

UNOFFICIAL COPY

0030313545

5/32/0085 19 001 Page 1 of 8

2003-03-06 11:50:19

Cook County Recorder 38.50



0030313545

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

DEPARTMENT OF TRANSPORTATION,
STATE OF ILLINOIS,

Plaintiff,

vs.

JOHN THOMAS; FIRST FEDERAL SAVINGS
AND LOAN ASSOCIATION OF BARRINGTON;
FIRST NATIONAL BANK AND TRUST
COMPANY OF BARRINGTON, Trustee; and
UNKNOWN OWNERS, generally,

Defendants.

CALENDAR 3

NO. 01 L 050040

CONDEMNATION

PARCEL 0D6 0135

PARCEL 0D6 0135 TE

JOB NO. R90-004-95

FINAL JUDGMENT ORDER AND ORDER OF SATISFACTION OF JUDGMENT

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 in Plaintiff's Motion
For Entry Of Final Judgment Order And Order Of Satisfaction Of
Judgment By Stipulation;

UNOFFICIAL COPY

And plaintiff DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, appearing by Lisa Madigan, Attorney General of the State of Illinois, and Mark A. Spadaro, Special Assistant Attorney General;

And defendant JOHN THOMAS, appearing by his attorneys, Figliuolo & Silverman, P.C. and defendant FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF BARRINGTON appearing by its attorney, Paul K. Johnson.

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, 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 And Order Of Satisfaction Of Judgment, 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 OD6 0135, legally described in Exhibit "1" attached as page 3 to this Order and Parcel OD6 0135 TE, legally described in Exhibit "2" attached as page 4 to this Order, as full and final just compensation for the fee simple title to said Parcel OD6 0135, and for damages to the remainder of the property of which said

DEPARTMENT OF TRANSPORTATION
STATE OF ILLINOIS, PLAINTIFF
VS.
JOHN THOMAS; ET AL.
CASE NO. 01 L 050040
FINAL JUDGMENT ORDER AND ORDER
OF SATISFACTION OF JUDGMENT

UNOFFICIAL COPY

Owner: John Thomas

Route : FAP 305 (US-14)
Section :
County : Cook
Job No. : R-90-004-95
Parcel No. : OD60135
Sta. 10+086.933 To Sta. 10+105.241
Index No. : 01-01-201-030

The East 2.420 meters [7.94 feet] of Lot 23(measured at right angles to the east line thereof) in George A. Lageschulte's Subdivision of part of the Northwest Quarter of the Northeast Quarter of Section 1, Township 42 North, Range 9 East of the Third Principal Meridian in Cook County, Illinois, according to the plat thereof recorded March 31, 1921, as Document Number 7099314, situated in the County of Cook, in the State of Illinois.

Said parcel containing 0.0044 Hectares [0.011 Acres], more or less.

30313545

RECEIVED

OCT 19 1999

PLATS & LEGAL

JOHN THOMAS; ET AL.
CASE NO. 01 L 050040
FINAL JUDGMENT ORDER AND
ORDER OF SATISFACTION OF
JUDGMENT

Owner: John Thomas

Route : FAP 305 (US-14)
Section :
County : Cook
Job No. : R-90-004-95
Parcel No. : OD60135 TE
Sta. 10+105.212 To Sta.
Index No. : 01-01-201-030

That part of Lot 23 in George A. Lageschulte's Subdivision of part of the Northwest Quarter of the Northeast Quarter of Section 1, Township 42 North, Range 9 East of the Third Principal Meridian in Cook County, Illinois, according to the plat thereof recorded March 31, 1921, as Document Number 7099314, situated in the County of Cook, in the State of Illinois; described as follows:

Commencing at the southeast corner of said lot 23; thence on an assumed bearing of South 89 degrees 30 minutes 44 seconds West along the south line of said lot 23 a distance of 2.420 meters (7.94 feet) to the point of beginning; thence continuing South 89 degrees 30 minutes 44 seconds West along said south line 9.047 meters (29.68 feet); thence North 00 degrees 26 minutes 25 seconds West 6.471 meters (21.25 feet) to the south foundation of a one-story concrete block commercial building; thence North 39 degrees 27 minutes 15 seconds East along said south foundation line 7.991 meters (26.23 feet) to the east foundation of said building; thence North 00 degrees 29 minutes 30 seconds East along said east foundation line 11.832 meters (38.82 feet) to the north line of said lot 23; thence North 89 degrees 31 minutes 01 seconds East along said north line 0.864 meters (2.83 feet); thence South 00 degrees 26 minutes 21 seconds East 18.309 meters (60.07 feet) to the point of beginning.

