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## RECORDING COVER SHEET

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Doc#: 0603919049 Fee: \$36.50  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 02/08/2006 01:34 PM Pg: 1 of 7

FOR RECORDER'S OFFICE USE ONLY

DESCRIPTION OF ATTACHED INSTRUMENT:

### AGREED FINAL JUDGMENT ORDER

CASE NAME: Chicago Transit Authority, a municipal corporation, vs. Ann H. Wiens, et al.

CASE NO.: 03 L 51380

JURISDICTION: IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PIN NO.: 14-18-114-018

ADDRESS: 4634-38 N. Damen Avenue, 2010 W. Eastwood

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

CHICAGO TRANSIT AUTHORITY, a municipal corporation,	)	
	)	<b>CASE NO.: 03 L 51380</b>
	)	
Plaintiff,	)	<b>CALENDAR 1</b>
	)	
v.	)	
	)	<b>PARCEL: 64</b>
ANN H. WIENS and MICHAEL J. MASZK;	)	<b>14-18-114-018</b>
COLE TAYLOR BANK; WASHINGTON MUTUAL BANK FA; MARIA PAPPAS, TREASURER and COUNTY COLLECTOR of COOK COUNTY;	)	
DAVID ORR, COUNTY CLERK of COOK COUNTY; and UNKNOWN OWNERS,	)	<b><u>AERIAL EASEMENT</u></b>
	)	<b>BROWN LINE CAPACITY EXPANSION PROJECT</b>
Defendants.	)	

**AGREED FINAL JUDGMENT ORDER**

**THIS MATTER** coming to be heard upon the Complaint for Condemnation of the Chicago Transit Authority, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Illinois, for the ascertainment of just compensation to be paid for the taking by Plaintiff, of property described in the Complaint for Condemnation. The Complaint for Condemnation having been filed on November 6, 2003 and the plaintiff, appearing by its attorney, Neal & Leroy L.L.C., and the defendants, Ann H. Wiens and Michael J. Maszk appearing through their attorneys Ryan and Ryan and Maria Pappas and David Orr appearing through their attorney Elizabeth Howlett, Assistant States Attorney 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

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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 pursuant to the agreement of the parties by the Plaintiff herein to the owners for an aerial easement over the subject property legally described as follows:

**(SEE ATTACHED EXHIBIT "A")**

is the sum of **Twenty One Thousand Dollars (\$21,000.00)**.

**IT IS THEREFORE ORDERED AND ADJUDGED** by the Court that Judgment is entered for the Plaintiff and compensation for the Defendants in the amount of **Twenty One Thousand Dollars (\$21,000.00)**, the Plaintiff within thirty (30) days from the entry of this Order shall, pay to the Treasurer of Cook County, the sum of **Twenty One Thousand Dollars (\$21,000.00)**, for the benefit of the owner or owners or the party or parties interested in the subject property. No interest shall accrue on this award. The parties hereto agree not to appeal this Judgment.

**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 title to the aerial easement over the subject property.

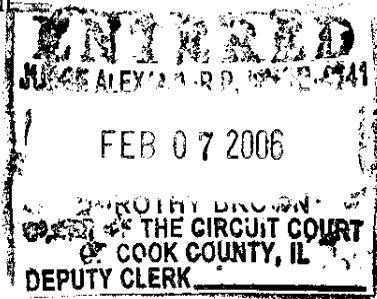
**IT IS FURTHER ORDERED AND ADJUDGED** The interest being acquired by the plaintiff is a 226.59 square foot aerial easement at the Damen Station of the Chicago Transit Authority's Brown Line. Within said easement the plaintiff shall construct an extension of its platform. The plaintiff shall construct a 3 feet 6 inches perforated steel panel along the

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extension over the subject property (a copy of the design and placement of the extension is attached hereto as exhibit B). The plaintiff shall indemnify and hold harmless the owners of the subject property their successors and or assigns from all loss, cost or expense because of injury to or death of any person or persons or damage to any property resulting from the construction operation and maintenance of the platform in the aerial easement being acquired by the plaintiff.

**IT IS FURTHER ORDERED AND ADJUDGED** that this Court shall retain jurisdiction of the above entitled cause for purposes of awarding Plaintiff a Writ of Assistance to put Plaintiff in possession of the subject property and to enforce any of terms and conditions contained in this Order.

