njf1

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

Fleet Mortgage Corporation

UNOFFICIAL

Plaintiff VS.

Lloyd R. Williams, Carol Moseley Braun, Registrar of Titles Defendant

NO. 89 C 2941: Judge Conlon DOCKETED

MAY 3 1 1989

JUDGMENT OF FORECLOSURE

This cause coming on to be heard on motion by Plaintiff for Judgment, the Court FINDS:

# I. JURISDICTION

- 1. That it has jurisdiction of the parties hereto and the subject matter hereof.
- 2. The court specifically finds service of process in each instance was properly made.
- 3. That the date when the last of the owners of the equity of redemption were served with summons or publication was May 3, 1989.
- 4. That the redemption period in this case shall expire on December 4, 1989, unless shortened by further order of this court.
- 11. EVICENTIARY FINDINGS.
- 1. Plaintiff filed a complaint herein to forcelose the mortgage (or other conveyance in the nature of a nortgage) ("mortgage") joined the following persons as defendants: Lloyd R. Williams, Carol Moseley Braun, Registrar of Titles.
- 2. Attached to the complaint as Exhibit "A" is a copy of said mortgage and as Exhibit "B" is a copy of a note secured theraby. Exhibits "A" and "B" are admitted into evidence, and any originals presented may be withdrawn.
  - 3. Information concerning mortgage:
    - (A) Nature of instrument: Mortgage
    - (B) Date of mortgage: October 16, 1987
    - (C) Name of mortgagor: Lloyd R. Williams
- (D) Name of mortgagee: Capital Mortgage Funding Corporation
  - (E) Date and place of recording: October 19, 1987
  - Cook County Registrar of Titles Office
  - (F) Identification of recording: LR3660236

3903230

9

# DYOY WOO WWO

COURTOON

depuis's muais

ent'

Date/time received in central Clerk's Office

	~	•				
(cm 4/87g)			. •	00		<b>3969230</b>
			<b>\</b>	, ,, ,		<b>A DOMPOO</b>
ľľÒ			<b>1</b>	しょしょ		

