

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

Name of Assigned Judge	Judge Duff	Sitting Judge if Other Than Assigned Judge	
Case Number	89 C 7897	Date	January 17, 1991
Case Title	Fleet Mortgage Corp. -vs- James D. Smith, 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.)

Plaintiff's Attorney, SHAPIRO & KREISMAN
MOTION FOR ENTRY OF AN ORDER APPROVING THE REPORT OF SALE AND DISTRIBUTION
AND ORDER OF POSSESSION Set for January 17, 1991
JAN 18 1991

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

(1) <input type="checkbox"/> Judgment is entered as follows:	(2) <input checked="" type="checkbox"/> [Other docket entry:]
Enter order approving special commissioner's report of sale and distribution and for possession. Rosemary Kopriva and Blane Olmos given leave to file appearances as additional counsel.	
(3)	<input checked="" 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 _____
(7)	<input type="checkbox"/> Ruling _____
(8)	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(9)	Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(10)	Trial <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(11)	<input type="checkbox"/> Bench trial <input type="checkbox"/> jury trial <input type="checkbox"/> Hearing held and continued to _____ at _____
(12)	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)
(13)	<input checked="" type="checkbox"/> (For further detail see <input type="checkbox"/> order on the reverse of <input checked="" type="checkbox"/> order attached to the original minute order form.)

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<input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input checked="" type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form.	ED-5 RECEIVED FOR DOCKETING 91 JAN 13 AM 7:11 Date/time received in central Clerk's Office	3 JAN 17 1991 JAN 17 1991 JAN 17 1991	number of notices date docketed docketing dpty. initials date mid. notices mailing dpty. initials	Document # <div style="font-size: 2em; font-family: cursive;">41</div>
<div style="font-size: 2em; font-family: cursive;">R</div> courtroom deputy's initials				

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

Fleet Mortgage Corp.)

JAN 18 1991

PLAINTIFF,)

-vs-)

NO. 89 C 7897

Judge Duff

James D. Smith, Cary J. Smith,)
Carol Moseley-Braun Registrar of)
Titles, United States of America)

DEFENDANTS.)



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.

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 Special Right to Redeem provisions of Chapter 110 Section 15-1604 is not applicable to this sale.

That the Special Commissioner shall execute and deliver to successful bidder, pursuant to Chapter 110, Paragraph 15-1508 a certificate of sale and a duplicate thereof to be recorded with the

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UNOFFICIAL COPY

Recorder of Deed of Cook County, Illinois.

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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 Fleet Mortgage Corp. is entitled to possession of the premises, commonly known as:

Lot 7 in Block 2 in the Resubdivision of Lots 1 to 27 both inclusive, in Block 3 and Lots 1 to 20 both inclusive, in Block 4 in Harmon and Young's Subdivision in the Southwest Quarter of the Southeast Quarter of Section 25, Township 37 North, Range 13, East of the Third Principal Meridian, also the vacated alleys lying South of and adjoining Lots 1 to 7 both inclusive, and the alley lying North of and adjoining Lots 21 to 27 both inclusive, in Block 3 and the alley lying South of and adjoining Lots 1 to 7 both inclusive in Block 4, in Cook County, Illinois. Commonly known as 12628 Fairview, Blue Island, IL 60406.

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effective upon the entry of this order; that said Sheriff of County of Cook is directed to evict and dispossess, Cary J. Smith and any unknown occupants claiming through them from the subject premises.

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

ENTER:

Brian Barnett Hoff
JUDGE

DATED:

JAN 17 1991

SHAPIRO & KREISMAN
Attorneys for Plaintiff
1161 A Lake Cook Road
Deerfield, Illinois 60015
(708) 945-6040

Office

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APR -9 AM 9 56
 CAROL MOSELEY BRAUN
 REGISTRAR OF TITLES
 CHICAGO, ILL. 60601

SHAPIRO & KREISMAN
 REAL ESTATE ATTORNEYS

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