

## MCHENRY COUNTY SHERIFF'S DEPARTMENT

### PROCEDURE ON MORTGAGE FORECLOSURE SALES

#### Preliminary:

1. Call Sheriff's office for Sale Date, all Foreclosure Sales are held in Room 262 on Thursday at 10:00 A.M. Sheriff's Sale forms can be found on our web site. MchenrySheriff.org Direct line to Civil Process is 815/334-4720
2. Send **CERTIFIED COPY OF JUDGMENT** To Sheriff, we will then assign a Sheriff's number and open a Sale File. **Certified copy must be sent to the Sheriff before publication starts.**

#### At Time of Sale:

1. Present Original Certificate of Publication to Sheriff.
2. Present all the documents required, and copies please.
  - a) Foreclosure Estimate
  - b) Receipt of Sale
  - c) Sheriff's Report of Sale and Distribution (2 pages)
  - d) Original Certificate of Publication (2, 1 from R/E & 1 from Public Notice Section)
  - e) Certificate of Sale & **Duplicate** Certificate of Sale
3. Present check for Sheriff's Sale \$600.00 (**EFFECTIVE 7/23/90 THERE IS A CANCELLATION CHARGE OF \$300.00 FOR ANY SALE CANCELED EXCEPT FOR THOSE CANCELED DUE TO BANKRUPTCY**)

#### AFTER SALE:

1. Set Sale up for approval with Circuit Clerks office, (within ten days of sale)
2. On the day set for approval, pick up signed documents at Sheriff's Office, have sale approved, return **certified** copy of of the **Order Confirming** signed or stamped with the Judge's name that approved the sale.
3. Upon presenting copy of the order approving, the Certificate of Sale will be issued.
4. After 30 days, return the **original** recorded Certificate of Sale and the Deed will be issued.

**Redemption** is made through the Circuit Clerk's office according to the new Foreclosure Statute. **SALE MAY NOT BE HELD UNTIL THE REDEMPTION PERIOD HAS EXPIRED.**

**IN THE CIRCUIT COURT OF THE 22 nd JUDICIAL CIRCUIT OF  
McHENRY COUNTY ILLINOIS**

**SHERIFF'S NO.**

**CASE NO.**

---

**VS**

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**NOTICE OF SHERIFF'S FORECLOSURE SALE**

**NOTICE IS HEREBY GIVEN** that pursuant to a Judgment for Foreclosure herein entered, the Sheriff of McHenry County, Woodstock, Illinois, or his deputy, will on Thursday the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of 10:00 A.M. at the McHenry County Courthouse, Room 262, 2200 N. Seminary Avenue, Woodstock, Illinois sell at public auction to the highest and best bidder, property legally described as follows:

This property is commonly known as \_\_\_\_\_  
and is improved with a single family dwelling. Terms of Sale: This real estate is being sold in an "As Is Condition" for cash or certified funds and the successful bidder is required to deposit 10% of the bid amount at the time of the sale with the McHenry County Sheriff and the balance to be paid by noon the following Tuesday after the sale, except by arrangement and agreement of the present owner/occupant. For information regarding this real estate, interested parties may contact:\_\_\_\_\_

---

Dated:\_\_\_\_\_

**BILL PRIM**  
**Sheriff of McHenry County**

Attorney:

Published:\_\_\_\_\_20\_\_\_\_.  
**(REAL ESTATE SECTION OF PAPER)**



IN THE CIRCUIT COURT OF McHENRY COUNTY, ILLINOIS

Plaintiff )
VS ) Sheriff's No.
) Case No.
Defendants )

RECEIPT OF SALE

I, the undersigned, as Sheriff of McHenry County, Illinois, offered at public sale the following real estate and premises, hereinafter described, to the highest and best bidder, on the \_\_\_ day of \_\_\_ 20\_\_\_ in Room 262, McHenry County Courthouse, 2200 N. Seminary Avenue, Woodstock, Illinois:

Commonly known as: \_\_\_\_\_

\_\_\_\_\_, offered and bid the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) and I thereupon struck off and sold the whole of said property to said bidder in the following manner (a) the sum of \$\_\_\_\_\_ representing the amount due the Sheriff for disbursements and commissions, and (b) a credit for the amount due plaintiff as set forth in the judgment of foreclosure and sale plus all costs, advances and fees thereunder.

