

UNOFFICIAL COPY



Doc#: 0901418072 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 01/14/2009 03:58 PM Pg: 1 of 4

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

CITY OF CHICAGO, a municipal corporation,)	
)	
)	CONDEMNATION
Plaintiff,)	
)	NO.: 07 L 51194
v.)	
)	PROJECT: Department of Water Management
REGINALD BRACK, DONNA E. PINCUS MEYERS; UNITED STATE OF AMERICA; and UNKNOWN OWNERS)	9536-50 SOUTH GENOA AVENUE
)	
)	
Defendants.)	

AGREED JUDGMENT ORDER

THIS MATTER COMING ON TO BE HEARD upon the Complaint of the CITY OF CHICAGO, a municipal corporation, for the ascertainment of just compensation to be paid for the taking by said Plaintiff, for the uses and purposes in its Complaint mentioned and set forth, of the property described therein, being the property with the common address of 9536-50 South Genoa Avenue, Chicago, Illinois ("Property") of the said Complaint to Condemn having been heretofore filed on December 11, 2007, and the Plaintiff, the CITY OF CHICAGO, a municipal corporation ("PLAINTIFF"), appearing by MARA S. GEORGES, Corporation Counsel; STEVEN J. HOLLER, Deputy Corporation Counsel; and RICK TAYLOR, Assistant Corporation Counsel, its Attorneys; Defendant REGINALD BRACK ("DEFENDANT") appearing by his attorney DENNIS KRAL, LAW OFFICES OF DENNIS KRAL.

The Court believes that process has been served on all Defendants to this proceeding as provided by statute or the defendants have entered their appearances, and that the Court has jurisdiction of the subject matter of this proceeding and of all parties thereto; that the PLAINTIFF

UNOFFICIAL COPY

and the DEFENDANT hereto have waived the demand for trial by jury.

That the Court having heard and considered the representation of PLAINTIFF's Counsel that this action to condemn the Property is consistent with the authority granted to the PLAINTIFF, pursuant to Article VII, Section 6, of the Constitution of the State of Illinois of 1970, City of Chicago ordinance authorizing the acquisition of the Property for a public purpose related to City of Chicago's Water Management which was approved by the City Council on March 1, 2006 and the action taken by PLAINTIFF's Counsel complies with the "Eminent Domain Act" 735 ILCS Section 735 ILCS 30/1-1-1, et seq.

The Court having heard and considered the representations of both PLAINTIFF and DEFENDANT pursuant to an agreement between the parties that the owner or owners of and party or parties interested in the Property legally described as follows:

PROPERTY:

LOTS 6 TO 11, BOTH INCLUSIVE, IN BLOCK 26 IN HENRY WELP'S HALSTED STREET ADDITION TO WASHINGTON HEIGHTS IN SECTIONS 5 AND 8, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ADDRESS: 9536-50 SOUTH GENOA AVENUE

**PIN: 25-08-202-007-0000; 25-08-202-008-0000; 25-08-202-009-0000;
25-08-202-010-0000 ; 25-08-202-011-0000 and 25-08-202-012-0000**

have agreed to take as just compensation for the above said property the amount of **TWO HUNDRED TEN THOUSAND DOLLARS AND 00/100 (\$210,000.00)**.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

A. That **TWO HUNDRED TEN THOUSAND DOLLARS AND 00/100 (\$210,000.00)** are herein awarded by agreement of the parties and approved by this Court to the owner or owners of and party or parties interested in said real property described herein as the Property as just compensation and judgment is hereby entered for that amount.

B. That the PARTIES agree that the PLAINTIFF, within 60 days of the date of this Order shall deposit the full just compensation award with the County Treasurer of Cook County, Illinois, for the benefit of the owner or owners of and parties interested in the Property the sum of **TWO HUNDRED TEN THOUSAND DOLLARS AND 00/100 (\$210,000.00)** with \$188.00 Court costs. DEFENDANT is also entitled to collect the 6 % statutory interest on the just compensation award from the date this Order is entered by the Court to the date the funds are deposited with the Cook County Treasurer.

C. That upon payment of the just compensation award, the PLAINTIFF shall be immediately vested as fee simple absolute title holder to the subject Property. Also, upon the

UNOFFICIAL COPY

deposit by the PLAINTIFF of the condemnation award all liens, including tax liens, shall attach to the award and shall be extinguished and void as to the Property.

D. If the DEFENDANT with the right to possess the Subject Property fail to turn possession over to the PLAINTIFF as stated herein, the Court retains jurisdiction of the above entitled Cause for the purpose of awarding PLAINTIFF Writ or Writs of Assistance to put PLAINTIFF, in immediate possession of the parcel of real property with respect to which PLAINTIFF has acquired the fee simple absolute title and rights of possession, as aforesaid.

E. Neither DEFENDANT nor any agent, attorney, employee or representative of DEFENDANT have made any representation whatsoever regarding the Subject Property, including the physical nature or condition of the soil or any other portion of the Subject Property for the PLAINTIFF'S purpose and the PLAINTIFF agrees that it is taking the Subject Property, including any environmental conditions, "AS IS" as of the date of filing the Complaint and has relied solely upon its own inspection of the Property. PLAINTIFF by this order relieves and indemnifies DEFENDANT from any and all claims, damages and causes of action related to or arising from the Subject Property or its environmental condition.

THE COURT FINDS that there is no just reason for delaying the enforcement of, or appeal from, said Judgment.

ENTER:

As of, Judge Elmer James Tolman, III




JUDGE

Circuit Court - 1918

Agreed by:

REGINALD BRACK,
Owner

CITY OF CHICAGO, a municipal Corporation

By: 
DENNIS KRAL, ESQ.
LAW OFFICES OF DENNIS KRAL
18100 Harwood Avenue
Homewood, IL 60430
(708) 957-7800

By: 
RICK TAYLOR
Assistant Corporation Counsel
121 North LaSalle - Rm. 600
Chicago, IL 60602
(312) 744-7377

UNOFFICIAL COPY

Cook County Treasurer
 Maria Pappas
 118 North Clark Street Rm. 112
 Chicago, IL 60602
 312-443-5100
www.cookcountytreasurer.com

1/14/2009 03:10 PM 0413 - 0011-0425
 Cash Report: 090114-01 1/14/2009

01 - Cook County Building

Case Number 07L51194

Validation Number: 320449

Condemnation Deposits \$210,705.80

=====
 Total \$210,705.80

Money Order (\$210,705.80)

Check No. 41166208

Thank You for Your Payment