Said parcel containing 0.0070 Hectares [0.017 Acres], more or less.

RECEIVED

OCT 19 1999

PLATS & LEGAL

30313545

30313545

✓

UNOFFICIAL COPY

Parcel OD6 0135 is part, including costs to cure, and for a temporary easement to said Parcel OD6 0135 TE, and for any diminution of value within and outside of the temporary easement area of said Parcel OD6 0135 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 \$74,000.00;

And it further appearing to the Court that by Agreed Order entered on April 5, 2001 upon hearing of Plaintiff's Motion For Immediate Vesting Of Title in plaintiff to said Parcel OD6 0135 and said Parcel OD6 0135 TE, the total amount constituting preliminary just compensation was determined to be \$74,000.00 for the taking by plaintiff of fee simple title to said Parcel OD6 0135, and damages to the remainder property of which said Parcel OD6 0135 is part, and for the taking by plaintiff of a temporary easement to said Parcel OD6 0135 TE, and diminution in value of the remainder property due to impressment of the temporary easement; that on April 30, 2001, plaintiff deposited with the Cook County Treasurer the money preliminarily found to be just compensation; that by Order Vesting Title entered on June 1, 2001, plaintiff was vested with the fee simple title to said Parcel OD6 0135, and with a temporary easement to said Parcel OD6 0135 TE, and whereby plaintiff was authorized to take immediate possession of said property;

And it further appearing to the Court that the parties have stipulated that the preliminary just compensation of \$74,000.00 is

UNOFFICIAL COPY

allocated \$9,500.00 for the taking by plaintiff of fee simple title to said Parcel OD6 0135, \$60,150.00 for damages to the remainder property of which said Parcel OD6 0135 is part, and \$4,350.00 for the taking by plaintiff of a temporary easement to said Parcel OD6 0135 TE, and that same allocation shall apply to the agreed final just compensation; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of SEVENTY FOUR THOUSAND AND NO/100 (\$74,000.00) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in said Parcel OD6 0135 and said Parcel OD6 0135 TE, for the taking of the fee simple title to said Parcel OD6 0135, legally described in Exhibit "1" attached heretofore, and for any damages to the remainder of the property of which said Parcel OD6 0135 is part, including any costs to cure, and for the taking of a temporary easement in said Parcel OD6 0135 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 OD6 0135 TE due to impressment of the temporary easement, for the taking of said real property and any damages, and judgment is hereby entered accordingly.

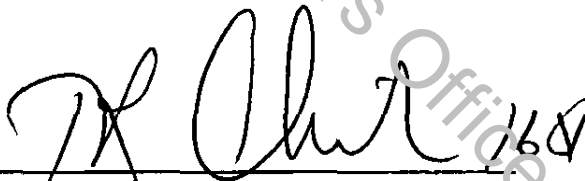
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that interest shall not be paid by plaintiff under 735 ILCS 5/2-1303; that interest is not due nor shall be paid by plaintiff under 735 ILCS 5/7-108; that interest shall not be paid by plaintiff under any other statute or provision; and that the parties shall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

UNOFFICIAL COPY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Order Vesting Title entered on June 1, 2001 is confirmed; plaintiff is vested with the fee simple title to said Parcel OD6 0135, legally described in Exhibit "1" attached heretofore, and plaintiff is vested with a temporary easement to said Parcel OD6 0135 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 Final Judgment Order And Order Of Satisfaction Of Judgment in the amount of \$74,000.00 as full and final just compensation for the taking and any damaging of said Parcel OD6 0135 and said Parcel OD6 0135 TE is hereby declared satisfied and said judgment against plaintiff is hereby released.

3-5, 2003
ENTER:


Judge

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

JUDGE TOM CHIOLA

MAR 05 2003

Circuit Court - 1651

IDOT\OD60135&TE\SETTLEMENT\FJOOSJ030403

UNOFFICIAL COPY

Property of Cook County Clerk's Office
30313545

I HEREBY CERTIFY THE ABOVE TO BE CORRECT

DATE MAR 05 2003

Dorothy Brown

CLERK OF THE CLERK OF ADJUDICATING COUNTY, IL

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