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Doc#: 0833856043 Fee: \$54.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 12/03/2008 11:07 AM Pg: 1 of 10

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

Village of Skokie, a
Municipal Corporation,
Plaintiff,

v.

Myung Yui Hong, Lena Hong,
Gina Park, Lincoln Auto Sales, Inc.,
D & E Auto Service
and Unknown Owners,

Defendants.

Case No. 06 L 051279

FINAL ORDER VESTING FEE SIMPLE TITLE

This matter coming on to be heard on this previously set date for vesting of title and Plaintiff's Motion for Entry of Order Vesting Fee Simple Title, proper notice having been given, and the court being advised in the premises, Plaintiff, the Village of Skokie (hereinafter "Plaintiff"), a municipal corporation, appears by its attorneys Patrick Hanley, Corporation Counsel, and Henry Mueller, Assistant Corporation Counsel, and Defendants, Myung Hong and Lena Hong (hereinafter, "Defendants"), by their attorney Law Office of Bryan P. Lynch, P.C. and the Court being fully advised in the premises, by agreement of the parties as set forth in the Agreed Final Judgment Order entered on August 5, 2008, it is hereby ordered:

THE COURT FINDS:

1. The Verified Complaint for Condemnation was filed on December 28, 2006. All party defendants herein have been served with process in the manner and form provided for by statute and have further submitted to the jurisdiction of the Court.

2. Plaintiff has the authority to exercise the right of eminent domain, and Plaintiff's

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right to exercise eminent domain is being properly exercised in these proceedings.

3. The property taken (hereinafter "Subject Property") is described as follows:

PIN: 10-21-402-077-0000

THAT PART OF LOT 1 LYING EASTERLY OF THE LINE DRAWN PARALLEL IN DISTANCE 135 FEET AT RIGHT ANGLES IN AN EASTERLY DIRECTION FROM THE EAST LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY AND SOUTHERLY OF A LINE PARALLEL TO AND 353 FEET SOUTHERLY OF THE NORTH LINE OF BLOCK 1 IN BLAMEUSER'S SUBDIVISION OF THE SOUTH 10.5 ACRES OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

more commonly described as 8156-8200 Skokie Boulevard, Skokie, Illinois.

4. All parties not defaulted which are interested in the Subject Property are before the Court, or have received notice of the proceeding and have chosen not to appear, and the Court has jurisdiction over the Plaintiff, the Defendants, all named parties, the Subject Property and the subject matter hereof.

5. The taking of the Subject Property is for a lawful public use and for public purposes as stated in the Verified Complaint in this matter.

6. Plaintiff and Defendants have obtained appraisals and through their respective attorneys have waived the right to the impaneling of a jury for the viewing of the Subject Property and for determination of just compensation.

7. The Plaintiff and Defendants have previously entered into a settlement reflected in the Agreed Final Judgment Order entered on August 5, 2008, containing the terms, conditions and agreed fair market value of the Subject Property, a copy of said Agreed Final Judgment Order being attached hereto and incorporated into this Final Order Vesting Fee Simple Title as Exhibit A, the parties hereto acknowledging that the terms of the Agreed Final Judgment Order have been, and will be, fully complied with.

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8. The total amount of final just compensation, as established by the Agreed Final Judgment Order, is ONE MILLION FOUR HUNDRED EIGHTY SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,487,500.00) ("Compensation Award"). Plaintiff has deposited the Compensation Award with the Cook County Treasurer. The Compensation Award represents compensation for the taking of the Subject Property, inclusive of any and all improvements.

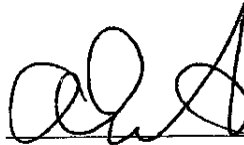
IT IS HEREBY ORDERED:

1. An order of default having been entered against all Unknown Owners on August 5, 2008, judgment is hereby entered against all Unknown Owners in this cause.
2. Plaintiff, the Village of Skokie, is hereby vested with fee simple absolute title to the Subject Property free and clear of any security interests, mortgages, leases, or property interests of any nature, and is granted possession of the Subject Property. Defendants shall immediately vacate the Subject Property and shall deliver all keys and other necessary items for access and control of the Subject Property to Plaintiff or Plaintiff's designated agent.
3. Any and all liens, including tax liens, are hereby extinguished and void as to the Subject Property and shall attach to the Compensation Award.
4. This Court shall have continuing jurisdiction to enforce the terms and provisions of this Final Order Vesting Fee Simple Title and the Agreed Final Judgment Order made a part hereof.

