Firm No.: 59049

STATE OF ILLINOIS

COUNTY OF COOK

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS,

- COUNTY DEPARTMENT - CHANCERY DIVISION -

|  |  |
| --- | --- |
| PNC BANK, NATIONAL ASSOCIATION, | Case No. : 2018 CH 08439  Cal No.: 63 |
| Plaintiff,  v. |  |
| LETTICIA FLORES; THOMAS W. FOLEY; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS. | Property Address:  3552 S WOOD ST  CHICAGO, IL 60609 |
| Defendant(s). |  |

PLEASE TAKE NOTICE that on \_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_, or as soon thereafter as Counsel may be heard, I shall appear before the Honorable Judge sitting in Courtroom 2810 of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Illinois, and then and there move the Court for entry of Motion for Leave to File Amended Complaint.

|  |  |
| --- | --- |
| Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ | By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Kathryn Bodanza  Marinosci Law Group, P.C. |

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, certify that I served a copy of this notice with attached Motions by mailing the same to the members of the attached service list and placed said envelope in the U.S. Mail at a U.S. Post Office located in Chicago, Illinois before the hour of 5:00 p.m., with proper postage fully prepared, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

|  |  |
| --- | --- |
|  | Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

Marinosci Law Group, P.C.

134 N. LaSalle St.

Suite 1900

Chicago, IL 60602

Tel: 312.940.8580

Fax: 401.234.5130

ARDC No.: 6315218

[mlgil@mlg-defaultlaw.com](mailto:mlgil@mlg-defaultlaw.com)

**SERVICE LIST**

LETTICIA FLORES

3552 S WOOD ST

CHICAGO, IL 60609

THOMAS W. FOLEY

3552 S WOOD ST

CHICAGO, IL 60609

UNKNOWN OWNERS AND NON-RECORD CLAIMANTS

3552 S WOOD ST

CHICAGO, IL 60609

Firm No.: 59049

STATE OF ILLINOIS

COUNTY OF COOK

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS,

- COUNTY DEPARTMENT - CHANCERY DIVISION -

|  |  |
| --- | --- |
| PNC BANK, NATIONAL ASSOCIATION, | Case No. : 2018 CH 08439  Cal No.: 63 |
| Plaintiff,  v. |  |
| LETTICIA FLORES; THOMAS W. FOLEY; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS. | Property Address:  3552 S WOOD ST  CHICAGO, IL 60609 |
| Defendant(s). |  |

**MOTION FOR LEAVE TO FILE AMENDED COMPLAINT, *INSTANTER***

NOW COMES PNC BANK, NATIONAL ASSOCIATION (“Plaintiff”), through counsel (Marinosci Law Group, PC), with its Motion for Leave to file an Amended Complaint, *Instanter*.

1. Plaintiff filed the underlying Complaint on July 5, 2018.

2. Plaintiff now seeks leave of the Court to file an Amended Complaint (“EXHIBIT A”), *instante*r:

A. To add a count for declaratory judgment.

3. Defendant THOMAS W. FOLEY may have had an interest in the Property arising out of Quit Claim Deed dated April 9, 2002 and recorded in the office of the Cook County Recorder of Deeds on April 16, 2002 as document number 0020436026. “EXHIBIT B”

4. Defendant, THOMAS W. FOLEY obtained an interest in the Property in 2002. A subsequent conveyance of the property to Wei Jiang and Xiao Xin Jin (“Prior Owners”) does not contain the interest of THOMAS W. FOLEY. (“EXHIBIT C”) There is no foreclosure deed or release of interest on the land records.

5. LETTICIA FLORES took title to the subject property in 2005 by virtue of a Warranty Deed granted from the Prior Owners recorded April 26, 2005 in the office of the Cook County Recorder of Deed as document number 0511633039. (“Exhibit C”)

6. Upon information and belief the interest of THOMAS W. FOLEY was intended to be conveyed to the Prior Owners by virtue of the Deed attached as “Exhibit E.” THOMAS W. FOLEY no longer has an interest in the subject property and represents the only potential interest remaining that could be connected to the property and that any claims of the Defendant under which the Plaintiff’s Mortgage constitute a cloud on title of Plaintiff to the Property, which greatly diminishes the value and interferes with the right to enjoy and occupy the Property.

WHEREFORE, Plaintiff asks the Court for leave to file an Amended Complaint, *Instanter*,

Respectfully submitted,

|  |  |
| --- | --- |
| Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ | By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Kathryn Bodanza  Attorney, Marinosci Law Group, P.C. |

MARINOSCI LAW GROUP, P.C.

134 N. LaSalle Street, Suite 1900

Chicago, IL 60602

Telephone: 312-940-8580

Facsimile: 401-262-2114

ARDC No.: 6315218

[mlgil@mlg-defaultlaw.com](mailto:mlgil@mlg-defaultlaw.com)

\

Firm No.: 59049

STATE OF ILLINOIS

COUNTY OF COOK

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS,

- COUNTY DEPARTMENT - CHANCERY DIVISION -

|  |  |
| --- | --- |
| PNC BANK, NATIONAL ASSOCIATION, | Case No. : 2018 CH 08439  Cal No.: 63 |
| Plaintiff,  v. |  |
| LETTICIA FLORES; THOMAS W. FOLEY; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS. | Property Address:  3552 S WOOD ST  CHICAGO, IL 60609 |
| Defendant(s). |  |

**ORDER**

The above cause coming to be heard on Plaintiff’s Motion for Leave to File Amended Complaint and the Court being advised in the premises;

IT IS ORDERED:

1. Plaintiff is hereby granted leave to file its Amended Complaint, adding a count for declaratory judgment against Thomas W. Foley.

Enter: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUDGE

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

MARINOSCI LAW GROUP, P.C.

134 N. LaSalle Street, Suite 1900

Chicago, IL 60602

Telephone: 312-940-8580

Facsimile: 401-262-2114

Firm No.: 59049

[mlgil@mlg-defaultlaw.com](mailto:mlgil@mlg-defaultlaw.com)