *July 20, 1988*

ENTERED: *[Signature]*
JUDGE

THIS CAUSE coming on to be heard on Plaintiff's Motion, the Court, due notice being given advised in the premises: IT IS HEREBY ORDERED that "Boone and Jean Bell be hereby dismissed as party defendant(s) in the above-captioned cause.

ORDER TO DISMISS PARTY DEFENDANT

DEFENDANTS:

Marjorie A. "Boone, Carol
Moseley-Braun, Registrar of
Titles, "Wilson, Crystal
Jones, Velma White, Jean Bell

PLAINTIFF:

Fleet Mortgage Corp.

NO. 88 C 10883
Judge Marovitch

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

88-8234

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

ENTERED: _____
JUDGE _____

DATED: July 11 1989

IT IS ORDERED that by this court that the complaint herein be taken as confessed against the said defendants, and each of them.

Said defendants having failed to plead or otherwise defend pursuant to said order of court, and pursuant to said notice.

On motion of MARTIN E. JOSEEM, Attorney for the Plaintiff, the requisite affidavit having been filed and due notice of the pendency of this suit having been given to the Defendant(s), Warrisa Yoa, "Walton, Crystal Jones, and Velma Fultz either by personal service of summons, or by publication and mailing, which notice in manner and content as in all respects as required by law, and pursuant to order of court heretofore entered and

ORDER OF DEFAULT

DEFENDANTS.

Warrisa Yoa, Carol Hoesley-
Braun, Registrar of Titles,
"Walton, Crystal Jones,
Velma Fultz

-VS-

PLAINTIFF,

Fleet Mortgage Corp.

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

NO. 88 C 10883
Honorable Judge
KAROVICH

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(b) For such advances made in order to protect the lien of the judgment and preserve the real estate, such as, but not limited to: property inspections, real estate taxes or assessments, property maintenance, and insurance premiums incurred by the plaintiff and not included in this judgment as entered and prior to the commissioner's

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

(a) Principal, Advances and accrued interest by plaintiff:	\$65,121.59
Costs of suit:	\$1,219.10
Attorneys' fees:	\$ 573.00
TOTAL:	\$66,915.69

2. That all the material allegations of the complaint are true and proven, and that by virtue of the mortgage, and the evidences 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 hereinafter for the following:

1. It has jurisdiction of the parties hereto and the subject matter hereof.
This cause having been duly heard by this court upon the record herein, the court finds:

JUDGMENT OF FORECLOSURE AND SALE

DEBTORS,

WALTERA YON, CAROL HOSLEY-
BRAUN, Registrar of Titles,
" Galton, Crystal Jones,
Volume 5078

PLAINTIFF,

Fleet Mortgage Corp.

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

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SHAW & KREISMAN
REGISTERED

NO. 1
IDENTIFIED

Property of Cook County Clerk's Office

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CAROL ROSSELLE BRAUN
REGISTRAR OF TITLES

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7. That true and correct copies of the original Note and

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

Permanent Index No. 16-03-408-028

Lot thirty five (35) in Frank J. Wheeler's Humboldt Park Subdivision of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of the Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois. Commonly known as 4332 West Corcoran, Chicago, IL 60651.

to be sold as described as follows:
Recorder of Deeds and the property herein referred to and directed foreclosed appears of record in the Office of the Cook County 5. That the Mortgage described in the complaint and hereby

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

1989, unless shortened by further order of court.
(c). The rights of redemption shall expire on October 20,

of entry of this judgment, whichever is later.
of the court or (ii) the date three (3) months from the date publication or have otherwise submitted to the jurisdiction mortgage, as described herein, was served by summons or by (herein shall end (1) six (6) months from the date the last 1219 Illinois Revised Statutes; that the period of redemption residential property as defined in Chapter 110, Section 15- (b). The mortgaged real estate is not mortgagor occupied

on March 9, 1989 and the right to reinstate has or will expire redemption were served with summons or by publication was (a). The date when the last of the owners of the equity of

rate of interest.
bear interest from date of the advance at the mortgage sale; that any such item expended shall become so much additional indebtedness secured by the judgment lien and

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2. TERMS OF SALE: The commissioner shall offer for sale the real estate described in paragraph five (5) above, with all improvements, fixtures and appurtenances thereto; or so much of

The plaintiff or any of the parties to this cause, may become the purchasers at such sale. The commissioner may adjourn or continue the sale subject to the Notice and advertisement pursuant to the requirements of Chapter 110, Section 15-1507(4)(c) of the Illinois Revised Statutes as amended (1987).

Notice of public sale shall be given by attorneys for the plaintiff to all parties in the action who have appeared and have not theretofore been found by the court to be in default for failure to plead. Such notice shall be given in the manner provided in the applicable rules of court for service of papers other than process of complaint, not more than 28 days nor less than seven (7) days prior to the day of sale. After notice is given as required in this section, a copy thereof shall be filed in the office of the clerk of the court entering the judgment, together with a certificate of counsel or other proof that notice has been served.

(c) . separate advertisements in the section of such newspaper, which may be the same newspaper, in which the real estate other than real estate 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, a single advertisement shall be sufficient.

(a) . advertisements in a newspaper circulated to the general public in the county in which the real estate is located, in the section of that newspaper where legal notices are commonly placed and;

1. SALE OF THE PREMISES: The premises heretofore described, covered by the security foreclosed in this action, shall be sold at public venue by a special commissioner of this court. The attorneys for the plaintiff shall give public notice of the time, place and terms of sale. The notice of sale shall be published at least three (3) consecutive calendar weeks (Sunday through Saturday), once in each week, the first such notice to be published not more than thirty-five (35) days prior to the sale, the last such notice to be published not less than seven (7) days prior to the sale, by:

IT IS THEREFORE ORDERED AND ADJUDGED BY THIS COURT as follows:

original mortgage are attached to the complaint.

