

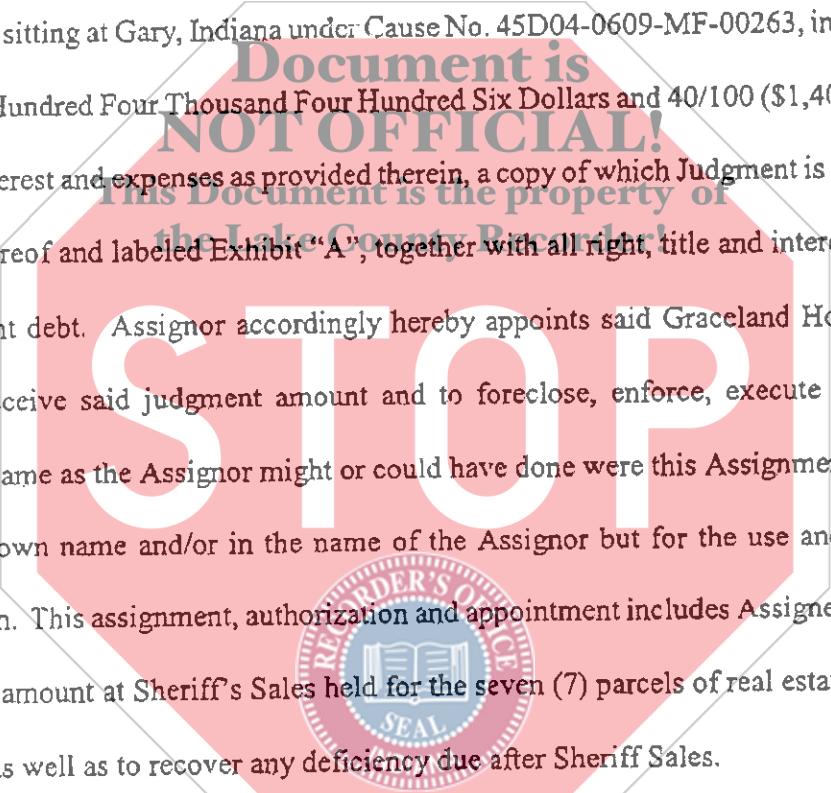
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ASSIGNMENT OF JUDGMENT

M.B. Financial Bank, N.A., a national banking association (the "Assignor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to it by Graceland Holdings, LLC, an Illinois limited liability company (the "Assignee"), the receipt of which is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over, and by these presents does hereby grant, bargain, sell, assign, transfer and set over unto the Assignee, Graceland Holdings, LLC, and without recourse, representations or warranties of any kind whatsoever, all of the Assignor's right, title and interest in and to that certain Judgment titled "Default Judgment and Decree of Foreclosure and Sale" entered on November 3, 2006 by the Lake Superior Court sitting at Gary, Indiana under Cause No. 45D04-0609-MF-00263, in the sum of One Million, Four Hundred Four Thousand Four Hundred Six Dollars and 40/100 (\$1,404,406.40), plus all accruing interest and expenses as provided therein, a copy of which Judgment is attached hereto, made a part hereof and labeled Exhibit "A", together with all right, title and interest in and to the entire Judgment debt. Assignor accordingly hereby appoints said Graceland Holdings, LLC to recover and receive said judgment amount and to foreclose, enforce, execute and satisfy the Judgment the same as the Assignor might or could have done were this Assignment not executed, in Assignee's own name and/or in the name of the Assignor but for the use and benefit of the Assignee herein. This assignment, authorization and appointment includes Assignee credit bidding said Judgment amount at Sheriff's Sales held for the seven (7) parcels of real estate foreclosed by the Judgment as well as to recover any deficiency due after Sheriff Sales.

20070529178

STATE OF INDIANA  
 LAKE COUNTY  
 FILED FOR RECORD  
 2007 JUN 19 PM 2:20



SPANGLER, JENNINGS & DOUGHERTY  
 8396 MISSISSIPPI STREET  
 MERRILLVILLE, INDIANA 46410

\$35  
 CR# 1-0V  
 35752  
 CR

IN WITNESS WHEREOF, the undersigned authorized representative of Assignor has executed this Assignment on the 18 day of July, 2007.

