



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DEPARTMENT OF TRANSPORTATION,)
STATE OF ILLINOIS,)

Plaintiff,)
vs.)

NO. 99 L 51067

CONDEMNATION

AMERICAN NATIONAL BANK & TRUST)
COMPANY OF CHICAGO, formerly known)
as Bank of Ravenswood, as Trustee)
under a Trust Agreement dated)
09/21/89 and known as Trust)
25-10332; MANNROSE JV a/k/a)
MANNROSE JOINT VENTURE; IHOP)
PROPERTIES, INC., a California)
corporation; FIRST CHICAGO TRUST)
COMPANY OF ILLINOIS, as Trustee)
under a Trust Agreement dated)
September 21, 1989 and known as)
Trust Number 25-10-332; SAM BALICE,)
IHOP Franchisee, and UNKNOWN)
OWNERS, Generally,)

PARCEL 0D9 0103
PARCEL 0D9 0103 TE
JOB NO. R90-006-99

Defendants.)

FINAL JUDGMENT ORDER

This matter coming on to be heard on the Complaint For
Condemnation of Plaintiff, DEPARTMENT OF TRANSPORTATION, STATE OF
ILLINOIS, For and On Behalf of the People of the State of Illinois,
for the ascertainment of the just compensation for the taking by
Plaintiff of property sought to be taken for public purposes, as
set forth in the Complaint For Condemnation, and on Plaintiff's
Motion For Entry Of Final Judgment Order By Stipulation;

And Plaintiff, DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, appearing by James E. Ryan, Attorney General of the State of Illinois, and Mark A. Spadoro, Special Assistant Attorney General;

And Defendants, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, formerly known as Bank of Ravenswood, as Trustee under a Trust Agreement dated the 09/21/89 and known as Trust 25-10332, MANNROSE JV a/k/a MANNROSE JOINT VENTURE, IHOP PROPERTIES, INC., a California corporation, FIRST CHICAGO TRUST COMPANY OF ILLINOIS, as Trustee under a Trust Agreement dated September 21, 1989 and known as Trust Number 25-10-332, and SAM BALICE, IHOP Franchisee by their attorney, Ralph T. Wutscher, MARKS, MARKS AND KAPLAN, LTD.;

And it appearing to the Court that all Defendants to this proceeding have been served by process as provided by statute, have entered their appearances, or have been defaulted, or have disclaimed any claim or interest in the subject property and been dismissed, and that the Court has jurisdiction of the subject matter of this proceeding and of all parties thereto;

And it further appearing to the Court that due notice of this hearing has been given, and that the demand for trial by jury has been waived by the Plaintiff and all Defendants hereto, and the Court having considered the Stipulation Of Settlement And For Entry Of Final Judgment Order, the Complaint For Condemnation, the record, and being fully advised in the premises, finds and adjudges the just compensation for the property taken and damaged as follows:

To the owner or owners of and party or parties interested in Parcel OD9 0103, legally described in Exhibit "1" attached hereto and incorporated herein by reference and Parcel OD9 0103 TE, legally described in "2" attached hereto and incorporated herein by reference, as full and final just compensation for the fee simple title to said Parcel OD9 0103, and for damages to the remainder of the property of which Parcel OD9 0103 is part, and a temporary easement to Parcel OD9 0103 TE for the taking and uses and purposes set forth in the Complaint For Condemnation, the total sum of \$43,000.00;

And it further appearing to the Court that by Order entered on November 23, 1999 upon hearing of Plaintiff's Motion For The Immediate Vesting Of Title in Plaintiff to Parcel OD9 0103 and Parcel OD9 0103 TE, the amount of preliminary just compensation for the taking of the fee simple title to Parcel OD9 0103, and damages to the remainder, was determined to be \$36,000.00 and for the taking of the temporary easement to Parcel OD9 0103 TE was determined to be \$2,000.00; that on December 21, 1999, Plaintiff deposited with the Cook County Treasurer the money preliminarily found to be just compensation; that by Order Vesting Title entered on January 18, 2000, Plaintiff was vested with the fee simple title Parcel OD9 0103 and with a temporary easement to Parcel OD9 0103 TE, and authorized to take immediate possession of said property; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of FORTY THREE THOUSAND AND NO/100 (\$43,000.00) DOLLARS is the full