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(f) If the remainder of the proceeds shall not be sufficient

(e) If plaintiff is the successful bidder at said sale, the amount due the plaintiff, plus all costs, advances and fees hereunder with interest incurred between entry of judgment and confirmation of sale shall be taken as a credit on its bid.

(d) Out of the remainder of such proceeds, the amount found due to the plaintiff in the judgment shall be paid to the plaintiff.

(c) The reasonable expenses of securing possession before sale, holding, maintaining and preparing the real estate for sale, including payment of taxes and other governmental charges, premiums on hazard and liability insurance, receiver's and management fees and to the extent provided for in the mortgage or other recorded agreement and not prohibited by law, reasonable attorneys' fees, payments made pursuant to Section 15-1505 and other legal expenses incurred by the mortgagee;

(b) The reasonable expenses of sale;

(a) The Commissioner shall be paid his/her reasonable fees and costs;

3. PROCEEDS OF SALE: That out of the proceeds of such sale, the Commissioner's distribution shall be made in the following order of priority:

said real estate which may be divisible and sold separately without material injury to the parties in interest. The real estate shall be sold at public auction to the highest bidder for cash; requiring payment not less than ten percent (10%) at the time of sale and the balance within twenty-four (24) hours plus interest at the statutory judgment rate on any unpaid portion of the sale price 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 special commissioner. In the event the bidder fails to comply with the terms of the purchase as required, then upon demand by the plaintiff in a notice served on the commissioner and the bidder, the funds submitted shall be forfeited to plaintiff or plaintiff has the option to have the property sold to the next highest bidder. In the event there is a third party bidder other than plaintiff, the commissioner shall obtain the name, address (other than a post office box), and telephone number of that bidder. Notice by regular mail to the address given by the bidder and to the commissioner shall be deemed sufficient notification by the plaintiff to exercise its option to forfeit the funds. The subject property is offered for sale without any representation as to quality or quantity of title or recourse to plaintiff.

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6. SPECIAL REDEMPTION: That upon judicial sale of

(3) determine the priority of the judgments of parties who deferred providing the priority pursuant to subsection (1) of section 15-1506, but the court shall not defer confirming the sale pending the determination of such priority.

(2) provide for a personal judgment against any party for a deficiency, if applicable; and

(1) approve the mortgagee's fees, costs and additional advances arising between the entry of the judgment of foreclosure and the confirmation hearing.

(b) Hearing - Upon motion and notice in accordance with court rules applicable to motions generally, the court shall conduct a hearing to confirm the sale. The court shall then enter an order confirming the sale, which order shall include a judgment for possession which judgment shall become effective thirty (30) days after entry. The confirmation order may also:

(a) Report of sale - The person conducting the sale shall promptly make a report of sale to the court.

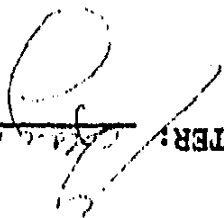
5. REPORT OF SALE AND CONFIRMATION OF SALE:

CERTIFICATE OF SALE/RECEIPT: Upon the sale of mortgaged real estate, the person conducting the sale shall promptly give a receipt of sale for funds tendered. The commissioner, after entry of an order approving sale and upon the request of the successful bidder shall execute and deliver a certificate of sale to the successful bidder and record a duplicate of said certificate in accordance with sections 12-119 and 12-121 of the code of civil procedure. The certificate shall be freely assignable by endorsement thereon.

to pay the above described amounts and interest, the deficiency in his/her report of sale. The plaintiff shall be entitled to a judgment in personam for the amount of such deficiency against the following named persons, if any, NONE and a Memorandum of Judgment shall issue to plaintiffs with the same lien priority as to the underlying mortgage herein foreclosed, without any rights of Homestead. If such remainder shall be more than sufficient to pay such amounts and interest, the clerk of the court or other party designated by the court shall hold the surplus subject to the further order of court.

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

ENTER: 

9. 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 appointing or continuing a Receiver herein at any time during the period of redemption.

8. That the parties hereto who shall be in possession of said premises, or any part thereof, including leaseholders, or any person who may have come into such possession under them or any of them, since the inception of the mortgage or commencement of this suit, shall upon presentation of said Commissioner's Deed of Conveyance, surrender possession of said premises to said grantee, his representative or assigns, and in default of so doing, an order of possession shall issue.

7. **COMMISSIONER'S DEED:** That upon confirmation of the sale, payment of the purchase price and any other amounts required to be paid by the purchaser at sale, and after the expiration of all the mortgagee's reinstatement and redemption rights and rights to possession, the party conducting said sale shall execute and deliver to the holder of the certificate of sale or if no certificate has been issued, then to the holder of the receipt of sale or the assignee thereof, a deed sufficient to convey title; said conveyance shall be an entire bar to all claims of the parties to the foreclosure and all persons claiming thereunder; that thereupon, the grantee or such deed, or legal representative or assign, be let into possession of the premises.

"Residential" real estate to the mortgagee who is a party to this foreclosure or its nominee for a sale price less than the amount required to redeem as specified in chapter 110, section 15-1603(d) of the code of civil procedure, an owner of redemption as specified in chapter 110, section 15-1603(a) of the Illinois code of civil procedure shall have a special right to redeem for a period ending 30 days after the date the sale is confirmed. Redemption shall be made by paying the amount required by and in conformity with the procedures specified in chapter 110, section 15-1604 Illinois code of civil procedure. Property so redeemed shall be subject to a lien for any deficiency remaining with the same lien priority as the underlying mortgage herein foreclosed, without any rights of Homestead.

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