MB FINANCIAL BANK, N.A. a national banking association

By: [Signature]  
Name: George C. Clam  
Title: SVP

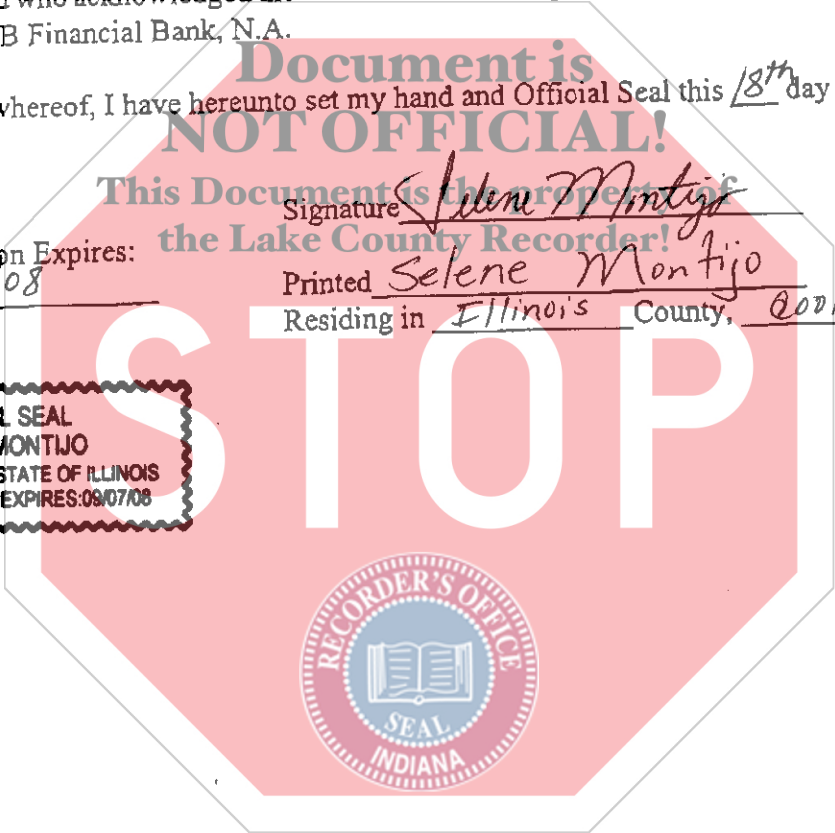
STATE OF ILLINOIS        )  
  ) ss:  
COUNTY OF COOK        )

On this, the 18 day of July, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared George Clam, as Senior Vice President, of MB Financial Bank, N.A., a national banking association, and who acknowledged the execution of the foregoing Assignment of Judgment for and on behalf of MB Financial Bank, N.A.

In witness whereof, I have hereunto set my hand and Official Seal this 18<sup>th</sup> day of July, 2007.

My Commission Expires: 9/7/08  
Signature: [Signature]  
Printed: Selene Montijo  
Residing in Illinois County, Cook

OFFICIAL SEAL  
SELENE MONTIJO  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 09/07/08



This instrument prepared by Lawrence A. Kalina, Spangier, Jennings & Dougherty, P.C., Attorney at Law, Attorney No. 5058-45, 8396 Mississippi St., Merrillville, Indiana, 46410, telephone (219) 769-2323.

STATE OF INDIANA )  
 )SS:  
COUNTY OF LAKE )

IN THE LAKE SUPERIOR COURT  
ROOM NUMBER 4  
SITTING AT GARY, INDIANA

MB FINANCIAL BANK, N.A., )  
AS SUCCESSOR IN INTEREST TO )  
SOUTH HOLLAND TRUST & )  
SAVINGS BANK, )

Plaintiff, )

v. )

KEVIN D. BUTCHER, )  
EILEEN BUTCHER, )  
TAVARES PICKETT, )  
DENISHA SPATES, and )  
UNKNOWN TENANTS 1-7 )  
Defendants. )

CAUSE NO.: 45D04-0609-MF-00263

**FILED IN OPEN COURT**

NOV 3 2006

*Herald M. Arlanoff*  
JUDGE  
SUPERIOR COURT OF LAKE COUNTY

**DEFAULT JUDGMENT AND DECREE OF FORECLOSURE AND SALE**

Comes now plaintiff, MB Financial Bank, N.A. as Successor in Interest to South Holland Trust & Savings Bank (hereinafter "Plaintiff") by counsel, and shows service of summons on the defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**, by the Sheriff of Lake County, Indiana, which is in compliance with Trial Rule 4.12 of the Indiana Rules of Procedure, on the dates set forth below:

Kevin D. Butcher	September 12, 2006
Eileen Butcher	September 12, 2006
Denisha Spates	September 7, 2006
Tavares Pickett	September 8, 2006

which service dates are twenty (20) or more days prior to November 2, 2006; and Plaintiff shows

the Court that defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**, have not appeared or filed an Answer by the return date, as required by law and as stated in the summonses, which summonses, together with the Sheriff's returns endorsed thereon read as follows: (H.I.).

