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

Doc#: 0518132114
Eugene "Gene" Moore Fee: \$36.00
Cook County Recorder of Deeds
Date: 06/30/2005 12:26 PM Pg: 1 of 7

THE DEPARTMENT OF TRANSPORTATION OF)	
THE STATE OF ILLINOIS, FOR AND ON BEHALF)	
OF THE PEOPLE OF THE STATE OF ILLINOIS,)	Case No. 99 L 51175
)	
Plaintiff,)	Condemnation
)	
v.)	R-90-020-02
)	
ALLIED ASPHALT PAVING COMPANY, an)	Parcels OD90127-DED
Illinois Corporation; BANK OF AMERICA, as)	OD90127 TE
Mortgagee under Document No. 93547951; and)	
UNKNOWN OWNERS,)	Calendar 1
)	
Defendants.)	

FINAL JUDGMENT ORDER

This case came to be heard on the date set for trial to determine the just compensation for the taking of property identified as Parcels OD90127 DED and OD90127 TE in the Complaint For Condemnation, and the Court, having been fully advised in the premises,

HEREBY FINDS:

1. Plaintiff, the Department of Transportation of the State of Illinois (the "Department"), filed its Complaint For Condemnation on November 9, 1999.
2. Defendant Allied Asphalt Paving Company is represented by the law firm of Righimer Martin & Cinquino and by Warren Fuller. Defendant Bank of America was dismissed from this action on January 5, 2000. Defendants Unknown Owners did not appear, were served by publication and an order of default was entered against Unknown Owners on February 7, 2000.
3. The Court has jurisdiction over the parties and the subject property.
4. Pursuant to the order entered on December 16, 1999 the Court determined that the Department has the authority to exercise the right of eminent domain, that the property sought to

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be taken is subject to the exercise of such right, and that such right is not being improperly exercised in this particular proceeding.

5. The Court ordered that a jury be selected, examined and sworn to report the just compensation to the owners for the property taken, as alleged in the complaint, and the jury, having heard the evidence, the arguments of counsel, and the instructions from the Court, brought in their verdicts signed by each of the jurors as follows:

"We, the jury, find the just compensation to be paid to the Defendant, Allied Asphalt Paving Co., for the taking of the permanent easement to be \$620,000.

We the jury, find just compensation to be paid to the Defendant, Allied Asphalt Paving Company, for damages to the remainder of its property to be \$110,000."

THE COURT HEREBY ORDERS:

- A. Judgment is hereby entered on the jury's verdict.
- B. The sum of \$620,000 awarded by the jury for the taking of the property identified in the Complaint For Condemnation as Parcel OD90127 DED, the legal description of which is attached as Exhibit A, is just compensation for the taking of the permanent easement for public highway purposes on Parcel OD90127DED.
- C. The sum of \$110,000 awarded by the jury for damages to the remainder as a result of the taking of the permanent easement for public highway purposes on Parcel OD0096127DED is just compensation for the damages to the remainder.
- D. The sum of \$27,175 stipulated to by the parties is the just compensation for the taking of a temporary easement for a maximum period of three years over, under and across the property identified in the Complaint for Condemnation as Parcel OD90127 TE, the legal description of which is attached as Exhibit B.

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E. On December 16, 1999, the Court entered an order determining the total amount of preliminary just compensation for Parcels OD90127 DED and OD90127 TE to be \$500,000.00. The Department deposited the total amount of preliminary just compensation of \$500,000.00 with the Cook County Treasurer on January 4, 2000.

F. The Order Vesting Title entered on January 12, 2000, vesting the Department with perpetual easement rights for public highway purposes including the right to permit others to use or operate, install, maintain, alter, repair, replace, renew, improve and remove other facilities and structures including but not limited to, underground communication lines, fiber optics, wire, or other means of electricity, voice data, video, digitized information, pipes and conduits, upon and beneath the surface of said premises, and overhead wires, cables, and poles or other structures for the support of such facilities and structures to Parcel OD90127 DED and temporary easement for construction purposes for a period not to exceed 3 years across and upon Parcel OD90127 TE, and authorizing the Department to take immediate possession of Parcels OD90127 DED and OD90127 TE is hereby confirmed.

G. Within 90 days from the date of entry of this order, the Department shall deposit with the Treasurer of Cook County the sum of \$257,175.00, which is the difference between the \$757,175.00 sum of money heretofore set forth as the just compensation for the takings and damages to the remainder and the \$500,000.00 sum of money previously deposited with the Treasurer of Cook County as total preliminary just compensation.

H. Within 90 days from the date of entry of this order, the Department shall also deposit with the Treasurer of Cook County the interest accruing at the annual rate of 6% on the \$257,175.00 in accordance with 735 ILCS 5/7-108 from the date possession was tendered (March 10, 2000), until the date of deposit.

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I. This is a final order and there is no just reason for delaying enforcement or appeal of this order.