BILL PRIM

SHERIFF OF McHENRY COUNTY, ILLINOIS

by: \_\_\_\_\_

Deputy Sheriff

**FORECLOSURE ESTIMATE**

**IN THE CIRCUIT COURT OF THE 22 nd JUDICIAL CIRCUIT OF MCHENRY COUNTY**

**CHANCERY DIVISION**

	)	
	)	
PLAINTIFF	)	CASE NO.
	)	SHERIFF'S NO.
VS	)	
	)	
DEFENDANTS	)	

**DATE OF JUDGMENT:**

**DATE OF SALE:**

- |  |          |
|--|----------|
| 1. a. Amount due under the Judgment<br>(less attorney's fees)                            | \$ _____ |
| b. Interest on said amount at %<br>from date of Judgment to date of<br>sale (_____ days) | _____    |
| c. Attorney's fees   | _____    |
| d. Publication costs   | _____    |
| e. Certified copies  | _____    |
| <b>SUBTOTAL</b>  | _____    |

**2. COSTS ADVANCED DURING REDEMPTION**

- |                             |       |
|-----------------------------|-------|
| a. Real Estate Taxes        | _____ |
| b. Hazard Insurance Premium | _____ |
| c. Property Inspections     | _____ |

**3. COSTS OF SALE**

- |                       |       |
|-----------------------|-------|
| a. Recording          | _____ |
| b. Commission on sale | _____ |

<b>SUBTOTAL</b>	\$ _____
Total	_____
Actual Bid	_____
Deficiency	_____

Attorney of Plaintiff

\_\_\_\_\_  
Attorney's Signature

IN THE CIRCUIT COURT OF MCHENRY COUNTY, ILLINOIS

	)	
	)	
Plaintiff	)	
	)	
VS	)	Sheriff's No.
	)	
	)	Case No.
	)	
Defendants	)	

**SHERIFF'S REPORT OF SALE AND DISTRIBUTION**

I, Bill Prim, Sheriff of McHenry County, Illinois, respectfully report that a public sale of real estate was held pursuant to a judgment entered in the above entitled cause on the \_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ after expiration of the period of redemption and reinstatement on \_\_\_\_\_, 20\_\_\_\_, and in accordance with the applicable law.

I advertised said sale in a newspaper published regularly in McHenry County Illinois in the section where legal publications are made and where real estate is commonly advertised. A Certificate of said publications with a printed copy of said notices are attached hereto as Exhibit "A".

The public sale was advertised to be held on \_\_\_\_\_20\_\_\_\_, at the hour of \_\_\_\_\_A.M. in the McHenry County Courthouse, McHenry County, Illinois.

At that time and place, I offered for sale the following described real estate to the highest and best bidder for cash, in accordance with law. Receiving no bids for any part or portion thereof, I offered the said real estate in its entirety. Thereupon, the \_\_\_\_\_bid the sum of \$\_\_\_\_\_.

That being the highest bid, I sold to the bidder, for said sum of money, the following real estate, which is hereinafter described:

Commonly known as:

That, after conclusion of said sale, I executed a Receipt of Sale indicating the manner in which the sale bid was received, and delivered same to the successful bidder.

That the proceeds of the Sale were disbursed as follows:

1. To plaintiff

(a) The amount due under the judgment  
(less attorney's fees) \$ \_\_\_\_\_

(b) Interest on said amount at 9% per  
annum from \_\_\_\_\_  
Date of decree  
to \_\_\_\_\_

(c) Attorney's fees \_\_\_\_\_

(d) Certified copies \_\_\_\_\_

(e) Publication Costs \_\_\_\_\_

**SUBTOTAL** \$ \_\_\_\_\_

2. Costs advanced during redemption

Real Estate Taxes \_\_\_\_\_

Hazard Insurance Premium \_\_\_\_\_

Property Inspection \_\_\_\_\_

Other \_\_\_\_\_

**SUBTOTAL** \$ \_\_\_\_\_

3. Costs retained by Sheriff

(a) Commission on Sale \_\_\_\_\_

**SUBTOTAL** \$ \_\_\_\_\_

**TOTAL** \$ \_\_\_\_\_

Deficiency or Surplus \$ \_\_\_\_\_

Amount of Bid at Sale \$ \_\_\_\_\_

Upon approval of this report, a Sheriff's Deed of Conveyance will be executed and delivered to the plaintiff in accordance with said judgment and law.

