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Name of Assigned Judge	Parsons	Sitting Judge if Other Than Assigned Judge	
Case Number	89 C 4334	Date	November 14, 1990
Case Title	Fleet Mortgage Corp. vs. Joe Allen, 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 DEFAULT, JUDGMENT OF FORECLOSURE AND SALE, AND ORDER APPOINTING SPECIAL COMMISSIONER

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

(1) <input checked="" type="checkbox"/> Judgment is entered as follows	(2) <input type="checkbox"/> [Other docket entry:]
ENTER ORDER TO VACATE DISMISSAL ORDER AND TO REINSTATE CASE. ENTER ORDER dismissing " " Ullman, Gloria Dixon and Pauline Williams as party defendants. ENTER ORDER OF DEFAULT AND JUDGMENT OF FORECLOSURE AND SALE against remaining defendants for failure to answer or otherwise plead to the complaint. ENTER ORDER APPOINTING Nancy Vallone as special commissioner. ENTER ORDER. It is ordered that Rosemary Kopriva and Blane Olomos are granted leave to substitute their appearances for Pamela Levin and Martha E. Tjoseem.	
Sent for Microfilming	
(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 _____
(7) <input type="checkbox"/>	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____
(8) <input type="checkbox"/>	Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____
(9) <input type="checkbox"/>	Trial <input type="checkbox"/> set for <input type="checkbox"/> reset for _____
(10) <input type="checkbox"/>	<input type="checkbox"/> Bench trial <input type="checkbox"/> Jury trial <input type="checkbox"/> Hearing held and continued to _____
(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 checked="" type="checkbox"/> FRCP 41(a)(2)
(12) <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.]

<input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. Mail AO 430 form.	Date/time received in central Clerk's Office NOV 16 1990 NOV 16 1990	number of notices date docketed docketing dpty. initials date mtd. notices mailing dpty. initials	Document # <div style="font-size: 2em; text-align: center;">37</div>
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Fleet Mortgage Corp. )  
 )  
 PLAINTIFF, )  
 )  
 -vs- )  
 Joe Allen, Gloria Harris, )  
 American National Bank and Trust )  
 Company, as Trustee, )  
 UTA #59566, George Washington )  
 Savings and Loan Association, )  
 " " Ullman, Gloria Dixon, )  
 Pauline Williams, Judy Allen )  
 )  
 )  
 DEFENDANTS. )

NO. 89 C 4334

DISMISSED  
NOV 16 1990

ORDER TO VACATE DISMISSAL ORDER AND TO REINSTATE CASE

THIS MATTER coming on to be heard on motion of the Plaintiff, Fleet Mortgage Corp. by and through its attorneys, Shapiro & Kreisman, for the entry of an order vacating the dismissal order entered on June 23, 1989 and for the entry of an order reinstating this action;

The Court being advised that the Chapter 13 Bankruptcy proceeding filed on June 9, 1989 as case number 89 B 9655 has been discharged.

IT IS HEREBY ORDERED that the order dismissing this action on June 23, 1989 be and is hereby vacated and that this cause be reinstated and Plaintiff is granted leave to proceed with foreclosure.

DATED: November 14, 1990  
\_\_\_\_\_  
JUDGE

ENTERED Jan Hanson  
Clerk's Office 31

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THE STATE OF ILLINOIS  
COUNTY OF COOK

IN SENATE

Approved by the Senate  
and the House of Representatives  
of the State of Illinois  
on this 1st day of January  
1900.

Property of Cook County Clerk's Office

1700/000

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

Fleet Mortgage Corp.

PLAINTIFF,

-VS-

Joe Allen, Gloria Harris,  
American National Bank and Trust  
Company, as Trustee,  
UTA #59566, George Washington  
Savings and Loan Association,  
Judy Allen

DEFENDANTS.

NO. 89 C 4334  
Judge PARSONS

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DECKETED  
NOV 18 1990

ORDER TO DISMISS PARTY DEFENDANT

THIS CAUSE coming on to be heard on Plaintiff's Motion, the Court being advised in the premises:

IT IS HEREBY ORDERED that " \_\_\_\_\_ " Ullman, Gloria Dixon, Pauline Williams, be hereby dismissed as party defendant(s) in the above-captioned cause.