Said defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**, failing to appear or answer herein are audibly called in open Court and come not, but herein each wholly make default. Said Plaintiff also files its Affidavit Concerning Military Service of said defendants herein, which Affidavit is in these words: (H.I.).

Plaintiff moves this Court to enter a Default Judgment against the said non-appearing defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**. Motion granted.

And the Court, having heard the evidence and being duly advised in the premises, finds for the Plaintiff against defendants as follows:

The Court finds for the Plaintiff against the defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**, on the allegations of plaintiff's Complaint, and that the prayer thereof should be granted, and that there is accordingly due Plaintiff from defendants, **Kevin D. Butcher and Eileen Butcher**, on the Note instrument, Mortgages and Assignments of Rents sued upon, the sum of One Million Four Hundred Four Thousand Four Hundred Six and 40/100 Dollars (\$ 1,404,406.40 ), which amount includes principal of \$ 1,285,909.15, interest of \$ 46,941.24, taxes and insurance escrow of \$ 38,671.61, late charges of \$ 2,367.40, title charges of \$ 385.00, and reasonable attorney fees of \$ 30,000.00 as set forth in the Attorney Fee Affidavit filed concurrently with Plaintiff's Motion for Default Judgment, plus court costs of this

action in the amount of \$132.00, and all subsequent costs and expenses, including, but not limited to receivership fees and any unpaid taxes (in an amount yet to be determined), and which Plaintiff may pay in the future and before each of the Sheriff's Sales of the real estate involved herein; and the Court finds that judgment for said amount should bear interest from the date of Judgment, at the rate of eight per cent (8%) per annum; all without any relief whatsoever from valuation and appraisal laws.

The Court further finds that all said sums of money are secured to the Plaintiff by the Mortgages and Assignments of Rents sued upon and sought to be foreclosed by plaintiff's Complaint, and that said Mortgages and Assignments of Rents are listed and described as follows:

a. Mortgage dated April 10, 2001 and recorded April 17, 2001 as Document No. 2001-027649 in the Office of the Recorder of Lake County, Indiana. Which Mortgage was Modified by a certain Modification of Mortgage dated June 19, 2003 and recorded on August 8, 2003 as Document Number 2003-83174 in the Office of the Recorder of Lake County, Indiana; and which was further modified by a certain Modification of Mortgage dated May 24, 2004 and recorded on July 1, 2004 as Document Number 2004-55728 in the Office of the Recorder of Lake County, Indiana; and which was further modified by four (4) Modifications of Mortgages, each dated June 15, 2004 and recorded May 3, 2005, respectively, as Documents Numbers 2005-035210, 2005-035213, 2005-035214, and recorded May 4, 2005 as Document Number 2005-036092, respectively; and which was further modified by a certain Modification of Mortgage dated June 16, 2005 and recorded January 4, 2006 as Document Number 2006-000623 in the Office of the Recorder of Lake County, Indiana (Which Mortgage and Modifications grant Plaintiff a first priority mortgage

lien in and to the **Parcels 1, 2 3 and 4** real estate and improvements commonly known as:

- PARCEL #1: 4125 Euclid Avenue, East Chicago, IN
- PARCEL #2: 4234 Drummond, East Chicago, IN
- PARCEL #3: 3902 Hemlock Street, East Chicago, IN
- PARCEL #4: 3606 Ivy, East Chicago, IN

and legally described below on page 8, respectively).

b. Mortgage dated May 6, 2004 and recorded May 12, 2004 as Document Number 2004-38770 in the Office of the Recorder of Lake County, Indiana; which Mortgage was modified by a certain Modification of Mortgage dated June 15, 2004 and recorded May 3, 2005 as Document Number 2005-035376 in the Office of the Recorder of Lake County, Indiana; and which was further modified by a certain Modification of Mortgage dated June 16, 2005 and recorded January 4, 2006 as Document Number 2006-000624 in the Office of the Recorder of Lake County, Indiana (Which Mortgage and Modifications grant Plaintiff a first priority mortgage lien in and to the **Parcel 5** real estate and improvements commonly known as 3818 Main Street, East Chicago, Indiana, 46312, and legally described below on page 8).