19649

Name of Assigned Judge or Magistri	•	JUDGE CONLON	Sitting Judge/Mag. It Other Than Assigned Judge/Mag.	
Case Nu	mber	89 C 2941	Date	MAY 25, 1989
Case	FLEET	MORTGAGE CORPORATE	<u> CON</u>	
Title	LLGYD	WILLIAMS, ET AL.		
		ing box (a) indicate the party (b) state briefly the nature of t		
JI	JDGMENT	OF FOR ACLOSURE		Sent for Microfilming
		DEFAULT POINTING SPECIAL CO	DMMISSIONER	MAY 3 1 1989
		FMOTION		JUN 1 19
)	<u> </u>			Filmed on John
<u> </u>				. a. 11 - Tyrica - Lander - La
CKET ENTP	V <sub>I</sub>	(The balance of this for	m is reserved for notations	by court staff.)
(I) X	udeman: is and	ered as follows:	(2) Other duc	cet entry:
···		)		• •
Madadd oct a	11043 Au	Pay (Johanne et a C. Course)		te and ander ammatreton
			•	it and order appointing
			•	
ecial com	issioner		et hereby appoints ${\cal L}$	HACLES R. PURCEL
ecial com	issioner	is righted. The cou	et hereby appoints $\mathcal{L}_{s}$ er for July 11, 1989	HACLES R. PURCELL is stricken.
ecial com	issioner	is righted. The cou	et hereby appoints $\mathcal{L}_{s}$ er for July 11, 1989	HACLES R. PURCELL is stricken.
cetal comm	issioner omnissica	is printed. The cou per, Status bearing se	et hereby appoints $\mathcal{L}_{s}$ er for July 11, 1989	HACLES R. PURCEL
cetal communication spectal c	icatonor	is righted. The cou	et hereby appoints <b>L</b>	HACLES R. PURCELL is stricken.
spectal c	ics foncer commissica , ed motion of fi	is printed. The country, Status bearing se	et hereby appoints <b>2</b> , er for July 11, 1989	HACLES R. PURCELL is stricken. rne) B. Conlin
spectal com	icationer  commissica  ed motion of fi  et in support o  swer brief to n  Hearing	is printed. The country, Status bearing se	et hereby appoints <b>2</b> , er for July 11, 1989	HACLES R. PURCELL is stricken. rne) B. Conlin
spectal c	icationer  commissica  ed motion of foretin support or	Is printed. The countries, Status bearing sease buting in "MOTION" beaubove).	et hereby appoints <b>C</b> , et her	HACLES R. PURCELL is stricken. rne) B. Conlm.
spectal c	icsioner  count ssicu  ed motion of fi  ef in support of  Hearing  Ruting	Is printed. The country, Status bearing se use builty in "MOTION" beaubove) of motion due.	et hereby appoints <b>C</b> ,  For July 11, 1989  Reply to an we tarief due,  set for.	HACLES R. PURCELL is stricken.  The B. Conlin.
spectal c	ed motion of fine fin support of Hearing Ruting trust conference	Is printed. The countries, Status bearing sease listing in "MOTION" beautove).  I motion due	Reply to any verbrief discount for reset for	HACLES A. PURCEL  Is stricken.  The B. Conlin.
spectal common specta	eed motion of [included in support of the Hearing and the Hearing are the total trust conference and the set for t	Is printed. The country of Status hearing se using in "MOTION" betabove, fraction due, to held continued to the continued to	Reply to ans we brief due.  set for reset for reset for reset for	HACLES A. PURCEL  Is stricken.  The B. Conlin.
special comm	ed motion of finer in support of the	Is printed. The countries, Status bearing sease listing in "MOTION" beauting sease listing in "MOTION" beautioned to learn a line of learning sease listing in "Motion due, le	Reply to any vertified due.  Set for July 11, 1989  Reply to any vertified due.  Set for	HACLES A. PURCELL is stricken.  The B. Conlin.
special comm	ed motion of fine fin support of the Hearing Ruting trust conference at Section 1 sect	Is printed. The countries, Status hearing se use using in "MOTION" has above, from due,	Reply to answer brief due, set for reset for reset for reset for prejudice and without costs	ARCIES R. PURCEL  is stricken.  The B. Corbn.  at  at  by agreement pursuant of
special comm	eed motion of finer in support on the string Ruting Ruting It is hearing It is hearing It is hearing It is ease is dismissive the string It is case is dismissive the string It is dis	Is printed. The countries, Status hearing sease listing in "MOTION" best above).  If motion due.    held	Reply to ans verbrief dise.  Set for July 11, 1989  Reply to ans verbrief dise.  Set for	HACLES R. PURCEL  Is stricken.  The B. Conlin.  at  at  by agreement pursuant of the pursuant
special common specia	ed motion of formation of forma	Is printed. The course, status hearing se use using in "MOTION" box above).  I motion due.  I held	Reply to ans verbrief dise.  Reply to ans verbrief dise.  Set for reset for reset for reset for prejudice and without costs  e 21 (want of protecution)	HACLES R. PURCEL  Is stricken.  The B. Conlin.  Is at
special commission of the special commission	ed motion of fi ef in support o swer brief to n Hearing Ruting Ruting Hearing Fruit conference al Bench trial is case is dismis FRCP 4()) or further detail	Is printed. The countries, Status hearing set using in "MOTION" has above).  I motion due.  I held	Reply to ans verbrief dise.  Set for July 11, 1989  Reply to ans verbrief dise.  Set for	HACLES R. PURCEL  is stricken.  The B. Cordin.  at  at  by agreement pursuant of FRCP 41(a)(i) FRCP 41(a)(i) FRCP 41(a)(i) pursuant of the pur
spectal common specta	ed motion of fine in support of saver brief to not the saring from the saring	Is printed. The course, Status hearing se use using in "MOTION" has above; of motion due.    held	Reply to ans verbrief dise.  Set for July 11, 1989  Reply to ans verbrief dise.  Set for	ARCIES R. PURCEL  Is stricken.  The B. Corbn.  at  at  by agreement pursuant of FRCP 41(a)(i) FRCP 41(a)(i) FRCP 41(a)(i) mumber  if motives Document
special commission of the special commission	ed motion of fine fin support of the	Is printed. The countries, Status heaving sease listing in "MOTION" betabove).  I motion due.    held   continued to     held   continued to     yest for   Heaving sed   without   with failure to serve)   General Rule is     isee   order on the rever e of     istaff.     hone.   Or on   Early     isea   order on the rever e of     istaff.	Reply to ans verbrief dise.  Set for July 11, 1989  Reply to ans verbrief dise.  Set for	ACLES R. PURCEL  is stricken.  The B. Cordin.  at  at  by agreement pursuant of FRCP 41(a)(i) FRCP 41(a)(i) from Document  date  Document
s special common spec	ics forner  commissical  commissical  commissical  commissical  commissical  commissical  commissical  conference  al  conference  al  conference  al  conference  conference  al  conference  conference  al  conference  conference  al  con	Is printed. The course, Status hearing se use biting in "MOTION" has above; I motion due.    held   continued to     theld   continued to     Jury trial   Hearing sed   without   with failure to serve;   General Rules     see   order on the reverse of the serverse of th	Reply to any vertarief due set for set for set for set for set for reast for prejudice and without costs and without costs and without costs and continued to set for	ACLES R. PURCEL  is stricken.  The B. Cordin.  at  at  by agreement pursuant of FRCP 41(a)(i) FRCP 41(a)(i) from Document  date  Document
s special common spec	ics forner  commissical  commissical  commissical  commissical  commissical  commissical  commissical  conference  al  conference  al  conference  al  conference  conference  al  conference  conference  al  conference  conference  al  con	Is printed. The countries, Status heaving sease listing in "MOTION" betabove).  I motion due.    held   continued to     held   continued to     yest for   Heaving sed   without   with failure to serve)   General Rule is     isee   order on the rever e of     istaff.     hone.   Or on   Early     isea   order on the rever e of     istaff.	Reply to any vertarief due set for set for set for set for set for reast for prejudice and without costs and without costs and without costs and continued to set for	ACLES R. PURCEL  is stricken.  The B. Cordin.  at  at  by agreement pursuant of FRCP 41(a)(i) FRCP 41(a)(i) from Document  deckering deckering depr. installable  G.

