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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

vs.

ZAFAR HUSSAIN, an individual; FOUNDERS BANK;
MARIA PAPADAS, Treasurer and County Collector of
Cook County, Illinois; DAVID ORR, County Clerk of
Cook County, Illinois; and UNKNOWN OWNERS,

Defendants.

No. 05 L 50809

ROOSEVELT/RACINE
REDEVELOPMENT TIF

P.I.N.: 17-20-103-014

FULL TAKING



Doc#: 0629639025 Fee: \$44.50
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 10/23/2006 01:29 PM Pg: 1 of 11

AGREED FINAL JUDGMENT ORDER

THIS CAUSE COMING TO BE HEARD upon the Complaint for Condemnation filed by the Plaintiff, the CITY OF CHICAGO (the "City"), a municipal corporation, for the ascertainment of just compensation to be paid by the City for fee simple title to the property legally described on Exhibit 1 attached hereto (hereinafter referred to as the "Subject Property");

And the City, appearing by its attorneys, SHEFSKY & FROELICH LTD., and Defendant, ZAFAR HUSSAIN (the "Owner"), appearing by its attorneys, FORAN, O'TOOLE & BURKE, LLC, and it appearing to the Court that the time to appear and answer for those party defendants that have been served with process in the manner and form provided by statute having expired and those parties and the unknown owners having been found in default;

And the Court having jurisdiction of all the parties to this lawsuit and the subject matter thereof, the City and the Owner having reached agreement as set forth herein, the parties waiving

Refer To: Shefsky & Froelich
111 E. Wacker Dr. #2800
Chicago, IL 60601

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the right to the impaneling of a jury for the viewing of the Subject Property and for the determination of just compensation;

THE COURT FINDS THE JUST COMPENSATION, based on the agreement of the parties as expressed in the Stipulation for Just Compensation attached hereto as Exhibit 2 and incorporated herein by this reference, and other consideration and agreements as more fully set forth herein, to be paid by the City to the Owner and party or parties interested in the Subject Property which the City seeks to acquire as set forth in its Complaint for Condemnation and described in Exhibit 1 hereto, to be the sum of One Hundred Fifty-Seven Thousand Five Hundred and no/100s Dollars (\$157,500.00) for fee simple title to and all other interests in the Subject Property;

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the just compensation to be paid by the City to the Owner and party or parties interested in the Subject Property with the other consideration and agreements set forth herein be and is full and final satisfaction of all takings, damages, costs and claims, including, without limitation, relocation costs, of the Owner, any other defendant, and any person claiming any right, title or interest in the Subject Property, arising out of or resulting from the City's Complaint for Condemnation, acquisition, and use of the Subject Property and judgment is entered accordingly;

IT IS THEREFORE ORDERED AND ADJUDGED by the Court, by the agreement of the parties, that on or before December 13, 2006, the City shall deposit with the Treasurer of Cook County, Illinois the sum of One Hundred Fifty-Seven Thousand Five Hundred and no/100s

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Dollars (\$157,500.00) (the "Deposit") for the benefit of the Owner and any party or parties in interest in the Subject Property or entitled to share in the Deposit. No interest shall accrue on this award;

IT IS FURTHER ORDERED AND ADJUDGED that upon the Deposit with the Treasurer of Cook County, the City shall be thereby vested with the fee simple title to the Subject Property;

IT IS FURTHER ORDERED AND ADJUDGED that upon the Deposit with the Treasurer of Cook County, all liens, including without limitation tax liens, utility liens and judgment liens, shall attach to the condemnation award and shall be extinguished and void as to the Subject Property;

IT IS FURTHER ORDERED AND ADJUDGED that the Owner shall vacate the Subject Property and tender to the City full and complete possession of the Subject Property, free and clear of all tenancies and personal property, if any, immediately upon the aforementioned Deposit;

IT IS FURTHER ORDERED AND ADJUDGED that upon the Deposit with the Treasurer of Cook County, the Owner shall be entitled to seek a withdrawal of its award;

IT IS FURTHER ORDERED AND ADJUDGED that this Court, by agreement of the parties, shall have and retain jurisdiction of the above entitled cause to enforce all the terms, provisions and conditions of this Agreed Final Judgment Order and for the purpose of awarding

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the City writ or writs of assistance with regard to the Subject Property to which the City has acquired fee simple title as aforesaid, and that the City shall not be limited to remedy at law, but may seek specific performance of the terms, provisions and conditions of this Agreed Final Judgment Order;

IT IS FURTHER ORDERED AND ADJUDGED by agreement of the parties, that the parties waive their rights of appeal in this cause and the Owner waives his right to costs and interest on the award;

THE COURT FINDS that there is no just reason for delaying the enforcement of this Agreed Final Judgment Order.