and final just compensation to the owner or owners of and party or parties interested in Parcel OD9 0103 for the taking of the fee simple title, as legally described in Exhibit "1" attached hereto, and for damages to the remainder of the property of which Parcel OD9 0103 is part, and in Parcel OD9 0103 TE for the taking of a temporary easement, as legally described in Exhibit "2" attached hereto, and judgment is hereby entered accordingly.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff having heretofore deposited preliminary just compensation of \$38,000.00 with the Cook County Treasurer shall deposit with the Cook County Treasurer within ninety (90) days of this judgment the additional sum of FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS representing the balance remaining due in excess of the amount of preliminary just compensation previously deposited by Plaintiff for the payment by Plaintiff of the full and final just compensation adjudged herein for the taking and damaging of real property, and for damages to the remainder property. Interest shall not be paid by Plaintiff under 735 ILCS 5/7-108 on the additional compensation to be deposited by Plaintiff, nor shall interest on the judgment be paid by Plaintiff under 735 ILCS 5/2-1303, nor shall interest be paid under any other statute or provision; and the parties shall each bear their own attorney's fees and costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Order Vesting Title entered on January 18, 2000 is confirmed; Plaintiff is vested with the fee simple title to Parcel OD9 0103, as legally described in Exhibit "1" attached hereto, and Plaintiff is vested

with a temporary easement to Parcel OD9 0103 TE, as legally described in Exhibit "2" attached hereto, and Plaintiff is authorized and empowered to be in possession and use of said property.

_____, 2001
ENTER:

JUDGE JOANNE L. LANIGAN

MAR 07 2001

Circuit Court- 1602

Judge

Mark A. Spadaro
Special Assistant Attorney General
29 South LaSalle Street, Suite 425
Chicago, Illinois 60603
(312) 782-9700
Attorney No. 11110

IDOT\OD90103&TE\SETTLEMENT\FINJUDORD

Property of Cook County Clerk's Office

Route : FAI 290 (I-290)
Section :
County : Cook
Job No. : R-90-006-99

Parcel : OD90103
Sta. 4+315.767 To
Sta. 4+341.674 (Mannheim Road)
Owner : American National Bank
and Trust Company of
Chicago, formerly
known as Bank of
Ravenwood, as Trustee
under a Trust Agreement
dated 9/21/89 and known
as Trust No. 25-10332

Property

Index No./Nos. 15-16-322-082

That part of Lots 421, 422, 423 and part of vacated street called The Strand in William Zelosky's Westchester, a subdivision in the West half of the Southwest Quarter of Section 16, Township 39 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded December 19, 1925, as Document No. 9129638 in Cook County, Illinois, described as follows: beginning at the intersection of the easterly right-of-way line of Mannheim Road as taken by Condemnation Case No. 59-S-13310 (said easterly right-of-way line being the East line of the West 1.524 meters [5.00 feet] of said Lots 421, 422 and 423,) with the North line of the South 4.572 meters [15.00 feet] of said Lot 423 in William Zelosky's Westchester; thence on an assumed bearing of North 02 degrees 08 minutes 08 seconds West 25.909 meters [85.00 feet], along said easterly right-of-way line of Mannheim Road, to a point 7.620 meters [25.00 feet] North of, as measured perpendicular to the North line of said Lot 421 in William Zelosky's Westchester; thence North 87 degrees 28 minutes 10 seconds East 3.937 meters [12.92 feet], along a line 7.620 meters [25.00 feet] North of and parallel with, said North line of Lot 421 in William Zelosky's Westchester, to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence South 02 degrees 50 minutes 26 seconds East 0.949 meter [3.11 feet], to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence South 87 degrees 31 minutes 16 seconds West 1.896 meter [6.22 feet], to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence South 02 degrees 28 minutes 44 seconds East 8.118 meters [26.63 feet], to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence North 87 degrees 31 minutes 16 seconds East 1.947 meters [6.39 feet], to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence South 02 degrees 50 minutes 26 seconds East 16.841 meters [55.25 feet], to a point on said North line of the South 4.572 meters [15.00 feet] of Lot 423 in William Zelosky's Westchester and

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to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence South 87 degrees 28 minutes 10 seconds West 4.256 meters [13.96 feet], along said North line of the South 4.572 meters [15.00 feet] of Lot 423 in William Zelosky's Westchester, to the point of beginning.

