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Date: 05/16/2005 09:04 AM Pg: 1 of 6

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Attorney No. 16203

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

GRAND AVENUE RAILROAD RELOCATION
AUTHORITY, a unit of local government,

Plaintiff,

vs.

MICHAEL DE FRANCESCO, FRANCO
DE FRANCESCO, BANK OF AMERICA, N. A., POWER
TRANSMISSIONS, INC., an Illinois corporation,
doing business as Universal Transmission
Specialists, LARRY WEINBRECHT, doing
business as Manny's Towing and MARIA
PAPPAS, Cook County Treasurer and Ex Officio
Cook County Collector,

Defendants.

No. 02-L-051632

Page 1 of 6

FINAL JUDGMENT ORDER

On May 2, 2005, this cause having come before the court for trial on the complaint of GRAND AVENUE RAILROAD RELOCATION AUTHORITY, to ascertain the just compensation for taking property sought to be taken for purpose of constructing a railroad grade separation, as more fully set forth in said complaint;

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Plaintiff,)

vs.)

No. 02-L-051632

MICHAEL DE FRANCESCO, FRANCO)
DE FRANCESCO, BANK ONE, N. A., POWER)
TRANSMISSIONS, INC., an Illinois corporation,)
doing business as Universal Transmission)
Specialists, LARRY WEINBRECHT, doing)
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PAPPAS, Cook County Treasurer and Ex Officio)
Cook County Collector,)

Defendants.)

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FINAL JUDGMENT ORDER

All Defendants to this proceeding having been served and the Court having jurisdiction of this proceeding and of all parties.

The Plaintiff, having appeared by its attorney, Richard J. Ramello of Storino, Ramello & Durkin;

The Defendants, MICHAEL DE FRANCESCO, FRANCO DE FRANCESCO and, POWER TRANSMISSIONS, INC., an Illinois corporation, doing business as Universal Transmission Specialists having appeared by their attorneys, Carl M. Walsh and David Eckberg;

The Defendants, MARIA PAPPAS, Cook County Treasurer and Ex Officio Cook County Collector, having appeared by her attorney, Richard A. Devine, State's Attorney of Cook County by Elizabeth Howlett, Assistant State's Attorney;

The Defendants, BANK ONE, N. A., and LARRY WEINBRECHT, doing business as Manny's Towing having failed to appear and having been found to be in default for failure to appear;

A motion was made by the Plaintiff for the immediate vesting of title in the Plaintiff of Parcel OF90045PE, legally described in Exhibit A, attached hereto and made a part hereof, pursuant to the statutes thereto appertaining and on June 24, 2003, the court entered an order setting preliminary just compensation in the amount of One Hundred Thirty Five Thousand Dollars (\$135,000.00);

On September 4, 2003, the Plaintiff deposited with the Treasurer of Cook County, the sum so found to be preliminary just compensation of One Hundred Thirty Five Thousand Dollars (\$135,000.00);

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Plaintiff,)

vs.)

No. 02-L-051632

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TRANSMISSIONS, INC. an Illinois corporation,)
doing business as Universal Transmission)
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PAPPAS, Cook County Treasurer and Ex Officio)
Cook County Collector,)

Defendants.)

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FINAL JUDGMENT ORDER

On September 9, 2003 the Court ordered that the Plaintiff be vested with a permanent easement to Parcel OF90045PE, and authorized the Plaintiff to take possession thereof;

On January 29, 2004, a petition was filed by the Defendants, MICHAEL DE FRANCESCO and FRANCO DE FRANCESCO, to withdraw the preliminary just compensation deposited with the Treasurer of Cook County, pursuant to the statutes thereon pertaining and on February 11, 2004, the court entered an order granting the Defendants, MICHAEL DE FRANCESCO and FRANCO DE FRANCESCO, leave to and said Defendants did withdraw the preliminary just compensation in the amount of One Hundred Thirty Five Thousand Dollars (\$135,000.00);

Thereafter, the Court ordered that a jury be selected, examined and sworn to determine the just compensation to the owners of the property taken, as alleged in the complaint, according to the facts as the same may be made to appear by the evidence, and to truly report such compensation so ascertained. The jury having heard the evidence adduced herein, the arguments of counsel and the instructions from the Court, brought in their verdict signed by each of the jurors as follows:

"We the jury, find the just compensation to the defendant for the taking of his property to be Seventy Two Thousand Dollars (\$72,000.00).

We further find the damages to the remainder to be Thirty Eight Thousand (\$38,000.00)."

Whereupon the motion of the Plaintiff for judgment on said verdict, the judgment is hereby entered accordingly.

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

GRAND AVENUE RAILROAD RELOCATION)
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Plaintiff,)

vs.)

No. 02-L-051632

MICHAEL DE FRANCESCO, FRANCO)
DE FRANCESCO, BANK ONE, N. A., POWER)
TRANSMISSIONS, INC., an Illinois corporation,)
doing business as Universal Transmission)
Specialists, LARRY WEINBRUCHT, doing)
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Cook County Collector,)

Defendants.)

