



Doc#: 0418218088
Eugene "Gene" Moore Fee: \$38.50
Cook County Recorder of Deeds
Date: 06/30/2004 01:30 PM Pg: 1 of 8

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

DEPARTMENT OF TRANSPORTATION,)	CALENDAR 3
STATE OF ILLINOIS,)	
)	NO. 03 L 050026
Plaintiff,)	
)	CONDEMNATION
vs.)	
)	PARCEL 0CA 0096
LASALLE BANK NATIONAL ASSOCIATION,)	PARCEL 0CA 0096 TE
as successor to Bank One Chicago,)	
as Trustee, under a Trust Agreement)	JOB NO. R90-009-96
dated the 3rd day of October, 1995)	
and known as Trust Number M-1231;)	
LIBERTYVILLE BANK AND TRUST COMPANY;)	
AVALON DEVELOPMENT, LLC, an Illinois)	
limited liability company; and)	
UNKNOWN OWNERS, generally,)	
)	
Defendants.)	

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 the ascertainment of the just compensation for
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 And Order Of
Satisfaction Of Judgment By Stipulation;

And plaintiff DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS,

UNOFFICIAL COPY

appearing by LISA MADIGAN, Attorney General of the State of Illinois, and Mark A. Spadaro, Special Assistant Attorney General;

And defendants LASALLE BANK NATIONAL ASSOCIATION, as successor to Bank One Chicago, as Trustee, under a Trust Agreement dated the 3rd day of October, 1995 and known as Trust Number M-11231 and AVALON DEVELOPMENT, LLC, an Illinois limited liability company, appearing by their attorneys, DAMISCH & DAMISCH, 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, 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 OCA 0096, legally described in Exhibit 1 attached at page 3 to this Order and Parcel OCA 0096 TE, legally described in Exhibit 2 attached at page 4 to this Order, as full and final just

DEPARTMENT OF TRANSPORTATION,
 STATE OF ILLINOIS, Plaintiff vs.
 LASALLE BANK NATIONAL ASSOCIATION,
 TUT M-11231; et al., Defendants
 CASE NO. 03 L 050026
 FINAL JUDGMENT ORDER AND
 ORDER OF SATISFACTION OF JUDGMENT
 PIN: 03-14-303-014

UNOFFICIAL COPY

Owner: Bank One Chicago, Trustee
 Trust No. M-11231
 Route: F.A.P. 305 (Palatine Road)
 Section: US 12 to IL 21/US45
 County: Cook
 Job No.: R-90-009-96
 Parcel: OCA0096
 Station: 390+54.44 Left
 393+34.36 Left

Part of Lot 30 in First Addition to Palatine Expressway Industrial Park, a subdivision in the Southwest Quarter of Section 14, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded January 14, 1970 as Document Number 21057505, Cook County, Illinois, described as follows:

Beginning at the southeast corner of said Lot 30; thence on an assumed bearing South 89 degrees 56 minutes 46 seconds West on the south line of said Lot 30, 207.14 feet to the southwesterly line of said Lot 30; thence North 52 degrees 10 minutes 12 seconds West on said southwest line, 92.42 feet to the west line of said Lot 30; thence North 0 degrees 00 minutes 17 seconds East on said west line, 208.69 feet to the northwest corner of said Lot 30; thence North 89 degrees 57 minutes 02 seconds East on the north line of said Lot 30, 10.00 feet; thence South 0 degrees 00 minutes 17 seconds West parallel with the west line of said Lot 30, 179.50 feet; thence South 55 degrees 13 minutes 20 seconds East, 85.68 feet; thence North 89 degrees 56 minutes 46 seconds East parallel with the south line of said Lot 30, 140.00 feet; thence South 84 degrees 10 minutes 17 seconds East, 60.06 feet to the east line of said Lot 30; thence South 0 degrees 00 minutes 52 seconds East on said east line, 30.84 feet to the Point of Beginning.

Said parcel contains 0.278 acre or 12,116 square feet more or less.