ENTERED:

*James Parsons*  
\_\_\_\_\_  
JUDGE

DATED: *November 14, 1990*

SHAPIRO & KREISMAN  
Attorney at Law  
1161 A. Lake Cook Rd.  
Deerfield, IL 60015  
(708) 945-6040

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OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY  
JANUARY 1998

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# UNOFFICIAL COPY

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

Fleet Mortgage Corp. )

PLAINTIFF, )

-vs- )

Joe Allen, Gloria Harris, )  
American National Bank and Trust )  
Company, as Trustee, )  
UTA #59566, George Washington )  
Savings and Loan Association, )  
Judy Allen )

DEFENDANTS. )

NO. 89 C 4334  
Honorable Judge  
PARSONS

BOOKETED  
NOV 16 1990

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ORDER OF DEFAULT

On motion of ROSEMARY KOPRIVA, 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), Joe Allen, Gloria Harris, American National Bank and Trust Company, as Trustee, UTA #59566, George Washington Savings and Loan Association, Judy Allen either by personal service of summons, or by Publication and mailing, which notice in manner and content was in all respects as required by law, and pursuant to Order of court heretofore entered and

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

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

DATED: December 14, 1990

ENTERED: [Signature]  
JUDGE

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

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OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY  
111 N. LAUREL STREET, CHICAGO, ILL. 60602  
TELEPHONE 312-443-2000

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 08/14/01 BY 60322/UC/STP

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court at Chicago, Illinois, this 1st day of January, 2001.

CLERK OF THE COURT

111 N. LAUREL STREET  
CHICAGO, ILL. 60602

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COOK COUNTY CLERK'S OFFICE  
100 NORTH WASHINGTON STREET  
CHICAGO, ILLINOIS 60602

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premiums incurred by the Plaintiff and not included in this Judgment is entered and prior to the Commissioner's sale; that any such item expended shall become so much additional indebtedness secured by the judgment lien and bear interest from date of the advance at the mortgage rate of interest.

3. (a). The date when the last of the owners of the equity of redemption were served with summons or by publication was March 26, 1990 and the right to reinstate has or will expire on June 26, 1990.

(b). The mortgaged real estate is residential property as defined in Chapter 110, Section 15-1219 Illinois Revised Statutes; that the period of redemption herein shall end (i) seven (7) months from the date the last mortgagor, as described herein, was served by summons or by publication or have otherwise submitted to the jurisdiction of the court or (ii) the date three (3) months from the date of entry of this Judgment, whichever is later.

(c). The rights of redemption shall expire on February 7, 1991, unless shortened by further Order of Court.

4. That under the provisions of said mortgage, the costs of 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.

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

Lot 95 and Lot 96 in Block 2 in the Subdivision of Blocks 1, 2, 7 and 8 in Hitt's Subdivision of the Southeast 1/4 of Section 8, Township 37 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois. Commonly known as 9901 South Morgan, Chicago, IL 60643.

Permanent Index No. 25-08-404-001

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

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7. That true and correct copies of the original Note and original Mortgage are attached to the Complaint.

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

1. SALE OF THE PREMISES: The premises hereinabove 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:

- (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;
- (b). 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.
- (c). 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.

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).

2. TERMS OF SALE: The Commissioner shall offer for sale the real estate described in Paragraph Five (5) above, with all

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improvements, fixtures and appurtenances thereto; or so much of 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.

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:

- (a). The Commissioner shall be paid his/her reasonable fees and costs;
- (b). The reasonable expenses of sale;
- (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;
- (d). Out of the remainder of such proceeds, the amount found due to the Plaintiff in the Judgment shall be paid to the Plaintiff.
- (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.

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- (f). If the remainder of the proceeds shall not be sufficient to pay the above described amounts and interest, the Commissioner shall then specify the amount of 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, Joe Allen, Gloria Harris 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.