c. Mortgage dated May 6, 2004 and recorded May 12, 2004 as Document Number 2004-38766 in the Office of the Recorder of Lake County, Indiana; which Mortgage was modified by a certain Modification of Mortgage dated June 15, 2004 and recorded May 3, 2005 as Document Number 2005-035212 in the Office of the Recorder of Lake County, Indiana; and which was further modified by a certain Modification of Mortgage dated June 16, 2005 and recorded January 4, 2006 as Document Number 2006-000624 in the Office of the Recorder of Lake County, Indiana. (Which Mortgage and Modifications grant Plaintiff



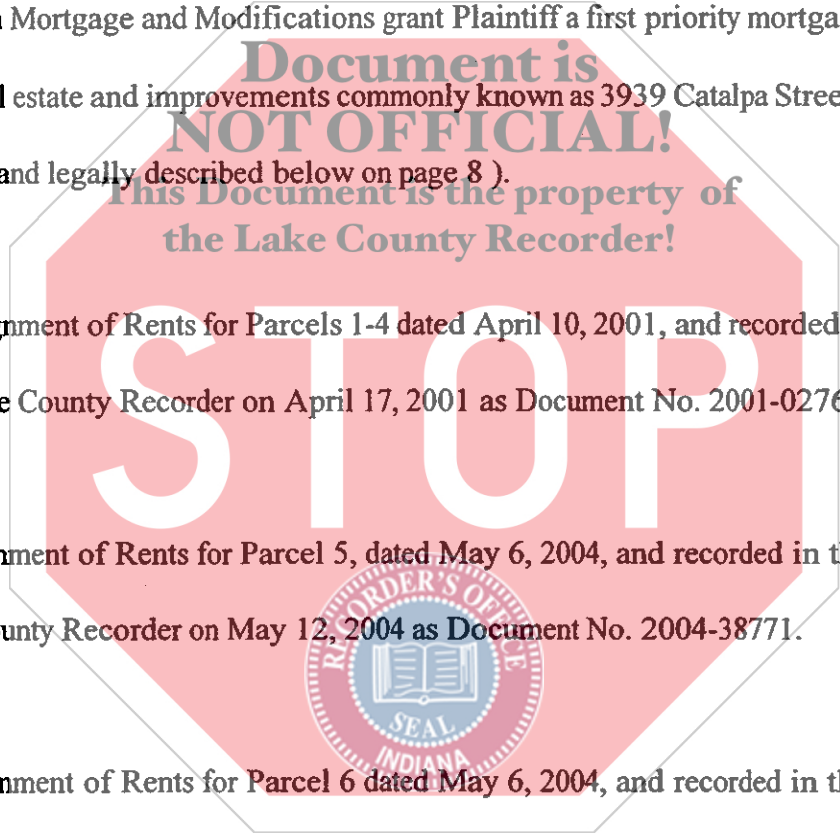
a first priority mortgage lien in and to the **Parcel 6** real estate and improvements commonly known as 1914-1918 East 139<sup>th</sup> Street, East Chicago, Indiana, and legally described below on page 8.)

d. Mortgage dated May 6, 2004 and recorded May 12, 2004 as Document Number 2004-38768 in the Office of the Recorder of Lake County, Indiana; which Mortgage was modified by a certain Modification of Mortgage dated June 15, 2004 and recorded May 3, 2005 as Document Number 2005-035211 in the Office of the Recorder of Lake County, Indiana; and which was further modified by a certain Modification of Mortgage dated June 16, 2005 and recorded January 4, 2006 as Document Number 2006-000624 in the Office of the Recorder of Lake County, Indiana (Which Mortgage and Modifications grant Plaintiff a first priority mortgage lien in and to the **Parcel 7** real estate and improvements commonly known as 3939 Catalpa Street, East Chicago, Indiana, 46312 and legally described below on page 8 ).

e. Assignment of Rents for Parcels 1-4 dated April 10, 2001, and recorded in the Office of the Lake County Recorder on April 17, 2001 as Document No. 2001-027650.

f. Assignment of Rents for Parcel 5, dated May 6, 2004, and recorded in the Office of the Lake County Recorder on May 12, 2004 as Document No. 2004-38771.

g. Assignment of Rents for Parcel 6 dated May 6, 2004, and recorded in the Office of the Lake County Recorder on May 12, 2004 as Document No. 2004-38767.



h. Assignment of Rents for Parcel 7 dated May 6, 2004, and recorded in the Office of the Lake County Recorder on May 12, 2004 as Document No. 2004-38769.