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FINAL JUDGMENT ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of One Hundred Ten Thousand Dollars (\$110,000.00) hereby awarded by the jury to the owner and interested parties of Parcel OF90045PE, is just compensation to the owner and interested parties for the taking and damaging of said real property, and judgment is herein entered accordingly.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendants, MICHAEL DE FRANCESCO and FRANCO DE FRANCESCO, shall refund to the Treasurer of Cook County, acting on behalf of the Clerk of the Circuit Court, within thirty (30) days of the entry of this order, the sum of Twenty Five Thousand Dollars (\$25,000.00) of the preliminary just compensation heretofore withdrawn.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of Twenty Five Thousand Dollars (\$25,000.00) to be refunded to the Treasurer of Cook County in this cause by the Defendants, be forthwith paid by the Treasurer of Cook County to the Treasurer of the Grand Avenue Railroad Relocation Authority, and that the same be transmitted to the Grand Avenue Railroad Relocation Authority, the Plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of the Defendants to refund the sum of Twenty Five Thousand Dollars (\$25,000.00) to the Treasurer of Cook County within thirty (30) days of the entry of this order, that judgment be and is hereby entered in favor of the Plaintiff, GRAND AVENUE RAILROAD RELOCATION AUTHORITY and against the Defendants, MICHAEL DE FRANCESCO and FRANCO DE FRANCESCO in the amount of Twenty Five Thousand Dollars (\$25,000.00).

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Defendants.)

No. 02-L-051632

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FINAL JUDGMENT ORDER

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the order of September 9, 2003, vesting the Plaintiff with a permanent easement to Parcel 0690045PE is confirmed.

ENTER:

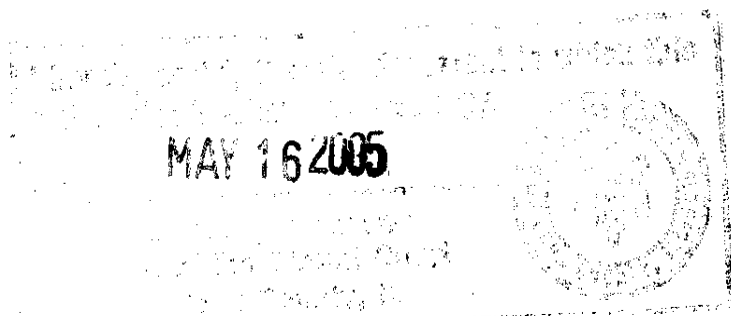

JUDGE

DATE: JUDGE SHELDON GARDNER

MAY 16 2005

CIRCUIT COURT-1506

Storino, Ramello & Durkin
Cook County Attorney No. 16203
9501 West Devon Avenue
Suite 800
Rosemont, Illinois 60018
(847) 318-9500



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EXHIBIT A

PARCEL 0F90045PE

PIN: 12-27-123-186 12-27-301-010	Owner: Michael De Francesco and Franco De Francesco Route: F.A.U. 1376 (Grand Avenue) Section: 464 SB-78 County: Cook Job No.: R-90-011-91 Parcel: 0F90045PE Station: 513+60.84 LT to 515+13.85 LT
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That part of the South Half of Fractional Section 27, Township 40 North, Range 12 East of the Third Principal Meridian, and of Lots 21, 22, 23, and 24 together with the vacated alley adjoining said Lots, in Block 13 of Week's Subdivision of Part of River Park, according to the plat thereof recorded January 18, 1890 as document 1211288 in Cook County, Illinois, described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Fractional Section 27, thence on an assumed bearing South 88 degrees 29 minutes 20 seconds East, on the south line of said Southwest Quarter, 1414.87 feet to the east line of the west 100 feet of the East Half of said Southwest Quarter; thence North 01 degree 13 minutes 42 seconds East, on said east line, 2549.77 feet to the north right-of-way of Grand Avenue; thence easterly 599.82 feet, on said north right-of-way, being a curve concave to the North, having a radius of 9516.30 feet, the chord of said curve bears South 83 degrees 37 minutes 34 seconds East, 599.72 feet to a line 495.89 feet east of and parallel with the south extension of the centerline of Vacated Lombard Street, also being the Point of Beginning; thence North 00 degrees 58 minutes 03 seconds East on said parallel line 188.21 feet; thence South 89 degrees 01 minute 57 seconds East, 45.00 feet; thence South 00 degrees 58 minutes 03 seconds West, 61.00 feet; thence North 88 degrees 59 minutes 05 seconds West, 21.00 feet; thence southwesterly 15.70 feet on a curve concave to the Southeast, having a radius of 10.00 feet, the chord of said curve bears South 45 degrees 59 minutes 29 seconds West, 14.14 feet; thence South 00 degrees 58 minutes 03 seconds West, 46.78 feet; thence South 85 degrees 26 minutes 11 seconds East, 14.18 feet; thence South 00 degrees 58 minutes 03 seconds West, 36.30 feet; thence South 85 degrees 47 minutes 22 seconds East, 67.48 feet; thence South 04 degrees 12 minutes 33 seconds West, 17.53 feet; thence South 88 degrees 02 minutes 23 seconds East, 50.66 feet to a line 20 feet, measured perpendicularly, westerly from and parallel with the westerly line of the 66-foot right-of-way of the Canadian National Railway; thence South 12 degrees 00 minutes 33 seconds East, 19.80 feet to said north right-of-way of Grand Avenue; thence westerly 149.86 feet, on said north right-of-way, being a curve concave to the North, having a radius of 9516.30 feet, the chord of said curve bears North 85 degrees 52 minutes 59 seconds West, 149.86 feet to the Point of Beginning.

Parcel 0F90045PE herein described contains 0.203 acre or 8,863 square feet, more or less.

It is not the intent of this instrument to encumber any building or structure lying within this easement area.