4. 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.

#### 5. REPORT OF SALE AND CONFIRMATION OF SALE:

- (a). Report of Sale - The person conducting the sale shall promptly make a report of sale to the Court.
- (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:
- (1). approve the mortgagee's fees, costs and additional advances arising between the entry of the judgment of foreclosure and the confirmation hearing.
  - (2). provide for a personal judgment against any party for a deficiency, if applicable; and
  - (3). determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (i) of Section 15-1506, but the Court shall not defer confirming the sale pending the determination of such priority.

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6. SPECIAL REDEMPTION: That upon judicial sale of "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.

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 mortgagor'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 in such deed, or legal representative or assign, be let into possession of the premises.

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 presentment 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.

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.

ENTER: 

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

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89-8884

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

Fleet Mortgage Corp. )

PLAINTIFF, )

-vs- )

NO. 89 C 4334  
Honorable Judge  
PARSONS

Joe Allen, Gloria Harris, )  
American National Bank and Trust )  
Company, as Trustee, )  
UTA #39566, George Washington )  
Savings and Loan Association, )  
Judy Allen )

DEFENDANTS. )

DOCKETED  
NOV 16 1990

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ORDER APPOINTING SPECIAL COMMISSIONER

IT IS ORDERED THAT Nancy Vallone be and the  
same is hereby appointed Special Commissioner of this Court for the  
purpose of the sale at public venue of the property commonly known  
as:

9901 South Morgan, Chicago, Illinois 60643

DATED: November 14, 1990

ENTERED: James Parsons  
JUDGE

SHAPIRO & KREISMAN  
Attorney's at Law  
1161 A Lake Cook Road  
Deerfield, Illinois 60015  
(708) 945-6040

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THE BOARD OF SUPERVISORS OF THE COUNTY OF COOK  
DO HEREBY RESOLVE THAT THE FOLLOWING RESOLUTION BE PASSED  
AND ENACTED AS THE WILL OF THE BOARD:

RESOLUTION NO. 100  
PASSED AND ENACTED AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF COOK HELD AT THE COUNTY CLERK'S OFFICE, CHICAGO, ILLINOIS, ON THE 10TH DAY OF JANUARY, 1998.

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89-8884

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

Fleet Mortgage Corp.

PLAINTIFF,

-vs-

Joe Allen, Gloria Harris,  
American National Bank and Trust  
Company, as Trustee,  
UTA #59566, George Washington  
Savings and Loan Association,  
Judy Allen

DEFENDANTS.

NO. 89 C 4334  
Judge Parsons

ORDER

DECKETED

NOV 16 1990

3968071

THIS MATTER coming before the Court on Motion of the  
Plaintiff, Fleet Mortgage Corp..

IT IS HEREBY ORDERED that ROSEMARY KOPRIVA and BLANE OLMOS are  
granted leave to file their appearances on behalf of the Plaintiff.

The individual appearances of PAMELA E. LEVIN and MARTHA E.  
TJOSEEM are withdrawn.

DATED: November 14, 1990

ENTERED: \_\_\_\_\_

James Parsons  
JUDGE

SHAPIRO & KREISMAN  
Attorney for Plaintiff  
1161 A. Lake Cook Rd.  
Deerfield, IL 60015  
(708) 945-6040

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STATE OF ILLINOIS  
DEPARTMENT OF REVENUE  
DIVISION OF TAXATION

PROPERTY TAX  
STATEMENT

PARCEL IDENTIFICATION NUMBER  
1234567890

PROPERTY ADDRESS  
12345 MAIN STREET  
CHICAGO, ILLINOIS 60601

Property of Cook County Clerk's Office

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Assessed Value: \$150,000  
Taxable Value: \$150,000  
Tax Rate: 0.0125  
Annual Tax: \$1,875.00

APPROVED: \_\_\_\_\_  
DATE: \_\_\_\_\_

STATE OF ILLINOIS  
DEPARTMENT OF REVENUE  
DIVISION OF TAXATION