

# UNOFFICIAL COPY

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

vs.

FELICIA STANTON, an individual; LASHAWN STANTON, an individual; STATE OF ILLINOIS, DEPARTMENT OF REVENUE, as lienholder; MARIA PAPPAS, Treasurer and County Collector of Cook County, Illinois; DAVID ORR, County Clerk of Cook County, Illinois; and UNKNOWN OWNERS,

Defendants.

No. 06 L 50204

MADDEN/WELLS  
REDEVELOPMENT PROJECT

P.I.N. NOS: 17-35-104-007 & 008

FULL TAKING



Doc#: 0708145139 Fee: \$34.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/22/2007 01:46 PM Pg: 1 of 6

### AGREED FINAL JUDGMENT ORDER

Plaintiff, CITY OF CHICAGO, a municipal corporation (the "City"), appears by its attorneys, WINSTON & STRAWN LLP and SHEFSKY & FROELICH, LTD., and Defendants, FELICIA STANTON and LASHAWN STANTON (collectively the "Owners"), appear by their attorneys, FIGLIULO & SILVERMAN P.C. It being presented by the City and the Owners to the Court that the parties hereby agree to the entry of an Agreed Final Judgment Order as follows:

#### **THE COURT FINDS:**

1. The Complaint for Condemnation was filed on March 9, 2006. All party defendants herein have been served with process in the manner and form provided for by statute and the unknown owners have been found in default.
2. The City has the authority to exercise the right of eminent domain. The properties sought to be taken are described in Exhibit A attached hereto (the "Subject Properties") and are

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subject to the right of eminent domain. The City's right to exercise eminent domain is not being improperly exercised in these proceedings. All those parties non-defaulted which are interested in the Subject Properties are before the Court, or have received due notice of this proceeding and have chosen not to appear, and the Court has jurisdiction over all parties to this lawsuit, the Subject Properties and the subject matter hereof. This cause has been set for hearing on the ascertainment of just compensation to be paid for the taking of the Subject Properties which real properties are set forth in the Complaint for Condemnation.

3. The City and the Owners have obtained appraisals, and the parties, through their respective attorneys, have waived the right to the impaneling of a jury for the viewing of the Subject Properties and for the determination of just compensation.

**IT IS HEREBY ORDERED:**

4. The final just compensation, based on the agreement of the parties as expressed herein, to be paid by the City to the Owners and party or parties interested in the Subject Properties which the City seeks to acquire as set forth in its Complaint for Condemnation and described in Exhibit A hereto to be the sum of FOUR HUNDRED SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$465,000.00) (hereinafter, the "Compensation Award") for fee simple title to and all other interests in the Subject Properties.

5. Further, the Compensation Award to be paid by the City to the Owners and party or parties interested in the Subject Properties with the other consideration and agreements set forth herein be and is final just compensation for the taking of the Subject Properties and is full and final satisfaction of all takings, damages, costs and claims of the Owners, any other defendant, and any person claiming any right, title or interest in the Subject Properties, arising

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out of or resulting from the City's Complaint for Condemnation, acquisition, and use of the Subject Properties and judgment is entered accordingly. The Owners are not entitled to any relocation or moving expense payments from the City because the Subject Properties are vacant land. The Owners are required to remove any and all personal property and debris, if any, from the Subject Properties.

## **IT IS FURTHER ORDERED:**

6. By agreement of the parties, the City, on or before May 22, 2007, shall deposit with the Treasurer of Cook County, Illinois the Compensation Award (the "Deposit") for the benefit of the Owners and any party or parties in interest in the Subject Properties or entitled to share in the Deposit. No interest shall accrue on the Compensation Award. Upon the Deposit, the Owners may immediately petition the Court for withdrawal of the Compensation Award.

7. Upon the Deposit with the Treasurer of Cook County, the City shall be thereby vested with fee simple absolute title to the Subject Properties and all existing tenancies and leasehold interest, if any, are hereby terminated. Further, upon the Deposit, all liens, including without limitation tax liens, judgment liens and utility liens, shall attach to the Compensation Award and shall be extinguished and void as to the Subject Properties.