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

ENTER:



JUDGE

FILED
JUDGE ADAM S. P. CRUTE-0241
NOV 3 2008
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

J. Patrick Hanley
Henry E. Mueller
Office of Corporation Counsel
Village of Skokie
5127 Oakton Street
Skokie, Illinois 60077
847.933.8270
Attorney #34205

~~Bryan P. Lynch
Law Office of Bryan P. Lynch, P.C.
734 North Wells Street
Chicago, Illinois 60610
12.573.2727
Attorney #42953~~

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

Date **NOV 13 2008**

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



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

VILLAGE OF SKOKIE, a municipal corporation,
 Plaintiff,
 vs.
 MYUNG YUL HONG, LENA HONG, et al.
 Defendants.

Case No. 06 L 051279

AGREED FINAL JUDGMENT ORDER

Plaintiff, the Village of Skokie, a municipal corporation, appears by its attorneys Patrick Hanley, Corporation Counsel, and Henry Mueller, Assistant Corporation Counsel, and Defendants, Myung Hong and Lena Hong (hereinafter, "Defendants"), by their attorney Law Office of Bryan P. Lynch, P.C. and the Court being fully advised in the premises, by agreement of the parties to resolve this matter, it is hereby ordered:

THE COURT FINDS:

1. The Complaint for Condemnation was filed on December 28, 2000. All party defendants herein have been served with process in the manner and form provided for by statute and have further submitted to the jurisdiction of the Court.
2. Plaintiff has the authority to exercise the right of eminent domain. Plaintiff's right to exercise eminent domain is being properly exercised in these proceedings. The property sought to be taken herein (the "Subject Property") is subject to that right of eminent domain and is legally described as follows:

PIN: 10-21-402-077-0000

THAT PART OF LOT 1 LYING EASTERLY OF THE LINE DRAWN PARALLEL IN DISTANCE 135 FEET AT RIGHT ANGLES IN AN

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EASTERLY DIRECTION FROM THE EAST LINE OF THE RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY AND SOUTHERLY OF A LINE PARALLEL TO AND 353 FEET SOUTHERLY OF THE NORTH LINE OF BLOCK 1 IN BLAMEUSER'S SUBDIVISION OF THE SOUTH 105 ACRES OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

more commonly described as 8156-8200 Skokie Boulevard, Skokie, Illinois.

3. All those parties not defaulted which are interested in the Subject Property are before the Court, or have received due notice of this proceeding and have chosen not to appear, and the Court has jurisdiction over the Plaintiff, the Defendants, all party defendants, the Subject Property and the subject matter hereof.

4. Plaintiff represents and warrants that the taking of the Subject Property shall be for the sole use of the construction by the Plaintiff of public improvements, including but not limited to, a turning lane, intersection improvements and traffic signal at Skokie Boulevard and Searle Parkway, temporary parking and waiting areas for taxis and private vehicles, in support of the operations of the Chicago Transit Authority for its Yellow Line facilities, and not for private development or private use of any kind.

5. Plaintiff and Defendants have obtained appraisals and through their respective attorneys have waived the right to the impaneling of a jury for the viewing of the Subject Property and for determination of just compensation.

IT IS HEREBY ORDERED:

6. The Parties hereby acknowledge the total amount of final just compensation to be ONE MILLION FOUR HUNDRED EIGHTY SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,487,500) ("Compensation Award"). The Compensation Award represents compensation for the taking of the Subject Property, inclusive of any and all improvements. Defendants may remove any and all equipment, permanent fixtures, personal

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property and debris from the Subject Property at any time through the date of vacation of the Subject Property provided in this Order.

7. The Compensation Award shall be paid by Plaintiff herein to Defendants and any other interested non-defaulted parties, as provided in this Order, for the fee simple title thereto, including full and final compensation and satisfaction of all claims by Defendants and all other interested non-defaulted parties for just compensation for the taking of all property interests, damages and court costs arising out of or resulting from Plaintiff's Complaint for Condemnation.