DATE: _____

ENTER:  _____
JUDGE

Judge Alexander P. White

JUN 09 2005

Circuit Court-0241

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

Parcel : OD90127DED
 Sta. 80+773.038 To
 Sta. 80+946.383 (Southwest
 Frontage Road)
 Owner : Allied Asphalt Paving
 Company, an Illinois
 Corporation

Index No. /Nos. 15-17-404-037
 _____ 15-17-404-038
 _____ 15-17-404-040

That part of the East half of the Southeast Quarter of Section 17, Township 39 North, Range 12 East of the Third Principal Meridian, Cook County, Illinois, described as follows: beginning at the northwest corner of Lot 1 in Allied Asphalt Subdivision, according to the plat thereof recorded May 16, 1980 as Document No. 3161131, said point also being on the southerly line of the Congress Street Expressway as condemned in Case No. 55-S-4420, as described in Judgment Order registered as Document No. 2478288; thence on an assumed bearing of South 72 degrees 15 minutes 38 seconds East 356.18 feet, along the North line of said Lot 1 in Allied Asphalt Subdivision and also along said southerly line Case No. 55-S-4420; thence South 08 degrees 41 minutes 44 seconds West 151.60 feet, along said southerly line of Case No. 55-S-4420, to a point on the former westerly right-of-way line of a railroad known as the Chicago, Aurora and Elgin Railway Company; thence North 21 degrees 14 minutes 39 seconds East 150.00 feet, along said former westerly right-of-way line of the Chicago, Aurora and Elgin Railway Company, to its intersection with the southeasterly extension of said northerly line of Lot 1 in Allied Asphalt Subdivision; thence South 72 degrees 15 minutes 38 seconds East 66.12 feet, along said southeasterly extension of the northerly line of Lot 1 in Allied Asphalt Subdivision, to the easterly right-of-way line of said former Chicago, Aurora and Elgin Railway Company; thence South 21 degrees 14 minutes 39 seconds West 333.62 feet, along said easterly right-of-way line of the former Chicago, Aurora and Elgin Railway Company, to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence North 27 degrees 46 minutes 30 seconds West 298.36 feet, to a point of curve center of said curve being South 61 degrees 15 minutes 46 seconds West and to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence northwesterly 247.16 feet along a curve to the left, having a radius of 382.22 feet, the chord of said curve bears North 47 degrees 15 minutes 44 seconds West 242.87 feet, to a point on the westerly line of said Lot 1 in Allied Asphalt Subdivision and to a 5/8" rebar with an Allied cap stamped "State of Illinois Division of Highways Right-of-Way Corner IPLS 2017"; thence North 12 degrees 34 minutes 04 seconds East 21.38 feet, along said westerly line of Lot 1 in Allied Asphalt Subdivision, to the point of beginning.

EXHIBIT A

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

Parcel : OD90127TE
 Sta. 80+774.376 To
 Sta. 80+954.639 (Southwest
 Frontage Road)
 Owner : Allied Asphalt
 Paving Company, an
 Illinois Corporation

Index No. /Nos . 15-17-404-037
 15-17-404-038
 15-17-404-040

That part of the East half of the Southeast Quarter of Section 17, Township 39 North, Range 12 East of the Third Principal Meridian, Cook County, Illinois, described as follows: commencing at the northwest corner of Lot 1 in Allied Asphalt Subdivision, according to the plat thereof recorded May 16, 1980 as Document No. 3161131; thence on an assumed bearing of South 12 degrees 34 minutes 04 seconds West 21.38 feet, along the West line of said Lot 1 in Allied Asphalt Subdivision, to a point on a curve, center of said curve being South 24 degrees 12 minutes 46 seconds West and to the point of beginning; thence southeasterly 247.16 feet along a curve to the right, having a radius of 382.22 feet, the chord of said curve bears South 47 degrees 15 minutes 44 seconds East 242.87 feet; thence South 27 degrees 46 minutes 30 seconds East 298.36 feet, to a point on the former easterly right-of-way line of a railroad known as the Chicago, Aurora and Elgin Railway Company; thence South 21 degrees 14 minutes 39 seconds West 25.94 feet, along said former easterly right-of-way line of the Chicago, Aurora and Elgin Railway Company; thence North 28 degrees 05 minutes 29 seconds West 315.02 feet, to a point of curve center of said curve being South 61 degrees 15 minutes 46 seconds West; thence northwesterly 228.97 feet, along a curve to the left, having a radius of 360.89 feet, the chord of said curve bears North 46 degrees 54 minutes 46 seconds West 225.15 feet, to a point on said westerly line of Lot 1 in Allied Asphalt Subdivision; thence North 12 degrees 34 minutes 04 seconds East 21.80 feet, along said westerly line of Allied Asphalt Subdivision, to the point of beginning.

EXHIBIT B

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I hereby certify that the document to which this certification is affixed is a true copy.

Date JUN 29 2005

Dorothy Brown
Clerk of the Circuit Court
of Cook County, IL