date mid. notices

mating dpty. initials

3909230

(G) / terest subject to the montage: Fee Simple (H) Amount of original indebte less including

subsequent advances made under the mortgage: \$51,750.00

The South 38.33 feet of Lot 3 (except the West 180 feet thereof) in William Randall's Resubdivision of part of Block 1 of Arthur Dunas' South Shore Resubdivision of part of Block 1, 4, 5, 6, 11 and 12 of Calumet Trust's Subdivision No. 3, also part of Block 125 of South Chicago Subdivision together with portions of vacated alley and streets, all in Fractional Section 7, Township 37 North, Range 15, East of the Third Principal Meridian, North of the Indian Boundary Line, according to plat of said William Randall's Resubdivision registered in the Office of the Registrar of Titles of Cook County, Illinois, on June 28, 1960, as Document No. 1928974, in Cook County, Illinois. c/k/a 9554 South Colfax, Chicago, IL 60619
ID #26-07-103-095

(J) That by virtue of the mortgage and the evidence of indebtedned secured thereby, there is due from the mortgagors to the Plaintiff, and the Plaintiff has a valid and subsisting lien upon the hereinister described property as follows:

Unpaid Principal:	\$51,577.26
Accrued interest on unpaid principal to date of judgment:	4,365.99
Advances by Plantiff:	388.28
Costs of suit: O/	594.00
Plaintiff's Attorneys' fees:	575.00

TOTAL BALANCE DUE \$57,500.53

- (K) The name of the present owners of said real estate are: Bloyd R. Williams
- (L) The names of other persons who are joined as defendants and whose interest in or lien on the mortgaged real estate is sought to be terminated are: NONE;

which lien(s) is(are) subservient and subordinate to the lien of Plaintiff.

