

STATE OF ILLINOIS**UNITED STATES OF AMERICA****COUNTY OF DU PAGE****IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT**_____
PLAINTIFF_____
CASE NUMBER

VS

DEFENDANT

File Stamp Here

NOTICE OF MOTION AND PETITION FOR TURNOVER OF SURPLUS FUNDS

To: _____

On _____ in courtroom _____, at _____ or as soon thereafter as counsel may be heard,

I shall appear before the Honorable Judge _____ or any Judge sitting in that
 Judge's stead, in the courtroom usually occupied by him/her, located at 505 N. County Farm Road, Wheaton, Illinois,
 and present:

PETITION FOR TURNOVER OF SURPLUS FUNDS
(with Appearance)

Now come(s) _____ and move(s) this Court for entry of an order turning
 over the surplus proceeds from the foreclosure sale. In support of this petition, Petitioner(s) state(s) as follows:

All parties to this proceeding have been given notice of this petition. The subject property was sold at a
 foreclosure sale for more than the amount owed the mortgage company and the sale was approved by the
 Court on _____.

There is a surplus remaining after all sums are paid in the amount of \$ _____.

Petitioner(s) is/are a party/parties to the foreclosure case and has/have filed an appearance in the case.

Petitioner's/Petitioners' interest in the property is (select one, and attach any supporting documents):

☐

Owners(s)/Mortgagor(s)

☐

Judgment Creditor

☐

Lien Holder

☐

Other _____

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If Petitioner(s) is/are not the Mortgagor(s), judgment for the Petitioner(s) has been proved up in the amount of \$ _____.

Pick one:

- ☐ 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 ("Order Authorizing Distribution of Surplus Funds").
- ☐ Petitioner(s) DOES NOT/DO NOT have a bankruptcy case pending in Bankruptcy Court.

Wherefore, the Petitioner(s), _____, move this Court to turn over to him/her/them the surplus from the foreclosure sale.

I/We, _____ enter my/our appearance(s), pro se:

Signature _____

Signature _____

VERIFICATION AND PROOF OF SERVICE

I/We certify under penalty of perjury as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, that I/we have read the foregoing Verified Petition for Turnover of Surplus Funds and the statements set forth therein are true and correct and that I sent a copy of this Appearance and Answer by United States mail to the Plaintiffs attorney and any other parties who have appeared and have not heretofore been found by the Court to be in default, on _____, 20____.

Signature _____

Signature _____

Name: _____ ☐ Pro Se

DuPage Attorney Number: _____

Attorney for: _____

Address: _____

City/State/Zip: _____

Telephone Number: _____

Email: _____