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



Agreed  
Plaintiff: Chicago Transit Authority

By: [Signature]  
Neal & Leroy L.L.C.

Langdon D. Neal/Francine D. Lynch  
Neal & Leroy, L.L.C.  
203 North LaSalle Street, Suite 2300  
Chicago, Illinois 60601  
Telephone:(312) 641-7144  
Firm No.: 41560

Enter: [Signature]  
JUDGE NO.

Defendants: Ann H. Wiens and Michael J. Maszk

By: [Signature]  
Ryan & Ryan

AGREED: [Signature]  
Ann H. Wiens  
AGREED: [Signature]  
Michael J. Maszk

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## EXHIBIT A

### LEGAL DESCRIPTION

**PROJECT:** BROWN LINE CAPACITY EXPANSION PROJECT

**P.I.N.:** 14-18-114-018

**PARCEL NO.:** 64

**ADDRESS:** 4634-38 N. DAMEN AVENUE  
2010 W. EASTWOOD

**LEGAL DESCRIPTION:** AERIAL EASEMENT

THE WEST 39.00 FEET OF THE NORTH 5.81 FEET OF LOT 26 IN BLOCK 6, IN THOMAS J. LYMAN'S SUBDIVISION OF BLOCKS 1 TO 6, BOTH INCLUSIVE, IN COUNTY CLERK'S DIVISION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF ELEVATION +32.37 FEET CCD (CHICAGO CITY DATUM), SAID ELEVATION IS BASED ON CHICAGO CITY STANDARD BENCH MARK NUMBER 317, HAVING AN ELEVATION OF +20.858 FEET, IN COOK COUNTY, ILLINOIS.

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In Charge By: ASB  
 Designed By: SKL/TMS/TOG  
 Drawn By: SKL/TMS/TOG/SS/CH/SKL  
 Checked By: SKL/TMS/TOG  
 Approved By: ASB

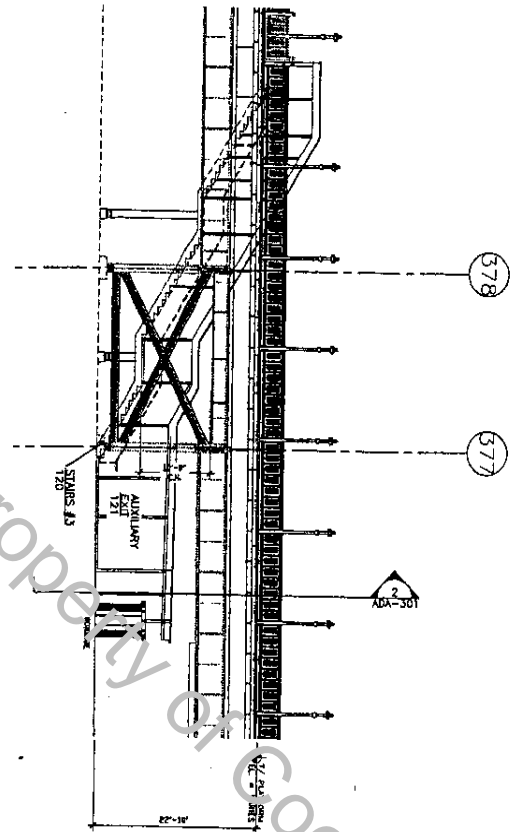
**EarthTech**  
 A First International Ltd. Company  
 311 - North 51st Street, Suite 200  
 Phoenix, AZ 85018  
 Phone: (602) 512-1000, Fax: (602) 512-1001