- (M) The names of defendants personally liable for the deliciency, if any are: Lloyd R. Williams
- (N) The capacity in which plantiff brings this foreclosure is as the owner and legal holder of said note, mortgage and indebtedness.

### III. FEES AND COSTS.

- 1. Plaintiff has been compelled to employ and retain attorneys to prepare and file the complaint and to represent and advise the plaintiff in the foreclosure of the mortgage, and the plaintiff has and will thereby become liable for the usual, reasonable and customary fees of the attorneys in that behalf.
- 2. The plaintiff has been compelled to advanced or will be compelled to advance, various sums of money in payment of costs, fee, expenses and disbursements incurred in connection with the foreclosure, including, without limiting the generality of the

Property of Cook County Clerk's Office

foregoing, fili fees, service of procest fees, copying charges, stenographer's rees, witness fees, costs of publication, costs of procuring and preparing documentary evidence and costs of procuring abstracts of title, Torrens certificates, foreclosure minutes and a title insurance policy.

- 3. Under the terms of the mortgage, all such advances, costs, attorneys' fees and other fees, expenses and disbursements are made a lien upon the mortgaged real estate and the plaintiff is entitled to recover all such advances, costs, attorneys' fees, expenses and disbursements, together with interest on all advances at the rate of interest provided in the mortgage, from the date on which such advances are made.
- 4. In order to protect the lien of the mortgage, it may or has become necessary for plaintiff to pay taxes and assessments which nave been or may be levied upon the mortgaged real estate.
- 5. In order to protect and preserve the mortgage real estate, it has or may also become necessary for the plaintiff to pay fire and other hazard insurance premiums on the real estate or to make such repairs to the real estate as may reasonably be deemed necessary for the proper preservation thereof.
- 6. Under the terms of the mortgage, any money so paid or expended has or will become an additional indebtedness secured by the mortgage and will bear interest from the date such monies are advanced at the rate provided in the mortgage.

## IV. ULTIMATE FINDINGS.

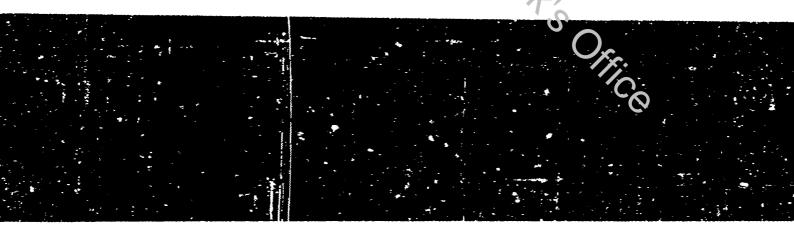
- 1. The allegations and deemed allegations of plaintiff's complaint are true substantially as set forth, and the equities in the cause are with Plaintiff, and Plaintiff is entitled to the relief prayed for in the complaint including foreclosure of said mortgage upon the real estate described therein in the amount of the total Balance Due, as found in II. paragraph 3. (J) above, together with interest thereon at the statutory rate after the entry of this judgment and additional advances, Expenses, and court costs, including publication costs and expenses of sale.
- 2. Said real estate is free and clear of all lieus and encumbrances except unpaid general real estate taxes for the present or past years and thereafter and special assessments, if any, subject to any defendants right of redemption.
- 3. Plaintiff's mortgage is prior and superior to all other mortgages, claims of interests and liens upon said real estate except for real estate taxes and special assessments, if any.
- 4. The sum of attorney fees allowed herein as stated above is the fair, reasonable and proper fee to be allowed to plaintiff as attorney's fees in this proceeding in accordance with the terms of the note and mortgage given to plaintiff by said defendants, which should be added to and become a part of the indebtedness due to plaintiff.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