8. Further, Plaintiff shall pay Defendants SIXTY TWO THOUSAND AND NO/100 DOLLARS (\$62,000.00) ("Relocation Payment") for and in consideration of any and all claims or rights Defendants may have under the Federal Uniform Relocation Act or any other rights for relocation costs, which shall be paid as stated herein. This amount for the Relocation Payment is the total and final amount payable to Defendants for relocation assistance or costs and is not subject to any increase or additional claims, and Defendants waive any other statutory rights to further consultation.

9. Within five (5) business days of the entry of this Final Judgment Order, Plaintiff shall deposit or account for the Compensation Award and the Relocation Payment, in the total amount of ONE MILLION FIVE HUNDRED FORTY NINE THOUSAND FIVE HUNDRED DOLLARS (\$1,549,500.00) in an identified fund or account ("Account") earmarked for Defendants in this litigation, to be held by the Village of Skokie and bearing interest at the Federal Funds Rate, currently at 2.0% per annum as of July 31, 2008, which may change subject to action by the Federal Reserve Board or its Federal Open Markets Committee. When the final payments including interest are made to Defendants and counsel, as stated in paragraph 15 of this Order, the Village of Skokie shall provide a statement to Defendants identifying the interest rate(s) used to determine the amount of interest paid.

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10. Defendants represent that there are no tenants holding any valid lease rights to occupy the Subject Property.

11. On November 5, 2008, Defendants shall vacate and cause any and all tenants to vacate the Subject Property, remove all personal property and debris from the Subject Property and notify Plaintiff in writing of the complete vacation of the Subject Property ("Notice"). Defendants can elect to vacate and turn over possession of the Subject Property before November 5, 2008, by giving five (5) days written notice to Plaintiff ("Early Notice"), in which event the parties agree to request the court to advance the date for entry of an order vesting title in Plaintiff. Defendants shall maintain all existing insurance coverage for the Subject Property in effect until title is transferred and vested in Plaintiff pursuant to subsequent order of Court as stated below.

12. Plaintiff shall cause the Compensation Award to be deposited with the Cook County Treasurer within three (3) business days after vacation of the Subject Property as stated in a Notice or Early Notice. Within two (2) business days following said deposit, Plaintiff shall file its motion for vesting title. Defendants may also petition the Court to withdraw the Compensation Award at the time of or subsequent to the entry of the order vesting title to the Subject Property in Plaintiff.

13. Upon Plaintiff's deposit of the Compensation Award with the Cook County Treasurer, all liens, including tax liens, shall attach to said Compensation Award and shall be extinguished and void as to the Subject Property.

14. The parties hereby acknowledge that the Subject Property shall be transferred in "as is where is" condition concerning any and all matters and issues, including but not limited to environmental issues and that neither party shall seek reimbursement from, nor indemnify the other party for any matters or issues including environmental claims or issues. Defendants shall

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continue to operate their business in a manner consistent with past practices and not undertake any new activities.

15. Upon the deposit of the Compensation Award with the Cook County Treasurer following vacation of the Subject Property, Plaintiff shall immediately pay the Relocation Payment and all amounts of interest accrued in the Account, to Defendants and their counsel.

IT IS FURTHER ORDERED:

16. In the event any disputes arise between the parties regarding the terms of this Agreed Final Judgment Order, this Court shall have continued jurisdiction to enforce the terms and provisions of this Order.

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

18. This case is set for November 10, 2008, 9:30 am, Room 2503, for the purpose of entering an order vesting fee simple absolute title to the Subject Property in the Plaintiff, the Village of Skokie, contingent upon the parties having fulfilled all the conditions of this Final Judgment Order.

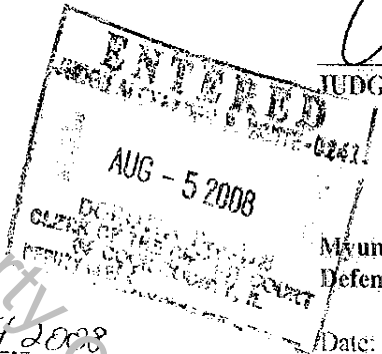
[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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ENTER:

[Handwritten Signature]

JUDGE



AGREED:

Village of Skokie,
Plaintiff

Myung Hong and Lena Hong,
Defendants

Date: August 4, 2008

Date: August 4, 2008

By: Henry E. Mueller, Corp. Counsel
J. Patrick Hanley
Corporation Counsel
Village of Skokie

By: Myung Hong
Myung Hong

By: Lena Hong
Lena Hong

J. Patrick Hanley
Henry E. Mueller
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