That all of the said Mortgages and Assignments of Rents are valid and subsistent first liens upon and against the mortgaged properties therein described, as well as all rent proceeds from said mortgage properties, the same being the properties hereafter described and that plaintiff's mortgage liens and Assignments of Rents are superior and paramount to any and all rights, titles, interest, and claims of the defendants in this action and all those claiming by, through or under said defendants in or to any of the said mortgaged properties as well as all rent proceeds from said mortgage properties; that under and by virtue of the terms and conditions of Plaintiff's Mortgage instruments, a default has occurred therein and in the indebtedness evidenced and secured thereby and that the Plaintiff is entitled to have its said Mortgages and Assignments of Rents foreclosed as against the defendants in this cause and as to all those claiming by, through or under said defendants, and to have the hereinafter described mortgaged properties and all rights, titles, interest and claims of the defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**, and of all persons claiming from, under or through them, in or to any or all of the said mortgaged properties foreclosed and sold by the Sheriff of Lake County, Indiana, and to have said mortgaged properties sold, to make, pay, and satisfy, along with the said rent proceeds from the mortgage properties, the amounts of money found and adjudged due the Plaintiff upon its Note and Mortgage instruments sued upon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court as follows:



1. The Plaintiff is hereby granted a judgment in the sum of \$ 1,404,406.40 against the defendants, **Kevin D. Butcher and Eileen Butcher**, computed as follows:

Principal	\$ <u>1,285,909.15</u>
Interest up to and including 11/02/06 (which includes per diem interest of \$ <u>214.38</u> )	\$ <u>46,941.24</u>
Taxes and insurance escrows	\$ <u>\$38,671.61</u>
Late charges	\$ <u>2,367.40</u>
Title Report expenses	\$ <u>385.00</u>
Court costs	\$ <u>132.00</u>
Attorney fees	\$ <u>30,000.00</u>
<b>TOTAL</b>	<b>\$ <u>1,404,406.40</u></b>

plus all costs and accruing costs and expenses of this action, including the costs of the receivership established in conjunction with the within action regarding these properties and the costs of each of the sales herein ordered, plus whatever amounts Plaintiff may advance and/or pay regarding said real estate including, but not limited to, all costs and expenses for taxes, insurance, title work, assessments, said receivership, or other matters, prior to each of the Sheriff's Sales, and such judgment shall bear interest at the rate of eight per cent (8%) per annum, from this date, all without relief from valuation and appraisal laws.

2. That all of plaintiff's mortgage liens and Assignments of Rents as set forth herein are hereby foreclosed as against the defendants in this cause, and all those claiming by, through or under said defendants, and that the equity of redemption of the defendants, **Kevin D. Butcher, Eileen Butcher, Denisha Spates and Tavares Pickett**, and of any and all persons and /or entities claiming by, through or under said defendants, in or to any of the mortgaged properties in plaintiff's Complaint

described, to-wit:

PARCEL #1: THE SOUTH 11 FEET OF LOT 17 AND THE NORTH 21 FEET OF LOT 18 IN BLOCK 10 IN PARK ADDITION TO INDIANA HARBOR, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as: 4125 Euclid Avenue, East Chicago, IN

PARCEL #2: LOT 18, EXCEPT THE NORTH 5 FEET IN BLOCK 15 IN PARK ADDITION TO INDIANA HARBOR AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5 PAGE 32, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as: 4234 Drummond, East Chicago, IN

PARCEL #3: LOT 44 IN BLOCK 12 IN THIRD ADDITION TO INDIANA HARBOR, IN THE CITY OF EAST CHICAGO, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 24, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as: 3902 Hemlock Street, East Chicago, IN

PARCEL #4: LOT 26 IN BLOCK 7 IN FOURTH ADDITION TO INDIANA HARBOR, IN THE CITY OF EAST CHICAGO, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 31, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as: 3606 Ivy, East Chicago, IN

PARCEL #5: LOT 26 IN BLOCK 15, 2ND ADDITION TO INDIANA HARBOR, IN THE CITY OF EAST CHICAGO, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 5 PAGE 18, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as 3818 Main Street, East Chicago, Indiana, 46312.

