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Eugene "Gene" Moore
Cook County Recorder of Deeds
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**COOK COUNTY, ILLINOIS
RECORDING COVER SHEET
FOR
ORDER FOR DEFAULT AND QUIET TITLE
CASE NO. 2007 CH 04492**

**P.I.N.'S: 28-31-101-003, -005, -012, -013, -014, AND -015
ADDRESSES: 17735 & 17747 HARDEN AVENUE, AND 17740
& 17756 SAYRE AVENUE, TINLEY PARK, COOK COUNTY,
ILLINOIS**

**THIS ORDER CREATES NEW LEGAL DESCRIPTIONS
AFFECTING THE ABOVE PINS**

After recording return to: RECORDER'S BOX 324 [MAM]

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

VILLAGE OF TINLEY PARK, an Illinois)
 municipal corporation, FIRST MIDWEST)
 BANK, both as Mortgagee, and as Successor)
 Trustee under Trust Agreement dated)
 February 10, 1971, and known as Trust)
 No. 71-207, PATRICIA M. KEUCH, as the)
 Sole Beneficiary of Trust No. 71-207,)
 SUBURBAN BANK AND TRUST, not)
 personally, but as Trustee of Trust No. 74-3306,)
 PHOENIX SETTLEMENTS, INC., as)
 Beneficiary of Suburban Bank and Trust)
 No. 74-3306, MARK K. SCHAPENDONK, and)
 FARMERS STATE BANK OF DANFORTH,)
 as Mortgagee,)

Quiet Title Action

Case No. 07 CH 04492

Judge Kathleen M. Pantle

Plaintiffs,)

vs.)

UNKNOWN OWNERS,)

Defendants.)

ORDER FOR DEFAULT AND QUIET TITLE

This matter coming before the Court on Plaintiffs' Motion for Default Judgment and for prove-up concerning Plaintiffs' Complaint to Quiet Title, counsel for Plaintiffs and a representative of Plaintiff the Village of Tinley Park appearing and the Court being fully advised in the premises;

THE COURT HEREBY FINDS THAT:

1. There exists entirely within the legal boundaries of the Village of Tinley Park, Illinois, parcels of real property that are presently legally described as stated in Plaintiffs' First Amended Verified Complaint to Quiet Title and in Plaintiffs' Motion for Default Judgment and for Order Quieting Title, and collectively described hereinafter as the "Subject Property" or "Lot 7."
2. The persons and entities who are Plaintiffs in the First Amended Complaint to Quiet Title constitute all known owners or other parties having an interest in the Subject Property, and are all represented by Klein, Thorpe and Jenkins, Ltd.
3. The Plaintiffs filed their First Amended Complaint to Quiet Title on July 5, 2007, and have presented testimony and evidence to the Court on this day, detailing a problem relating to the legal

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description of the Subject Property at the time of its creation, the perpetuation of this problem through subsequent subdivisions of the property, and Plaintiffs' proposed solution to the problem through corrected legal descriptions that will act to quiet title in their names.

4. Defendants Unknown Owners are anyone who might hold or claim some technical interest in the property by virtue of the legal description problems related to the Subject Property.
5. Defendants Unknown Owners were served by Publication on July 12, 19 and 26, 2007, in the Chicago Law Bulletin.
6. This Court has jurisdiction over the parties hereto and the Subject Property and the subject matter of this action.
7. Defendants Unknown Owners have not filed an appearance, answer or other responsive pleading in this case.
8. The Plaintiffs are entitled to a default judgment and order against Defendants Unknown Owners.
9. The circumstances regarding the Subject Property continue to be as detailed in the First Amended Verified Complaint filed on July 5, 2007.
10. The Plaintiffs right to title and full use and enjoyment to the Subject Property are clouded by the fact that the legal descriptions of the Subject Property, also known as Lot 7, taken collectively, do not account for the whole of what was truly intended to be Lot 7 or the whole of Lot 7 as represented by the physical land located thereon, thus creating the possible existence of a "gap."
11. The cloud on Plaintiffs' title originated in survey and/or scrivener's errors in the Commissioners' Report dated April 8th, 1893 (accepted by the Partition Decree on May 22, 1893) and continues to this day.
12. Plaintiffs agree and propose that the remedy to the problems detailed in the First Amended Complaint are an order quieting title in their names and the entry of new legal descriptions that eliminate the possible existence of a "gap".
13. Plaintiffs do not have an adequate remedy at law or some other equitable remedy.
14. Plaintiffs are entitled to clear title concerning the portions of Parcels of the Subject Property in which they have an interest.

ACCORDINGLY, IT IS HEREBY ORDERED:

1. That a default judgment is hereby entered against Defendants UNKNOWN OWNERS.

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- The Court hereby confirms title to the various portions of the Subject Property in the names of the various Plaintiffs, free and clear of any claims of interest of UNKNOWN OWNERS, pursuant to the corrected legal descriptions for the Subject Property as follows:

CORRECTED LEGAL DESCRIPTIONS AND CONFIRMATIONS OF TITLE

PARCEL A-1

Legal description of Parcel A-1, PIN 28-31-101-015-0000:

The North 100.00 feet of the East 478.00 feet of the West 505.00 feet of Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: 17735 Harlem Avenue

Title and/or Other Interest in this Parcel is Confirmed In: Plaintiff FIRST MIDWEST BANK, as Successor Trustee under Trust Agreement dated February 10, 1971, and known as Trust No. 71-207, and PATRICIA M. KEUCH, as the Sole Beneficiary of Trust No. 71-207.