No.	Date	Revision
1	04 MAY 05	ISSUED FOR BIDS

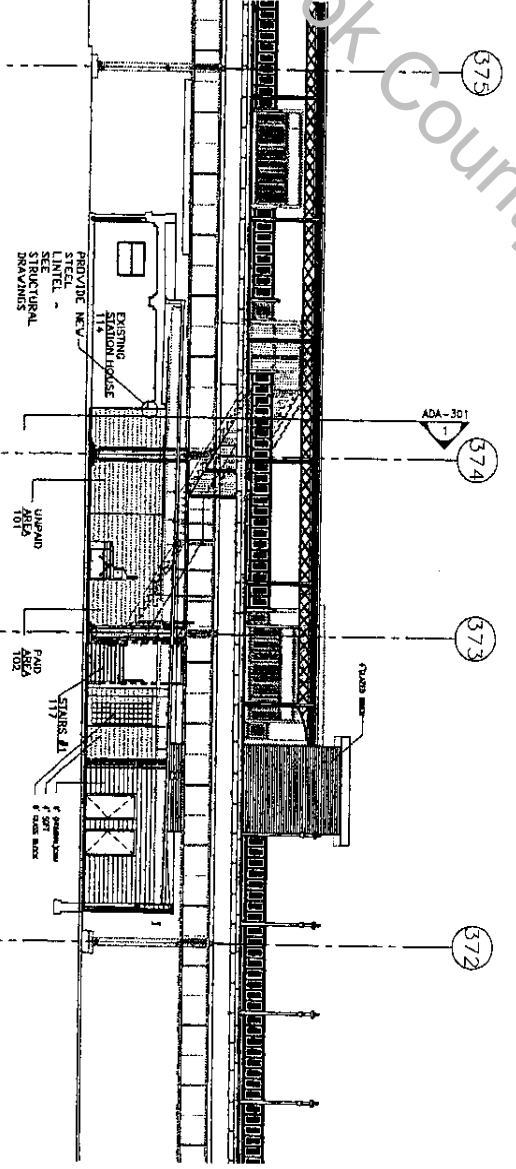
**Chicago Transit Authority**  
 Engineering Department

RAVENSWOOD (BROWNE) LINE EXPANSION PROJECT  
 DANEN STATION, 4843 N. DANEN AVE.  
**BUILDING SECTIONS**  
 Sheet No. ADA-300 of  
 J.O. No. \_\_\_\_\_ Date: \_\_\_\_\_  
 Scale: AS NOTED

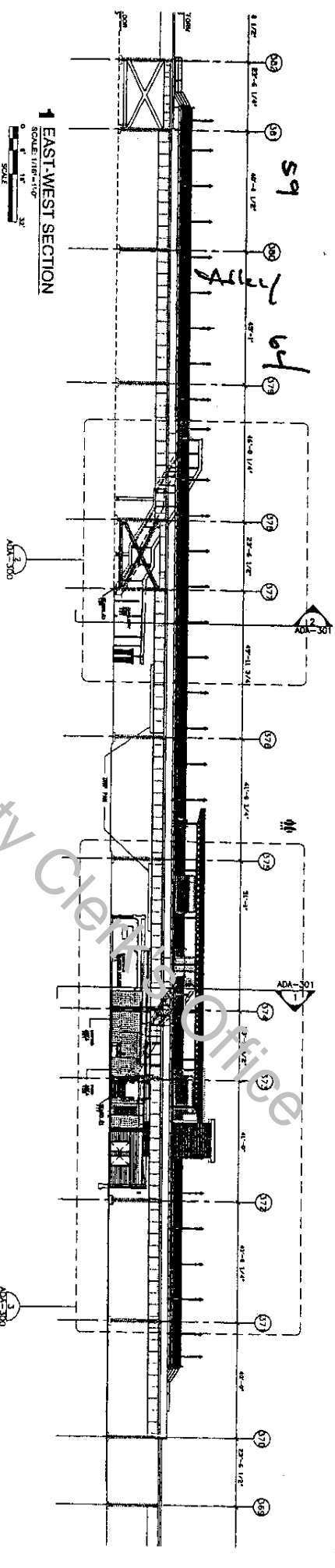
**2 EAST-WEST AUXILIARY EXIT SECTION**  
 SCALE: 1/8"=1'-0"