G:/ProjChi/1992/92637/Leg/096

DEPARTMENT OF TRANSPORTATION,
 STATE OF ILLINOIS, Plaintiff vs.
 LASALLE BANK NATIONAL ASSOCIATION
 TUT M-11231; et al., Defendants
 CASE NO. 03 L 050026
 FINAL JUDGMENT ORDER AND
 ORDER OF SATISFACTION OF JUDGMENT
 PIN: 03-14-303-014

UNOFFICIAL COPY

Owner: Bank One Chicago, Trustee
 Trust No. M-11231
 Route: F.A.P. 305 (Palatine Road)
 Section: US 12 to IL 21/US45
 County: Cook
 Job No.: R-90-009-96
 Parcel: OCA0096TE
 Station: 391+15.92 Left
 393+34.36 Left

Part of Lot 30 in First Addition to Palatine Expressway Industrial Park, a subdivision in the Southwest Quarter of Section 14, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded January 14, 1970 as Document Number 21057505, Cook County, Illinois, described as follows:

Commencing at the southeast corner of said Lot 30; thence on an assumed bearing North 0 degrees 00 minutes 52 seconds West on the east line of said Lot 30, 30.84 feet to the Point of Beginning; thence North 84 degrees 10 minutes 17 seconds West, 60.06 feet; thence South 89 degrees 56 minutes 46 seconds West, 140.00 feet; thence North 55 degrees 13 minutes 20 seconds West, 22.76 feet; thence North 89 degrees 56 minutes 46 seconds East, 218.44 feet to said east line of Lot 30; thence South 0 degrees 00 minutes 52 seconds East on said east line, 19.16 feet to the Point of Beginning.

Said parcel contains 0.067 acre or 2,902 square feet, more or less.

G:/ProjCh/1992/92637/Leg/096TE

UNOFFICIAL COPY

compensation for fee simple title to said Parcel OCA 0096, and for any damages to the remainder of the property of which said Parcel OCA 0096 is part, including costs to cure, and for a temporary easement to said Parcel OCA 0096 TE, and for any diminution of value of the property within and outside of the temporary easement area of said Parcel OCA 0096 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 \$400,000.00;

And it further appearing to the Court that by Agreed Order entered on September 16, 2003 upon quick-take proceeding and hearing of Plaintiff's Motion For Immediate Vesting Of Title in plaintiff to said Parcel OCA 0096 and said Parcel OCA 0096 TE, the total amount constituting preliminary just compensation was determined to be \$400,000.00 for the taking by plaintiff of fee simple title to said Parcel OCA 0096, and damages to the remainder property of which said Parcel OCA 0096 is part, including costs to cure, and for the taking by plaintiff of a temporary easement to said Parcel OCA 0096 TE, and for any diminution in value of the property within and outside the temporary easement area of said Parcel OCA 0096 TE due to impressment of the temporary easement; that on October 10, 2003, plaintiff deposited with the Cook County Treasurer the money preliminarily found to be just compensation; that by Order Vesting Title entered on November 5, 2003, plaintiff

UNOFFICIAL COPY

was vested with fee simple title to said Parcel OCA 0096, and with a temporary easement to said Parcel OCA 0096 TE, and plaintiff was authorized to take immediate possession of said property; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of FOUR HUNDRED THOUSAND AND NO/100 (\$400,000.00) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in said Parcel OCA 0096 and said Parcel OCA 0096 TE, for taking by plaintiff of fee simple title to said Parcel OCA 0096, legally described in Exhibit 1 attached heretofore, and for any damages to the remainder of the property of which said Parcel OCA 0096 is part, including any costs to cure, and for taking by plaintiff of a temporary easement in said Parcel OCA 0096 TE, legally described in Exhibit 2 attached heretofore, and for any diminution of value of the property within and outside of the temporary easement area of said Parcel OCA 0096 TE due to impressment of the temporary easement, for 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

UNOFFICIAL COPY

their own attorney's fees and costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Order Vesting Title entered on November 5, 2003 is confirmed; plaintiff is vested with fee simple title to said Parcel OCA 0096, legally described in Exhibit 1 attached heretofore, and plaintiff is vested with a temporary easement to said Parcel OCA 0096 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 \$400,000.00 as full and final just compensation for taking and any damages of said Parcel OCA 0096 and said Parcel OCA 0096 TE is hereby declared satisfied and said judgment against plaintiff is hereby released.

_____, 2004
ENTER:

JUDGE SHELDON GARDNER

JUN 28 2004

~~CIRCUIT COURT - 1506~~
Judge



Attorney No. 11110
Mark A. Spadaro
Special Assistant Attorney General
29 South LaSalle Street, Suite 425
Chicago, IL 60603, (312) 782-9700
IDOT\OCA0096&TE\SETTLEMENT\FJO&OSJ

UNOFFICIAL COPY

Property of Cook County Clerk's Office

FILED FOR THE ABOVE CASE

DATE JUN 28 2004

Deborah Brown

CLERK OF THE COURT

COURT AND VIOLATION THEREOF IS SUBJECT TO THE

DEPARTMENT OF CORRECTIONS