DATED:

Judge Alexander P. White

OCT 23 2006

Circuit Court -0241

JUDGE

Judge's No.

AGREED AND STIPULATED AS TO FORM AND CONTENT:

DATED: August __, 2006

Dated: August ^{9/11} __, 2006

THE CITY OF CHICAGO, a municipal corporation

ZAFAR HUSSAIN

By:

One of its Attorneys

By:

One of his Attorneys


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

OCT 23 2006

Date _____

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



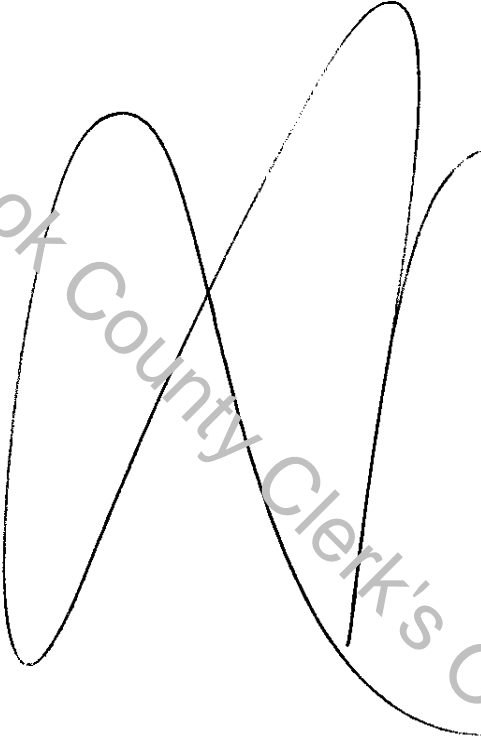
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EXHIBIT 1 -- Legal Description

P.I.N. NOS.:	17-20-103-014
COMMON ADDRESS:	1221 W. Roosevelt Road, Chicago, Illinois
LEGAL DESCRIPTION:	LOT 9 IN BLOCK 1 (EXCEPT THE NORTH 42 FEET CONVEYED TO CITY FOR STREETS) IN SAMPSON AND GREEN'S ADDITION TO CHICAGO IN SECTION 20, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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P.I.N.: 17-20-103-014

FULL TAKING

STIPULATION FOR FINAL JUST COMPENSATION

Plaintiff, City of Chicago (the "City"), a municipal corporation, and Defendant Zafar Hussain ("Owner") stipulate and agree that the foregoing cause has been fully compromised and settled as follows:

1. The City has the authority to exercise the right of eminent domain; that the property sought to be taken herein, commonly known as 1221 W. Roosevelt Rd., Chicago, Illinois (the "Subject Property"), legally described on Exhibit A, is subject to the exercise of such right; and that such right is not being improperly exercised in this proceeding.

2. The Court has jurisdiction over all necessary parties to this lawsuit and the subject matter thereof.

3. The parties have waived the right to the impaneling of a jury for the viewing of the Subject Property and for the determination of just compensation.

4. The sum of ONE HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$157,500.00) is full and just compensation to be paid by the City to the Owner and

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any party or parties interested in the Subject Property for the fee simple title taking of the Subject Property.

5. The just compensation to be paid by the City to the Owner with the other consideration and agreements set forth herein be and is in full and final satisfaction of all takings, damages, costs and claims of the Owner, any other defendant, and any other person claiming any right, title or interest in the Subject Property, arising out of or resulting from the City's Complaint for Condemnation, acquisition, and use of the Subject Property and judgment is entered accordingly.

6. The Owner shall vacate the Subject Property and tender the Subject Property to the City, free and clear of all tenancies and personal property, if any, on or before December 13, 2006.

