



0021414542

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

DEPARTMENT OF TRANSPORTATION,)	
STATE OF ILLINOIS,)	CALENDAR 3
)	
Plaintiff,)	NO. 99 L 50884
)	
vs.)	CONDEMNATION
)	
WINTHROP PARTNERS 79 a/k/a WINTHROP)	PARCEL 0D9 0033 PE
PARTNERS 79 LIMITED PARTNERSHIP, a)	PARCEL 0D9 0033 TE
Massachusetts limited partnership;)	
MINNESOTA MUTUAL LIFE INSURANCE)	JOB NO. R90-006-99
COMPANY n/k/a MINNESOTA LIFE)	
INSURANCE COMPANY; FRANK'S NURSERY)	
SALES, INC., n/k/a FRANK'S NURSERY)	
& CRAFTS, INC., a Michigan)	
corporation; and UNKNOWN OWNERS,)	
Generally,)	
)	
Defendants.)	

FINAL JUDGMENT ORDER AND ORDER OF SATISFACTION OF JUDGMENT

This matter coming 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 Judgment By Default;

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

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 it appearing to the Court that all defendants to this proceeding have been served by process as provided by statute, 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 the time for defendants WINTHROP PARTNERS 79 a/k/a WINTHROP PARTNERS 79 LIMITED PARTNERSHIP, a Massachusetts limited partnership, MINNESOTA MUTUAL LIFE INSURANCE COMPANY n/k/a MINNESOTA LIFE INSURANCE COMPANY, FRANK'S NURSERY SALES, INC., n/k/a FRANK'S NURSERY & CRAFTS, INC., a Michigan corporation, and UNKNOWN OWNERS to appear has expired and said defendants have failed to make an appearance in this action;

And it further appearing to the Court that on November 20, 2001, an Order of Default for Want of Appearance was entered as to said defendants, and that on November 20, 2001, plaintiff caused to be served by U.S. mail a Notice of Entry of Order of Default against said defendants, and that said order of default has not been set aside;

And it further appearing to the Court that due notice of this hearing has been given, that the demand for trial by jury has been waived by the plaintiff, and the Court having considered the Complaint For Condemnation; the Motion For Entry Of Judgment By Default, the Affidavit of Emmanuel Gomez, the Affidavit of Peter E.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

21414542

Hopkins, the exhibits, and 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 0033 PE, legally described in Exhibit 1 attached as page 4 to this Order, and Parcel OD9 0033 TE, legally described in Exhibit 2 attached as page 5 to this Order, as full and final just compensation for the permanent easement to said Parcel OD9 0033 PE and for any diminution in value within and outside of the permanent easement area of said Parcel OD9 0033 PE due to impressment of the easement and for the temporary easement to said Parcel OD9 0033 TE and for any diminution of value within and outside of the temporary easement area of said Parcel OD9 0033 TE due to impressment of the temporary easement, for the public use and purposes set forth in the Complaint For Condemnation and the record in this case, the total sum of \$7,000.00;

And it further appearing to the Court that by Stipulation to Order Setting Preliminary Just Compensation and Order Setting Just Compensation entered on November 8, 1999 upon hearing of Plaintiff's Motion For The Immediate Vesting Of Title in plaintiff to said Parcel OD9 0033 PE and said Parcel OD9 0033 TE, the total amount constituting preliminary just compensation was determined to be \$7,000.00 for the taking by plaintiff of a permanent easement to said Parcel OD9 0033 PE and any damages to the remainder property and for the taking by plaintiff of a temporary easement to said Parcel OD9 0033 TE; that on December 15, 1999, plaintiff deposited

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

21414542

DEPT. OF TRANSPORTATION,
STATE OF ILLINOIS, vs.

WINTHROP PARTNERS 79; et al.
CASE NO. 99 L 50884
FINAL JUDGMENT ORDER AND
ORDER OF SATISFACTION OF
JUDGMENT

Owner: Winthrop Partners 79
Route: FAI 290 (I-290)
Section:
County: Cook
Job No.: R90-006-99
Parcel No.: 0D90033PE
Station 12+011.999 To Station 12+021.000 (Roosevelt Road)
Index No.: 15-17-304-089, 15-17-304-090

Parcel 0D90033PE

The South 3.962 meters [13.00 feet] of the East 7.715 meters [25.31 feet] of Lot 5, and the South 3.962 meters [13.00 feet] of the West 1.286 meters [4.22 feet] of Lot 4 in Hillside Congress Executive Park, being a subdivision of part of the Southwest Quarter of Section 17, Township 39 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded December 6, 1966 as Document Number 20016140, in Cook County, Illinois.