8. Upon the Deposit, the Owners shall vacate the Subject Properties and tender to the City full and complete possession of the Subject Properties, free and clear of all tenancies and personal property, if any. Possession shall be deemed to have been properly delivered when Owners and their tenants, if any, have completely vacated the Subject Properties and delivered all of the Subject Properties' keys, if any, to the City's designated agent. The City, acting by and through its designated representative, shall have the right to inspect the Subject Properties within

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forty-eight (48) hours prior to the Owners' tender of possession in order to verify that all personal property has been removed from the Subject Properties, and the Subject Properties are free and clear of all debris.

9. The City and the Owners agree that the properties shall be transferred in "as is" condition concerning environmental issues, if any, and that neither party shall seek reimbursement from, nor indemnify the other party for any environmental claims.

**IT IS FURTHER ORDERED:**

10. The City shall procure on or prior to the date of the Deposit consent and approval from the United States Department of Housing and Urban Development ("HUD") to the acquisition by the City of the Subject Properties. If the City is unable to obtain HUD's consent and approval on or prior to the date of the Deposit, this Agreed Final Judgment Order shall be vacated in its entirety.

**IT IS FURTHER ORDERED:**

11. This Court shall retain jurisdiction of the above-entitled cause to enforce all the terms, provisions and conditions of this Agreed Final Judgment Order and for purposes of issuing writ or writs of assistance with regard to the Subject Properties or an order of possession to put the City in possession of the Subject Properties pursuant to the terms and conditions contained herein. The City shall not be limited to a remedy at law, but may seek specific performance of the terms, provisions and conditions of this Agreement Final Judgment Order.

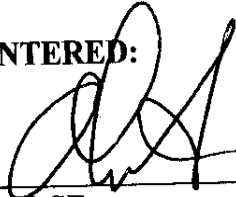
12. Each party shall bear its own costs, including attorneys' fees and experts' fees.

13. The Court finds there is no just reason for delaying the enforcement of said judgment. The parties hereto agree not to appeal this judgment.

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**ENTERED**  
 JUDGE ALEXANDER P. WHITE - 0241  
 1 MAR 22 2007  
 DOROTHY BROWN  
 CLERK OF THE CIRCUIT COURT  
 OF COOK COUNTY, IL  
 DEPUTY CLERK

ENTERED:

  
 \_\_\_\_\_  
 JUDGE

### AGREED AND STIPULATED AS TO FORM AND CONTENT:

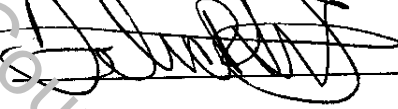
THE CITY OF CHICAGO, a municipal corporation

By: Steven V. Hollen  
 One of its Attorneys

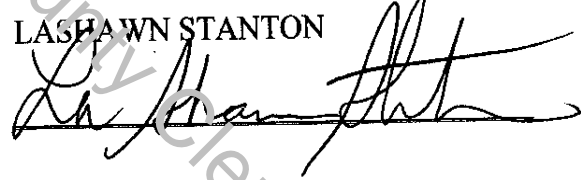
FELICIA STANTON and LASHAWN STANTON

By: Carl Gigante  
 One of their Attorneys

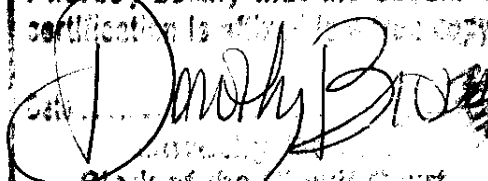
FELICIA STANTON


  
 \_\_\_\_\_

LASHAWN STANTON

  
 \_\_\_\_\_

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

  
 \_\_\_\_\_  
 Clerk of the Circuit Court  
 of Cook County, IL



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## EXHIBIT A – Legal Description

<b>P.I.N. NOS.:</b>	17-35-104-007-0000 and 17-35-104-008-0000
<b>COMMON ADDRESS:</b>	3859 & 3861 S. Lake Park Avenue, Chicago, Illinois
<b>LEGAL DESCRIPTION:</b>	THE NORTHERLY 47 FEET OF THE SOUTHERLY 50 FEET OF LOT 7 AND THAT PART OF A STRIP OF LAND FORMERLY ALLEY NOW VACATED EAST OF AND ADJOINING THE NORTHERLY 47 FEET OF THE SOUTHERLY 50 FEET OF LOT 7 AFORESAID ALL IN BLOCK 3 IN CLEAVERVILLE IN THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.