V. ORDER UPON DEEMED REQUEST FOR FORECLOSURE.

Property or Cook County Clerk's Office

- 1. In particulting has been taken up a the direction of the court of the amounts due and owing to the plaintiif as declared herein.
- 2. The defendants are ordered to pay to the plaintiff before expiration of any redemption period (or, if no redemption period, within seven days after the date of this judgment) whatever sums may appear to be due upon the taking of such secount, together with attorneys' rees, costs, advances, and expenses of the proceedings (to the extent provided in the mortgage or by law).
- 3. In default of such payment in accordance with this judgment, the mortgaged real estate shall be sold as directed by the court, to satisfy the amount due to the plaintiff as set forth in this judgment, together with the interest advances, and expenses incured after judgment at the statutory judgment rate from the date of the judgment.
- 4. In the event the plaintiff is a purchaser of the mortgaged real estate at such sale, the plaintiff may offset against the purchase price of such real estate the amount due under the judgment for forsclosure and order confirming the sale
- In the event of such sale, and the failure of the person entialed thereto to redeem prior to such sale, pursuant to statutory provisions, the defendants made parties to the foreclosure in accordance with statutory provisions, and all persons claiming by, through or under them, and each and any and all of them, shall be forever barred and foreclosed of any right, title, interest, claim, lien or right to redeem in and to the mortgaged real estate.
- 6. If no redemphica is made prior to such sale, a deed shall be issued to the purchaser according to law and such purchaser shall be let into possession of the mortgaged real estates in accordance with statutory provisions.
- VI. ORDER UPON SPECIAL MATTERS.
  - 1. The sale shill be by public suction.
  - 2. The sale shall on by open verbal bid.
- 3. The sale shall be conducted by any judge of this court, the Sheriff of County, or Special Commissioner as this Court shall designate
- 4. Exceptions to which title shall be subject at the sale shall include general real astate taxes for past years, (if any) the current year, and for the proceeding year which have not become due and payable as of the dete of this judgment and any special assessments upon the real estate and easements and restrictions of record.
- 5. In the event any party to this foreclosure is a successful bidder At the sale, such party may offset against the purchase price to be paid for such real o cate the amounts due such party under this judgment of foreclosure or the order



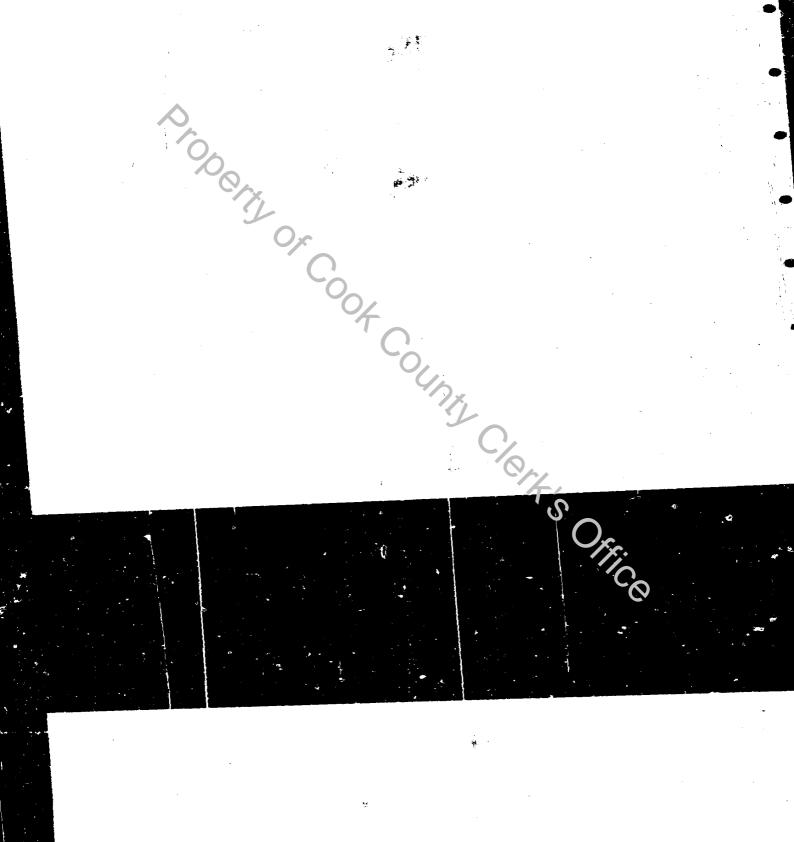
confirming the: la.

