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Eugene "Gene" Moore

Cook County Recorder of Deeds

Date: 10/31/2005 04:38 PM Pg: 1 of 5

FOR RECORDER'S OFFICE USE ONLY

DESCRIPTION OF ATTACHED INSTRUMENT:

AGREED FINAL JUDGMENT ORDER

CASE NAME: Chicago Transit Authority, a municipal corporation, vs. MACO CONSTRUCTION GROUP, INC., et al.

CASE NO.: 03 L 50974

JURISDICTION: IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PIN NO.: 14-20-311-031

ADDRESS: 3408 N. Southport Avenue

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

CHICAGO TRANSIT AUTHORITY,
a municipal corporation,

Plaintiff,

vs.

MACON CONSTRUCTION GROUP, INC., an Illinois corporation, MACON DEVELOPMENT AND BROKERAGE, LLC f/k/a Utopia LLC, OLD KENT BANK n/k/a Fifth Third Bank, MCDONAGE CONCRETE, MACON CONSTRUCTION GROUP, SULLIVAN GOULETTE, LTD., PROFESSIONAL ASSOCIATED SURVEY, INC., ACCESS REALTY GROUP, INC., DAVID COOPER, ROBERT CALKINS, MIDWEST BUILDERS, MARIA PAPPAS, TREASURER AND COUNTY COLLECTOR OF COOK COUNTY, DAVID ORR, COUNTY CLERK OF COOK COUNTY; and UNKNOWN OWNERS,

Defendants.

Case No. 03 L 50974

PARCEL: 31
14-20-311-031

FULL TAKING

CALENDAR 1

BROWN LINE CAPACITY
EXPANSION PROJECT

AGREED FINAL JUDGMENT

THIS MATTER COMING ON TO BE HEARD upon the Complaint for Condemnation of Plaintiff, CHICAGO TRANSIT AUTHORITY, a municipal corporation, for the ascertainment of just compensation to be paid by Plaintiff, for the uses and purposes on its Complaint mentioned and set forth, for the property described therein, said Complaint for Condemnation having been filed on August 8, 2003, and the Plaintiff, appearing by its attorneys, Neal & Leroy, L.L.C., Special Counsel; Defendants, Macon Construction Group, Inc. an Illinois Corporation, Macon Development and Brokerage, LLC f/k/a Utopia, LLC, and Macon Construction Group, appearing by their attorneys, Anderson & Moore, P.C., Defendant, Sullivan Goulette Ltd., appearing by their attorneys, Fuchs & Roselli, Ltd., Defendants, Maria Pappas, Treasurer and County Collector of Cook County and David Orr, County Clerk of Cook County, appearing by their attorneys, State's Attorney of Cook County and each of the aforesaid Defendants having submitted to the jurisdiction of the Court and Defendants, Old Kent Bank n/k/a Fifth

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Third Bank, McDonagh Concrete, Professional Associated Survey, Inc., Access Realty Group, Inc., David Cooper, Robert Calkins, Quality Excavation, Inc., and Unknown Owners having been duly served and being found as in cases of default.

And it appearing to the Court that all party Defendants herein have been served with process in the manner and form provided by statute and all parties interested in the subject property are before the Court and the Court having jurisdiction of the Plaintiff and all of the Defendants to this suit and of the property legally described herein and the subject matter hereof. The parties through their attorneys herein waive a trial by jury. No evidence being presented to the contrary the Court does find that the Plaintiff has the authority to exercise the right of eminent domain, that the property sought to be taken herein is subject to the exercise of such right and that such right is not being improperly exercised in this proceeding. The Court further finds that the Just Compensation to be paid by agreement of the parties by the Plaintiff herein to the owners for the fee simple title to the subject property legally described as follows:

(SEE ATTACHED EXHIBIT 'A')

is the sum of **ONE MILLION ONE HUNDRED THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$1,135,000.00)**.

IT IS THEREFORE ORDERED AND ADJUDGED by the Court, by agreement of the parties, that Judgment is entered for the Plaintiff and compensation for the Defendants in the amount of **ONE MILLION ONE HUNDRED THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$1,135,000.00)**, the Plaintiff within thirty (30) days from the entry of this Order shall, pay to the Treasurer of Cook County, the sum of **ONE MILLION ONE HUNDRED THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$1,135,000.00)**, plus six (6%) interest from April 1, 2005 to the date of deposit, for the benefit of the owner or owners or the party or parties interested in the subject property. The parties hereto agree not to appeal this Judgment.

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IT IS FURTHER ORDERED AND ADJUDGED that upon deposit of said compensation with the Cook County Treasurer as aforesaid, the Plaintiff herein, shall be vested with the fee simple absolute title and possession of the subject property.

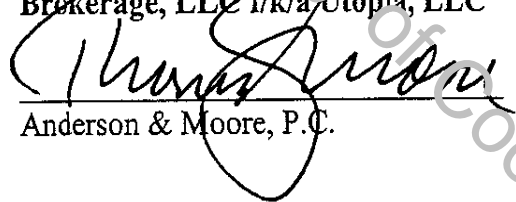
THE COURT FINDS that there is no just reason for delaying the enforcement of said judgment.

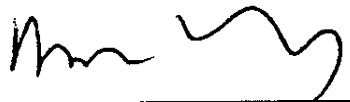
AGREED:

Defendants:

Macon Construction Group, Inc. an Illinois Corporation, Macon Development and Brokerage, LLC f/k/a Utopia, LLC

CHICAGO TRANSIT AUTHORITY


Anderson & Moore, P.C.

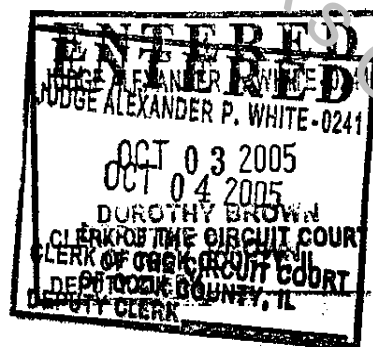

Neal, ~~Maddock~~ & Leroy, LLC

Darka Papushkewych
General Counsel
Chicago Transit Authority

ENTERED: _____

Michael D. Leroy
Neal & Leroy, L.L.C.
Attorney for Plaintiff
203 North LaSalle Street - Suite 2300
Chicago, Illinois 60601
Switchboard: (312) 641-7144
Firm No. 41560

Judge



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EXHIBIT A

LEGAL DESCRIPTION

PROJECT: BROWN LINE CAPACITY EXPANSION PROJECT

P.I.N.: 14-20-311-031

PARCEL NO.: 31

ADDRESS: 3408 N. SOUTHPORT AVENUE

LEGAL DESCRIPTION: FEE SIMPLE

LOT 28 IN BLOCK 8 IN LANE PARK ADDITION TO LAKE VIEW IN SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office