

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
OF ILLINOIS, PIKE COUNTY

FILED
FEB 02 2018

Dickie, Duncan
Clerk of the Circuit Court
Eighth Judicial Circuit, Pike County, IL

Farmers National Bank of Griggsville,)
)
Plaintiff,)
)
v.)
)
AAP Services, Inc., an Illinois corporation,)
)
The City of Pittsfield, an Illinois municipality,)
)
The County of Pike, an Illinois unit of local)
government,)
)
The State of Illinois,)
)
The United States of America,)
)
Vicky L. Smith, and)
)
Unknown Owners and Non-Record Claimants,)
)
Defendants.)

Case No. 17-CH-12

**ORDER CONFIRMING FORECLOSURE SALE, ISSUING
ORDER OF POSSESSION AND ENTERING FINAL JUDGMENT**

This cause comes up for hearing on February 2, 2018 on the Motion of Plaintiff Farmers National Bank of Griggsville (hereinafter called "Plaintiff") to confirm the foreclosure sale conducted on January 12, 2018, issue an Order of Possession and enter a Final Judgment. Plaintiff appears by its attorneys of record. Defendants AAP Services, Inc., The City of Pittsfield, The State of Illinois, The United States of America, Vicky L. Smith and Unknown Owners and Non-Record Claimants ~~appear~~ / fail to appear, and the record discloses that prior Notice of this hearing and the pending Motion was given to Defendants AAP Services, Inc., The City of Pittsfield, The State of Illinois, The United States of America and Vicky L. Smith, but said Defendants have not filed any written response to the Motion. The record also discloses that the Defendants Unknown Owners and Non-Record Claimants were previously found to be in default.

The Court having examined the Report of Sale executed on behalf of the Pike County Sheriff on the date of sale, Plaintiff's Motion as verified by William S. Meckes, Esq., and the remaining record herein, and now being fully advised in the premises, finds as follows:

1. This Court entered a Judgment of Foreclosure and Sale in the above-entitled case on October 23, 2017, in favor of Plaintiff and against Defendants AAP Services, Inc., The City of Pittsfield, The State of Illinois, The United States of America, Vicky L. Smith and Unknown Owners and Non-Record Claimants and the mortgaged real estate commonly known as and located at 113 North Williams Industrial Drive, Pittsfield, Illinois 62363.

2. The mortgaged real estate is not "residential real estate" within the meaning of 735 ILCS 5/15-1219 so the notice required by 735 ILCS 5/15-1508(b-5) is not required in this case.

3. Pursuant to the aforesaid Judgment, the right of reinstatement under 735 ILCS 5/15-1602 expired on August 31, 2017, and the right of redemption under 735 ILCS 5/15-1603(b) expired on November 22, 2017.

4. Amended Notices of Sale in the forms required by 735 ILCS 5/15-1507 were then published in *The Pike Press*, a newspaper of general circulation in Pike County, Illinois, on December 20, 2017, December 27, 2017 and January 3, 2018, and sworn Certificates of the publisher showing the content and giving the publication dates of said Notices have been filed in the record herein.

5. The mortgaged real estate was then offered for public sale by the Sheriff of Pike County, Illinois on January 12, 2018, at 9:00 A.M., at the Pike County Courthouse, 100 E. Washington St., Pittsfield, IL 62363.

6. At said sale, Farmers National Bank of Griggsville then purchased the mortgaged real estate on a credit bid of \$270,000.00.

7. As of January 12, 2018, the amount due to Farmers National Bank of Griggsville under the Note and secured by the Mortgage was in excess of \$270,000.00.

8. The Notice of Hearing for Plaintiff's Motion was addressed to and served by first class mail on Defendants AAP Services, Inc., The City of Pittsfield, The State of Illinois, The United States of America, Vicky L. Smith.

9. Pursuant to 735 ILCS 5/15-1508 and 5/15-1509, Plaintiff is now entitled to confirmation of such sale and the issuance of a Sheriff's Deed conveying the mortgaged real estate to the Plaintiff, but still subject to the right of Defendant United States of America to redeem the mortgaged real estate from such sale pursuant to, and in the manner and within the time provided in, 28 U.S.C. §2410.

10. Farmers National Bank of Griggsville is presently in possession of the mortgaged real estate as Mortgagee in Possession pursuant to an Order previously entered by this Court on July 7, 2017, and, therefore, the provisions of 735 ILCS 5/15-1701(c) are not applicable.

11. Farmers National Bank of Griggsville is entitled to be discharged as Mortgagee in Possession and is entitled to immediate possession of the mortgage premises against Defendants AAP Services, Inc., The City of Pittsfield, The State of Illinois, The United States of America, Vicky L. Smith and Unknown Owners and Non-Record.

12. The current address and telephone number of Plaintiff is:

Farmers National Bank of Griggsville
112 West Quincy Street
Griggsville, IL 62340

13. All costs herein have been paid.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

A. The sale of the mortgaged real estate at 113 North Williams Industrial Drive, Pittsfield, Illinois 62363 to Farmers National Bank of Griggsville for a credit bid of \$270,000.00 is approved and confirmed.

B. A deed conveying the mortgaged real estate to Farmers National Bank of Griggsville, but still subject to the right of Defendant United States of America to redeem the mortgaged real estate from such sale pursuant to, and in the manner and within the time provided in, 28 U.S.C. §2410, shall be executed and delivered by the Sheriff of Pike County, Illinois, subsequent and pursuant to the entry of this Order.

C. Farmers National Bank of Griggsville is discharged as Mortgagee in Possession and immediate possession of the mortgage premises is awarded to Farmers National Bank of Griggsville against Defendants AAP Services, Inc., The City of Pittsfield, The State of Illinois, The United States of America, Vicky L. Smith and Unknown Owners and Non-Record Claimants.

Enter: 2-2-18



JUDGE

cc: ✓ SLPSD (J. Dueterhaus)
✓ AAP Services, Inc. and Vicky L. Smith
c/o Gerald L. Timmerwilke, Esq.
226 N. Sixth St.
Quincy, IL 62301
✓ The City of Pittsfield
c/o Cindy Prentice, City Clerk
215 North Monroe
Pittsfield, IL 62363

✓ The State of Illinois
c/o Attorney General
Springfield Main Office
500 South Second Street
Springfield, IL 62701

✓ The United States of America
c/o Gail L. Noll, Asst. U.S. Attorney
318 South Sixth Street
Springfield, Illinois 62701