VII. ORDER FOR JUDICIAL SALE.

1. The real estate is ordered sold according to law.

 $Q_{\zeta}$ 

- 2. Upon expiration of the redemption period, the real estate shall be sold at a sale as provided by law.
- 3. NOTICE OF SALE: The mortgagee, or such other party designated by the court, in a foreclosure under this Article shall give public notice of the sale.
- a. The notice of sale shall be published at least three consecutive calendar weeks (Sunday through Saturday) once in each week. The first such notice is to be published no more days prior to the sale, the last such



any person who, ince the commencement of this switt has come into possession shall surrender possession thereof to such purchaser. If said parties in pussession refuse to vacate the property-this order may be placed with the Sheriff to begin a eviction and the Sheriff is hereby directed to remove all parties in possession and to place into possession such purchaser.

### DEFIC: ENCY 3.

If the money arising from said sale shall be insufficient to pay the amounts due to the plaintaff with interest and the costs and expenses of sale, or if there is a surplus from said sale the person conducting the sale shall specify the amount of such deficiency or surplus in the report of sale, and a judgment shall be entered therefor, if appropriate.

# JURISDICTION

The tourt hereby retains jurisdiction of the subject matter of this cause and of all the parties hereto for the purpose of enforcing this Judgment, and for appointing a Receiver during the redemption period if necessary.

Justenne B. Contis

Junit Clark's Office

DATED: 184 25, 15/5

FISHER AND FISHER Attorneys at Law. P.C. #3309 30 North LaSalle, Suite 2720

Chicago, 1L 60602

Talephone: (312) 372-4784

Property of Cook County Clerk's Office

UNOFFICIAL C

njf3

Fisher And Fisher

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

Fleet Mortgage Corporation

DOCKETED

MAY 3 1 1989

Flaintiff

VS.

Lloyd R. Williams, et.al. Defendant

NO. 89 C 2941 Judge Conion

# DEFAULT ORDER

THIS CAUSE COMING ON TO BE HEARD ON motion of plaintiff for entry of an Order finding certain Defendants in default;

IT IS ORDERED the following defendants are in default:

Lloyd R. Williams.

May 25 1989

FISHER AND FISHER ATTORNEYS AT LAW, PC 33 N. LASALLE, SUITE 2720 CHICAGO, IL 60602 TELEPHONE: 312-372-4784

Property of Cook County Clerk's Office

njf5

U . 9 Pisher And Fisher File # 19649

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

Meketell MAY 3 , 1985

Fleet Mortgage Corporation

Plaintiff VS.

Llo/d R. Williams, et.al. Defendant

NO. 89 C 2941 Judge Conlon

ORDER APPOINTING SPECIAL COMMISSIONER

IT IS ORDERED THAT Charles R. Kurrell is hereby appointed Special Commissioner of this Court for the purpose of the sale at public vendue of the property that is the subject 1 Anha Office matter of this action.

Attorneys at Law FC 30 N. LaSalle St. Chicago, IL 60602 (312)-372-4784



Ollny Clarks Office

1476187 pipe

3909230

3909230

3909230

1476187 2957-194 277642 9-490

FISHER AND TIGHER

ISHER AND FISHER