Respectfully submitted the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

**BILL PRIM**  
**Sheriff of McHenry County**

BY: \_\_\_\_\_  
Deputy Sheriff

IN THE CIRCUIT COURT OF MCHENRY COUNTY, ILLINOIS

	)	
	)	
	)	
	)	<b>Plaintiff</b>
	)	
	)	<b>Sheriff's No.</b>
<b>VS</b>	)	
	)	<b>Case No.</b>
	)	
	)	
	)	
	)	<b>Defendants</b>

**ORDER CONFIRMING SHERIFF'S REPORT OF SALE AND DISTRIBUTION**

This cause being heard on the motion of the plaintiff, by its attorney's \_\_\_\_\_ and on the Report of Bill Prim, Sheriff of McHenry County, heretofore appointed to make sale of the real estate in question in this cause to satisfy the judgment entered herein on \_\_\_\_\_, this Court reviewing the Report of Sale showing the proceedings of the Sheriff under said judgment entered herein on \_\_\_\_\_, and the distribution of the proceeds derived from said sale, due notice having been served, no cause to the contrary having been shown, and the Court being fully advised in the premises FINDS:

That said Sheriff has in every respect proceeded in due form of law and in accordance with the terms of said judgment; that the period of redemption expired without redemption having been made and the period of reinstatement expired without reinstatement being made; that the advances made by the plaintiff after the entry of the judgment and prior to sale were fair and reasonable; that said sale was fairly and properly made; that the proceeds derived therefrom properly distributed; that the successful bidder is entitled to a Sheriff's Deed of Conveyance and possession of said premises, and that the mortgagors remain in possession of the premises:

**IT IS THEREFORE ORDERED AND ADJUDGE** by the Court:

That said sale, the distribution of the proceeds thereof, and the report of Sale and Distribution are hereby approved, ratified and confirmed.

That the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the date of the Sheriff's sale are approved, ratified, and confirmed.

That, after the expiration of any right to possession herein retained by the former mortgage, Bill Prim, the Sheriff of McHenry County shall execute and deliver to successful bidder, pursuant to Section 15-1509 of the Illinois Mortgage Foreclosure Law (Illinois Compiled Statutes, Chapter 735-ILCS 5/15-1509), a deed sufficient to convey title.



That the successful bidder is awarded possession, commonly known as: \_\_\_\_\_  
(see legal description attached as Exhibit A), as of the date thirty (30) days after the entry of this order' that, in the event possession is withheld after thirty (30) days, said Sheriff is directed \_\_\_\_\_ to \_\_\_\_\_ evict \_\_\_\_\_ and dispossess, \_\_\_\_\_, 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:** \_\_\_\_\_  
**JUDGE**

**DATE:** \_\_\_\_\_

Attorneys:





**CERTIFICATE OF SALE**

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Witness my hand and seal, in duplicate, at McHenry County, Illinois, this  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

**BILL PRIM**  
**Sheriff of McHenry County Illinois**

By: \_\_\_\_\_  
Deputy Sheriff

**SHERIFF'S DEED IN JUDICIAL SALE**

Sheriff's No. \_\_\_\_\_

**THE GRANTOR**, Sheriff of McHenry County, Illinois, pursuant to and under the authority conferred by the provisions of a decree and/or judgment entered by the Circuit Court of McHenry County, Illinois, on \_\_\_\_\_, In Case No. \_\_\_\_\_ entitled \_\_\_\_\_ VS \_\_\_\_\_ and pursuant to which the land hereinafter described was sold at public sale by said grantor on \_\_\_\_\_, from which sale no redemption has been made as provided by statute, hereby conveys to \_\_\_\_\_, the holder of the Certificate of Sale, the following described real estate situated in the County of McHenry in the State of Illinois, to have and to hold forever:

DATED this \_\_\_\_\_ DAY OF \_\_\_\_\_ 20, \_\_\_\_\_.

**BILL PRIM**, Sheriff of McHenry County, Illinois by: \_\_\_\_\_ Deputy Sheriff

**JUDICIAL DEED**

State of Illinois ) I, the undersigned, a Notary Public in and for said County in the  
 ) SS State aforesaid, DO HEREBY CERTIFY THAT

\_\_\_\_\_ personally known to me to be the same person whose name as Deputy Sheriff of McHenry County, Illinois is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged he/she signed, delivered the said instrument as his/her free and voluntary act as such Deputy Sheriff, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Commission expires \_\_\_\_\_

Notary Public

Address of Property

Mail to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE ABOVE ADDRESS IS FOR STATISTICAL-  
PURPOSES ONLY AND IS NOT A  
PART OF THIS DEED.

Address of Grantee

\_\_\_\_\_  
\_\_\_\_\_

## Newspapers to Publish in McHenry County

Northwest Herald  
One Harold Square, Crystal Lake, IL. 60014 (815)459-4040