Said parcel containing 36 square meters, more or less, or 0.009 acre, more or less, or 383 square feet, more or less.

April 30, 1999

990111.03\par0D90033PE

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY 21414542

DEPT. OF TRANSPORTATION,
STATE OF ILLINOIS, vs.

WINTHROP PARTNERS 79; et al.
CASE NO. 99 L 50884
FINAL JUDGMENT ORDER AND
ORDER OF SATISFACTION OF
JUDGMENT

Owner: Winthrop Partners 79
Route: FAI 290 (I-290)
Section:
County: Cook
Job No. : R90-006-99
Parcel No.: 0D90033TE
Station 12+004.443 To Station 12+039.404 (Roosevelt Road)
Index No.: 15-17-304-089, 15-17-304-090

Parcel 0D90033TE

The South 10.058 meters [33.00 feet] of the East 15.271 meters [50.10 feet] of Lot 5, except the South 3.962 meters [13.00 feet] of the East 7.715 meters [25.31 feet] thereof; and also the South 10.058 meters [33.00 feet] of the West 9.266 meters [30.40 feet] of Lot 4, except the South 3.962 meters [13.00 feet] of the West 1.286 meters [4.22 feet] thereof; and also the South 1.280 meters [4.20 feet] of the East 10.424 meters [34.20 feet] of the West 19.690 meters [64.60 feet] of Lot 4, all in Hillside Congress Executive Park, being a subdivision of part of the Southwest Quarter of Section 17, Township 39 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded December 6, 1966, as Document Number 20016140, in Cook County, Illinois.

Said parcel containing 221 square meters more or less, or 0.055 acre more or less.

April 30, 1999

990111.03\par0D90033TE

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

21414542

with the Cook County Treasurer the money preliminarily found to be just compensation; that by Order Vesting Title entered on February 1, 2000, plaintiff was vested with a permanent easement to said Parcel OD9 0033 PE, and with a temporary easement to said Parcel OD9 0033 TE, and whereby plaintiff was authorized to take immediate possession of said property; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the sum of SEVEN THOUSAND AND 00/100 (\$7,000.00) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in said Parcel OD9 0033 PE and said Parcel OD9 0033 TE, for the taking of a permanent easement to said Parcel OD9 0033 PE, legally described in Exhibit 1 attached heretofore and for any diminution of value within and outside of the permanent easement area of said Parcel OD9 0033 TE due to impressment of the permanent easement and for the taking of a temporary easement to said Parcel OD9 0033 TE, legally described in Exhibit 2 attached heretofore and for any diminution of value within and outside of the temporary easement area of said Parcel OD9 0033 TE due to impressment of the temporary easement, for the taking of said real property and any damages, and judgment is hereby entered accordingly.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that interest shall not be paid by plaintiff under 735 ILCS 5/2-1303; that interest is not due nor shall be paid by plaintiff under 735 ILCS 5/7 108; that interest shall not be paid by plaintiff under any other statute or provision; and that the parties shall each bear their own attorney's fees and costs.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Order Vesting Title entered on February 1, 2000 is confirmed; plaintiff is vested with a permanent easement to said Parcel OD9 0033 PE, legally described in Exhibit 1 attached heretofore, and plaintiff is vested with a temporary easement to said Parcel OD9 0033 TE, legally described in Exhibit 2 attached heretofore, and plaintiff is authorized and empowered to be in possession and use of said property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the amount of final just compensation awarded herein being the amount of preliminary just compensation previously deposited by plaintiff with the Cook County Treasurer, this judgment in the amount of \$7,000.00 as full and final just compensation for the taking of a permanent easement to said Parcel OD9 0033 PE and the taking of a temporary easement to said Parcel OD9 0033 TE and any diminution in value within and outside the areas of said permanent and temporary easements due to impressment of said easements and any damages is hereby declared satisfied and said judgment against plaintiff is hereby released.

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

12-18, 2002
ENTER: JUDGE TOM CHIOLA
DEC 18 2002
Circuit Court - 1651
JUDGE

UNOFFICIAL COPY

21414542

Property of Cook County Clerk's Office

I HEREBY CERTIFY THE ABOVE TO BE CORRECT

DATE DEC 8 2014

Dorothy Brown

CLERK OF THE CIRCUIT COURT OF COOK COUNTY, IL

THIS ORDER IS THE COMMAND OF THE CIRCUIT COURT AND VIOLATION THEREOF IS SUBJECT TO THE PENALTY OF THE LAW.