Said parcel containing 91 square meters, more or less or 0.022 acre, more or less.

June 15, 1999

Property of Cook County Clerk's Office

Route : FAI 290 (I-290)
 Section :
 County : Cook
 Job No. : R-90-006-99

Parcel : OD90103TE
 Sta. 4+315.767 To
 Sta. 4+341.704 (Mannheim Road)
 Owner : American National Bank
 and Trust Company of
 Chicago, formerly
 known as Bank of
 Ravenwood, as Trustee
 under a Trust Agreement
 dated 9/21/89 and known
 as Trust No. 25-10332

Index No./Nos. 15-16-322-082

That part of Lots 421, 422, 423 and part of vacated street called The Strand in William Zelosky's Westchester, a subdivision in the West half of the Southwest Quarter of Section 16, Township 39 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded December 19, 1925, as Document No. 9129638, in Cook County, Illinois, described as follows: commencing at the intersection of the easterly right-of-way line of Mannheim Road as taken by Condemnation Case No. 59-S-13310 (said easterly right-of-way line being the East line of the West 1.524 meters [5.00 feet] of said Lots 421, 422 and 423) with the North line of the South 4.572 meters [15.00 feet] of said Lot 423 in William Zelosky's Westchester; thence on an assumed bearing of North 87 degrees 28 minutes 10 seconds East 4.256 meters [13.96 feet], along said North line of the South 4.572 meters [15.00 feet] of Lot 423 in William Zelosky's Westchester, to the point of beginning; thence continuing North 87 degrees 28 minutes 10 seconds East 1.98 meters [6.50 feet], along said North line of the South 4.572 meters [15.00 feet] of Lot 423 in William Zelosky's Westchester; thence North 02 degrees 08 minutes 08 seconds West 17.340 meters [56.89 feet], to the face of an existing building; thence South 87 degrees 31 minutes 16 seconds West 10.345 meters [10.97 feet], along the face of said existing building; thence North 02 degrees 28 minutes 44 seconds West 7.118 meters [23.35 feet], along the face of said existing building; thence North 87 degrees 31 minutes 16 seconds East 5.388 meters [17.68 feet], along the face of said existing building; thence North 02 degrees 08 minutes 08 seconds West 1.453 Meters [4.77 feet], to a point 7.620 meters [25.00 feet] North of, as measured perpendicular to the North line of said Lot 421 in William Zelosky's Westchester; thence South 87 degrees 28 minutes 10 seconds West 4.299 meters [14.10 feet], along a line 7.620 meters [25.00 feet] North of and parallel with, said North line of Lot 421 in William Zelosky's Westchester; thence South 02 degrees 50 minutes 26 seconds East 0.949 meter [3.11 feet]; thence South 87 degrees 31 minutes 16 seconds West 1.896 meters [6.22 feet]; thence South 02 degrees 28 minutes 44 seconds East 8.118 meters [26.63 feet]; thence North 87 degrees 31

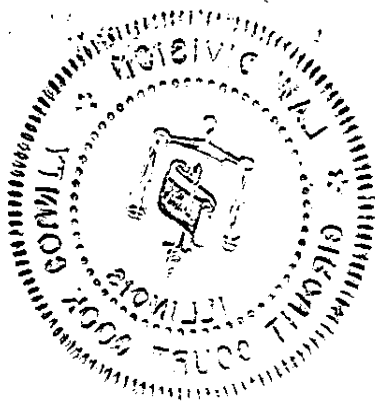
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minutes 16 seconds East 1.947 meters (6.39 feet); thence South 02 degrees 50 minutes 26 seconds East 16.841 meters (55.25 feet), to a point on said North line of the South 4.572 meters (15.00 feet) of Lot 423 in William Zelosky's Westchester and, to the point of beginning.

Said parcel containing 50 square meters, more or less or 0.012 acre, more or less.

June 15, 1999

Property of Cook County Clerk's Office



Property of Cook County Clerk's Office

ALL RIGHTS TO BE WAIVED
MAR 07 2011
[Signature]

CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILL.
RECEIVED
MAR 07 2011
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