**3 EAST-WEST STATIONHOUSE SECTION**  
 SCALE: 1/8"=1'-0"

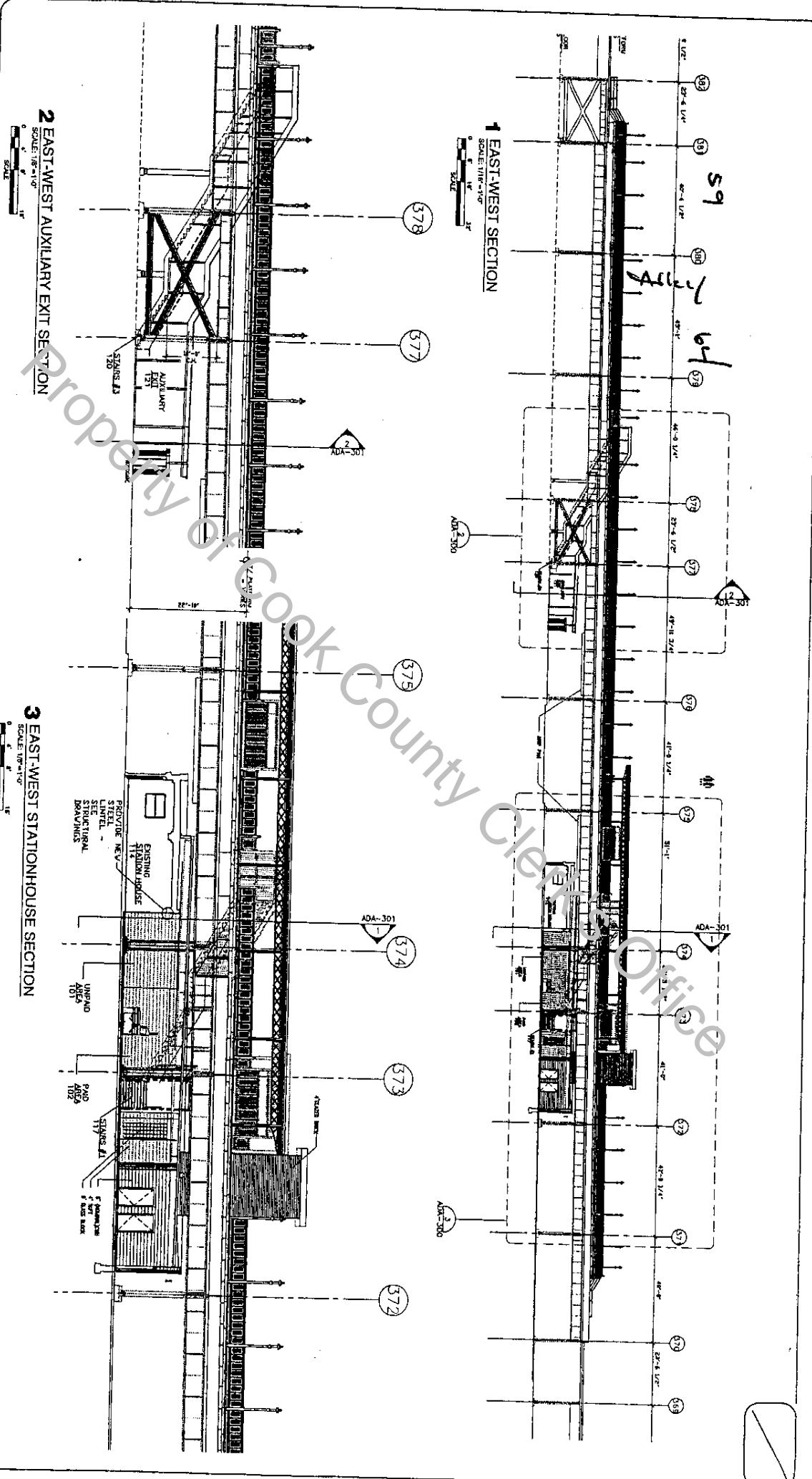


**1 EAST-WEST SECTION**  
 SCALE: 1/16"=1'-0"



1 more w/4  
 Parcel 59

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In Charge: ABR  
 Designed By: SAU/TMS/ROC  
 Checked By: SAU/SAU/TMS/ROC/SAU  
 Approved By: SAU/TMS

**EarthTech**  
 A The Structural Lite Company  
 2112 BURTCHFIELD RD. OWENSBORO, KY 40257  
 PHONE (502) 574-2008 FAX (502) 574-2007

No.	Date	Revision
1	08 MAY 03	ISSUED FOR RFS

**Chicago Transit Authority**  
 Engineering Department

RAVENSWOOD (BROWN) LINE EXPANSION PROJECT  
 DAMEN STATION 4843 N. DAMEN AVE.  
**BUILDING SECTIONS**  
 Scale: AS NOTED Date: J.O. No.:

Issue 04  
 Parcel 59