7. On or before December 13, 2006, the Owner will deliver evidence from the appropriate utility companies disclosing that all utility bills, if any, have been paid in full through December 13, 2006. If such bills are not issued through such date, the Owner agrees to pay that portion of such after issued bills representing the amounts due and owing the utility companies through December 13, 2006.

8. After the Owner tenders the Subject Property to the City as provided herein, the City shall, on or before December 13, 2006, deposit with the Treasurer of Cook County, Illinois the sum of ONE HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$157,500.00) (the "Deposit") for the benefit of the Owner and any party or parties entitled to share in the Deposit.

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9. Upon the Deposit with the Treasurer of Cook County, the City shall be thereby vested with the fee simple title to the Subject Property and the exclusive right to possess the Subject Property.

10. Upon the Deposit with the Treasurer of Cook County, the Owner shall be entitled to seek a withdrawal of the Deposit.

11. The Court shall have and retain jurisdiction of the above entitled cause to enforce all of the terms, provisions, and conditions of this Stipulation and the Agreed Final Judgment Order and for the purpose of awarding the City writ or writs of assistance with regard to the Subject Property to which the City has acquired fee simple title and the right of possession as aforesaid, and that the parties shall not be limited to remedy at law, but may seek specific performance of the terms, provisions, and conditions of this Stipulation for Final Just Compensation.

12. Each party waives its rights of appeal in this cause.

13. Each party shall bear its own costs, including experts' and attorneys' fees.

14. The Owner hereby represents and warrants that:

- a. There are no leases, licenses, or use agreements affecting the Subject Property;
- b. There are no tenants on the Subject Property;
- c. There will be no tenants on the Subject Property as of December 13, 2006;
- d. No litigation or proceedings are pending or threatened against the Owner (other than the instant action) or any party controlling or controlled by the Owner which could affect the ability of the Owner to perform their obligations in accordance with the terms of this Stipulation for Final Just Compensation;
- e. The execution of this Stipulation for Final Just Compensation by Owner does not constitute or will not, upon the giving of notice or lapse of time,

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- or both, constitute a breach or default under any other agreement which may affect the Subject Property to which the Owner or any party controlling or controlled by the Owner is a party or may be bound or affected, or a violation of any law or court order which may affect the Subject Property, any part thereof, any interest therein or the use thereof;
- f. The Owner has full power and authority to execute and deliver this Stipulation for Final Just Compensation and perform its obligations set forth herein;
 - g. The Owner has no actual knowledge, nor has received any notice, that the current use of the Subject Property violates: (i) any statute, law, regulation, rule, ordinance or executive or judicial order of any kind (including, without limitation, zoning and building laws, ordinances, codes or approvals and environmental protection laws or regulations); or (ii) any building permit, restriction of record or any agreement affecting the Subject Property or any part thereof;
 - h. Except for mortgages and other liens, if any, which can and shall be satisfied by the Owner's payment of money at closing, and except for real estate taxes and assessments not due and payable, the owner has not (i) granted, suffered or permitted any lien, claim or encumbrance upon the Subject Property or any portion thereof; (ii) permitted or suffered any levy, attachment, claim or restraint to be made affecting the Subject Property; or (iii) executed any leases for the Subject Property which will not be terminated at or before December 13, 2006;
 - i. To the best of the Owner's knowledge, the Subject Property has never been used as a landfill or a waste dump, nor does it have any existing underground storage tanks; and
 - j. The Owner shall not execute or otherwise consent to any leases, license agreements, or use and occupancy agreements, whether for business, persons or equipment, after the date of this Stipulation for Final Just Compensation without the City's prior consent, which consent shall be in the City's sole discretion.
15. The City hereby represents and warrants to the Owner as follows:
- a. To the best of the City's knowledge, the performance by the City of its obligations hereunder will not violate any other agreement to which the City is a party or any court order or decree by which the City is bound; and

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- b. To the best of the City's knowledge, there is no litigation against the City that could prevent the City from performing its obligations in accordance with the terms of this Stipulation for Final Just Compensation.

AGREED:

Dated: August _____, 2006

Dated: August 9/11/06, 2006

CITY OF CHICAGO, a municipal corporation

ZAFAR HUSSAIN

By: *Stephen J. Holler*
 Stephen J. Holler
 One of its Attorneys

By: *[Signature]*
 One of His Attorneys

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EXHIBIT A

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