IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION
MORTGAGE FORECLOSURE/MECHANICS LIEN SECTION

_____ Plaintiff(s) v. _____ Defendant(s)	Case No. _____

PETITION FOR TURNOVER OF SURPLUS FUNDS

Now comes Petitioner(s) _____ , hereby submitting to the jurisdiction of the Court, request(s) that this Court enter an order turning over the surplus funds to Petitioner(s). In support of this petition, Petitioner(s) state as follows:

1. The Petitioner(s) is/are named party/parties to the foreclosure case. ○ Yes ○ No
2. The Petitioner(s) has/have filed an appearance in the case on _____ .
3. The Petitioner(s) has/have given notice of this petition to all parties who were named in the underlying foreclosure action by separate Notice of Motion.
4. The Property address is: _____ .
   Street Address City, State Zip
5. The interest of the Petitioner(s) in the Property is:
   ○ Homeowner(s)/Mortgagor(s) ○ Judgment Creditor ○ Lienholder
   ○ Heir(s)/legatee(s) of mortgagor(s)
   (Please specify and attach affidavit of heirship):
   _____
   ○ Other (please specify and attach supporting documents):
   _____

6. The Property was sold at a foreclosure sale and an Order Approving Sale was entered on _____ .
7. The Property was sold for more than the amount owed to the mortgagee. There is a surplus remaining after all sums are paid in the amount of $ _____ .
8. For any non-mortgagor petitioner:
   - ○ Judgment in the foreclosure action has been proved up in the amount of $ _____ . (attach judgment).
   - ○ Not applicable, Petitioner(s) is/are homeowner(s) or heirs.
9. For any petitioner, or heir thereof:
   - ○ Petitioner(s) does not/do not have a bankruptcy case currently pending in Bankruptcy Court.
   - ○ Petitioner(s) had a previous bankruptcy case which was dismissed on _____ (Case No. _____) .
   - ○ Petitioner(s) has/have a bankruptcy case pending in Bankruptcy Court and has/have attached a copy of the order from the Bankruptcy Court allowing receipt of the surplus funds.

WHEREFORE, Petitioner(s) _____ respectfully request(s) that the Court enter an order turning over the surplus funds from the foreclosure sale to the Petitioner(s).

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

○ Atty. No.: _____ /s/ _____
○ Pro Se 99500

Name: _____ /s/ _____
Atty. for (if applicable): Defendant(s)

_____

Address: _____

City: _____

State: _____ Zip: _____

Telephone: _____

Primary Email: _____

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION
MORTGAGE FORECLOSURE/MECHANICS LIEN SECTION

_____ Plaintiff(s) v. _____ Defendant(s)	Case No. _____

NOTICE OF PETITION FOR TURNOVER OF SURPLUS FUNDS

You must serve all parties in the mortgage foreclosure action, including any additional parties who filed an appearance during the mortgage foreclosure. Use the last page of this Notice of Petition for Turnover of Surplus Funds to list all parties being served.

TO: ☐ Multiple Parties, see attached Service List

_____

_____

_____

On _____ at _____ ○ AM ○ PM or as soon thereafter as counsel may be heard, I shall appear before the Honorable _____ or any judge sitting in that Judge's stead, in the courtroom usually occupied by him/her, located at _____, Illinois, and present a **Petition for Turnover of Surplus Funds**.

○ Atty. No.: _____
○ Pro Se 99500

Name: _____
Atty. for (if applicable):

_____

Address: _____

City: _____

State: ____ Zip: _____

Telephone: _____

Primary Email: _____

☐ PROOF OF SERVICE BY DELIVERY

I, _____ (○ attorney ○ non-attorney) certify that

on _____, I served this notice by delivering a copy personally to each person to whom it was directed.

Dated: _____ Signature/Certification /s/ _____

☐ PROOF OF SERVICE BY MAIL

I, _____ (○ attorney ○ non-attorney) certify that I

served this notice by mailing a copy to _____ at

_____ and depositing the same in

the U.S. Mail at: _____

on _____, at _____ ○ AM ○ PM, with proper postage prepaid.

Dated: _____ Signature/Certification /s/ _____

☐ PROOF OF SERVICE BY ELECTRONIC SERVICE (WHERE PERMISSIBLE)

I, _____ (○ attorney ○ non-attorney) certify that

on _____ , I served this notice electronically via (○ Clerk's Office E-Filing system

○ Fax) transmission (_____ pages) with consent of the recipient where permissible under

IL Sup. Ct. R. 11, at Fax _____ , at _____ ○ AM ○ PM, from

place: _____ .

◉ Via email (Sender's email is _____)

(Recipient's email is: _____)

Dated: _____ Signature/Certification /s/ _____

SERVICE LIST FOR MULTIPLE PARTIES
NOTICE OF PETITION FOR TURNOVER OF SURPLUS FUNDS

Use this page to list all parties named in the mortgage foreclosure action and any persons who filed an appearance in the mortgage foreclosure. You must provide a copy of the Notice of Petition for Turnover of Surplus Funds **and** the Petition for Turnover of Surplus Funds to all the parties named below and attach this list to your Notice of Petition for Turnover of Surplus Funds