PARCEL #6: LOT 18 IN BLOCK 17, 2ND ADDITION TO INDIANA HARBOR, IN THE CITY OF EAST CHICAGO, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 5 PAGE 18, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as 1914-1918 East 139<sup>th</sup> Street, East Chicago, Indiana, 46312.

PARCEL #7: LOT 20 IN BLOCK 2, 3RD ADDITION TO INDIANA HARBOR, IN THE CITY OF EAST CHICAGO AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 5 PAGE 24, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. Commonly known as 3939 Catalpa Street, East Chicago, Indiana, 46312.

be and the same are hereby forever barred and foreclosed, and that each of the above listed Parcels 1-7 mortgaged properties and all rights, titles and interest, and claims of the said defendants, and all those claiming by, through or under said defendants in or to any or all of the said Parcels 1-7

mortgaged properties, shall be sold by the Sheriff of Lake County as required and provided by law in such cases; and such sales shall be made without relief from valuation and appraisal laws; and that after the Sheriff's Sales of each of the above-described Parcels 1-7 real estate, there shall be no rights of redemption in or to said real estate surviving the defendants and all those claiming by, through or under said defendants. The Court further Orders that each of the said Parcels 1-7 shall be sold separately and individually. Plaintiff, at the Sheriff's sale of each of the Parcels 1-7 real estate and/or at any sale on execution, shall have the right to credit bid its judgment amount for the properties offered for sale, and accordingly, in the event that Plaintiff is the successful bidder, it shall have the right to apply the full amount of its Judgment, namely the said \$ 1,404,406.40 amount, including all interest thereon, and all said costs, as may be required, and as Plaintiff may desire, as a credit towards the purchase price of each of the said Parcels by credit bidding and allocating such parts or amounts of its \$1,404,406.40 judgment amount to individual parcels, as Plaintiff, in its sole discretion, determines, up to the entire amount of Plaintiff's said \$1,404,406.40 judgment plus all said accruing interest, costs and expenses incurred subsequent to the date of this judgment and prior to said Sheriff's Sales.

3. That the Sheriff be, and he is hereby, directed and ordered to apply the proceeds arising from each of the sales of the said Parcels 1-7 mortgaged property in the manner and order following:

First, to the payment of the costs of this action, including, but not limited to, the costs and expenses of said receivership, accrued and to accrue, together with the costs and expenses of the Sheriff's Sale of the real estate; and

Second, to the payment of the Plaintiff of the full balance then still owing on the judgment rendered in favor of Plaintiff herein; and

Third, to the payment of the Plaintiff of a sum equal to the amount expended by

Plaintiff for the payment of the subsequent costs and expenses including, but not limited to, real estate taxes on said real estate, plus 8% interest per annum from the date of payment (delivery of the tax receipts issued by the Treasurer of Lake County to the Sheriff by the Plaintiff shall be sufficient evidence of payment by the plaintiff);

Fourth, the balance, if any, to be paid to the Clerk of Lake County, Indiana, for the use and benefit of those rightfully entitled thereto, and subject to further orders of this Court.

4. If the proceeds from such Sale shall not be sufficient to satisfy the amount herein found to be due and owing to the plaintiff, the Sheriff of Lake County, Indiana, shall immediately levy upon the goods and chattels of the defendants, **Kevin D. Butcher and Eileen Butcher**, and until such judgment is paid in full.

5. Upon the execution by the Sheriff of a deed of conveyance of each of the said Parcels 1-7 mortgaged properties sold hereunder, if not previously redeemed by the person or persons entitled thereto, any person who may be in possession of said Parcels 1-7 mortgaged property, or any part hereof, upon demand and exhibition of said Sheriff's Deed or a true copy thereof, shall forthwith surrender said mortgaged property to the holder of such Deed.

6. A copy of this Decree, duly certified by the Clerk of Lake County under the seal of this Court shall be sufficient authority for, and direction to, the Sheriff of Lake County, Indiana, to proceed as herein directed, including the removal of any person and their property from said Parcels 1-7 mortgaged property. SO ORDERED:

DATED: 11-03-06

  
  
Herald N. Svetanoff  
JUDGE, LAKE SUPERIOR COURT