PARCEL A-2

Legal description of Parcel A-2, PIN 28-31-101-014-0000:

The North 100.00 feet of the East 75.00 feet of the West 580.00 feet of Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: Part of a detention area abutting property commonly known as 17735 Harlem Avenue

Title in this Parcel is Confirmed In: Plaintiff the VILLAGE OF TINLEY PARK, an Illinois Municipal Corporation, Cook and Will Counties, Illinois

PARCEL B-1

Legal description of Parcel B-1, a part of PIN 28-31-101-003-0000:

That part of the East 478.00 feet of the West 505.00 feet lying South of the South line of the North 100.00 feet all in Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

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Commonly known as: 17747 Harlem Avenue, Tinley Park, Illinois

Title and/or Other Interest in this Parcel is Confirmed In: Plaintiff FIRST MIDWEST BANK, as Successor Trustee under Trust Agreement dated February 10, 1971, and known as Trust No. 71-207, and PATRICIA M. KEUCH, as the Sole Beneficiary of Trust No. 71-207.

PARCEL B-2

Legal description of portion of Parcel B-2 - a part of PIN 28-31-101-003-0000:

That part of the East 75.00 feet of the West 580.00 feet of lying South of the South line of the North 100.00 feet all in Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: Part of a detention area abutting property commonly known as 17747 Harlem Avenue

Title in this Parcel is Confirmed In: Plaintiff the VILLAGE OF TINLEY PARK, an Illinois Municipal Corporation, Cook and Will Counties, Illinois

PARCEL C-1

Legal description of Parcel C-1 - a part of PIN 28-31-101-013-0000:

The North 100.00 feet lying East of the East line of the West 958.00 feet, except the East 33 feet thereof, all in Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: 17740 South Sayre Avenue, Tinley Park, Illinois

Title and/or Other Interest in this Parcel is Confirmed In: Plaintiff SUBURBAN BANK AND TRUST, as Trustee of Trust No. 74-3306, Plaintiff PHOENIX SETTLEMENTS, INC., as Beneficiary of Suburban Bank and Trust No. 74-3306, and Plaintiff FARMERS STATE BANK OF DANFORTH, as mortgagee

PARCEL C-2

Legal description of Parcel C-2 - PIN 28-31-101-012-0000:

The North 100.00 feet of the East 378.00 feet of the West 958.00 feet of Lot 7 in

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Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: Part of a detention area abutting property commonly known as 17740 South Sayre Avenue, Tinley Park, Illinois

Title in this Parcel is Confirmed In: Plaintiff the VILLAGE OF TINLEY PARK, an Illinois Municipal Corporation, Cook and Will Counties, Illinois

PARCEL D-1

Legal description of Parcel D-1, a part of PIN 28-31-101-005-0000:

The South 80.00 feet of the North 180.00 feet lying East of the East line of the West 958.00 feet, except for the East 33 feet thereof, of Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: 17756 South Sayre Avenue

Title and/or Other Interest in this Parcel is Confirmed In: Plaintiff MARK SCHAPENDONK and Plaintiff FIRST MIDWEST BANK, as mortgagee

PARCEL D-2

Legal description of Parcel D-2, a part of PIN 28-31-101-005-0000:

The South 80.00 feet of the North 180.00 feet of the East 378.00 feet of the West 958.00 feet together with that portion lying South of the South line of the North 180.00 feet and East of the East line of the West 580.00 feet, except for the East 33 feet thereof, all in Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as: Part of a detention area abutting property commonly known as 17756 South Sayre Avenue

Title in this Parcel is Confirmed In: Plaintiff the VILLAGE OF TINLEY PARK, an Illinois Municipal Corporation, Cook and Will Counties, Illinois

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PARCEL E

Legal description of Parcel E - currently identified as a part of PINS 28-31-101-013, 28-31-101-005 and that property previously dedicated by Document Number 0416345173, recorded 10 June 2004:

The East 33.00 feet, including that portion of the East 33.00 feet previously dedicated by Document Number 0416345173, recorded 10 June 2004, of Lot 7 in Subdivision by Circuit Court Commissioners in Partition (Case 108560) of parts of Sections 29, 30 and 31 in Township 36 North, Range 13, East of the Third Principal Meridian, Cook County, Illinois.

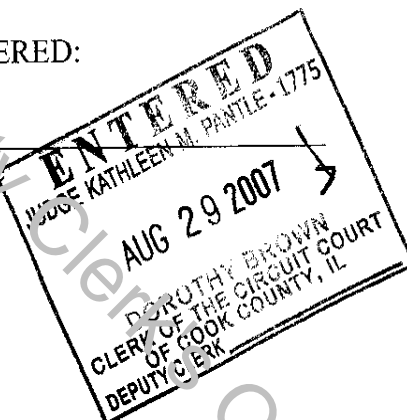
Commonly known as: the Western 1/2 of the Sayre Avenue right-of-way adjacent to 17740 and 17756 South Sayre Avenue

Dedication, Title and Jurisdiction over this Street Right-of-Way is Confirmed in: Plaintiff the VILLAGE OF TINLEY PARK, an Illinois Municipal Corporation, Cook and Will Counties, Illinois.

3. The location of the above parcels within Lot 7 as set forth above are generally depicted on the Chart attached hereto and made a part of this Order.
4. This final order is appealable as of right pursuant to all applicable Supreme Court Rules.

ENTERED:

Judge



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