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1020429004

Notice of Final Judgment&

Vesting of Title

State of Illinois

Circuit Court of Cook County

County Department-Law Division

Case 04L51188

The Illinois State Toll

Highway Authority, Plaintiff.

vs.

First Midwest Bank, et. al.,

Defendants.

Doc#: 1020429004 Fee: \$46.00

Eugene "Gene" Moore

Cook County Recorder of Deeds

Date: 07/23/2010 09:45 AM Pg: 1 of 6

Recorder's Stamp

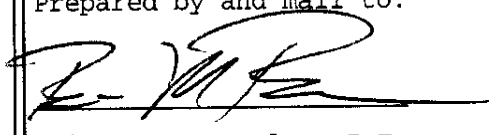
I hereby certify that a complaint for condemnation in the above caption was filed on 11/9/2004 and that the case has been resolved in accord with this recorded order affecting the property described as follows:

Permanent Index Number: 28-25-207-056

Common known address: 17043 Annetta St., Hazel Crest IL

ISTHA Parcel Number: TW-1C-04-017

Prepared by and mail to:


Brian M. Bottomley, P.E.

Condemnation Engineer

Illinois State Toll Highway Authority

2700 West Ogden Avenue

Downers Grove, IL 60515

630.241.6800-x-3949

Sheet 1 of ____

CD_ISTHA_RecFJO_TW-1C-04-017_07232010

02/8947/12

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

**THE ILLINOIS STATE TOLL
HIGHWAY AUTHORITY, an
instrumentality and administrative
agency of the State of Illinois,
Plaintiff**

v.

**First Midwest Bank f/k/a Heritage County
Bank and Trust Company, Trustee u/t/a
dated October 7, 1986, as Trust No. 2922
Marvin Wells, Mary Wells, MERS Inc.,
Fifth Third Mortgage Company
and Unknown Owners,
Defendants**

No. 04 L 51188

CONDEMNATION

Parcel TW-1C-04-017

Calendar 1

Judge White

AGREED FINAL JUDGMENT ORDER
(735 ILCS 5/7-123(b))

THIS CAUSE COMING on for hearing by agreement of the parties for entry of a Final Judgment Order, and

Plaintiff, ILLINOIS STATE TOLL HIGHWAY AUTHORITY, being represented by its counsel, Assistant Attorney General Robert T. Lane, and

Defendant Owner FIRST MIDWEST BANK as TRUSTEE, MARVIN WELLS and MARY WELLS being represented by their Counsel of record, Attorney Timothy Ryan of Ryan and Ryan, and

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Defendants MERS, Inc., FIFTH THIRD MORTGAGE COMPANY and UNKNOWN OWNERS and NON-RECORD CLAIMANTS having been found in default for failure to appear, answer or plead in this matter, and

The Parties having presented to the Court the executed Stipulation for Agreed Final Judgment Order of the parties,

THE COURT DOES HEREBY FIND that:

1. Plaintiff commenced this action on November 4, 2004 by filing its Complaint for condemnation of certain real estate owned by Defendant, First Midwest Bank as Trustee of Trust No. 2922, being identified as Tollway Parcel No. TW-1C-04-017, the legal description of which is modified from that which was attached to the Complaint, said modified legal description is attached to the Stipulation and to this Order as Exhibit "B".
2. Each party has agreed to waive its right to trial of this matter by jury.
3. Final just compensation is set in the amount of forty thousand dollars (\$40,000), with such amount to represent the total amount due for the value of the parcel taken, together with any and all damages to the remainder, special benefits, accrued interest and any and all other claims for which the Defendant may be compensated under the law.
4. Defendant First Midwest Bank as Trustee of Trust No. 2922 is the owner of the fee and Defendants Marvin Wells and Mary Wells are occupants and/or holders of the beneficial interest in the Parcel, and have full power and authority to enter into this settlement.
5. No claims or counterclaims by any party remain pending or unresolved, which have been or could have been brought against the other in this action.

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NOW THEREFORE this Court does enter its Judgment in accordance with the Stipulation of the Parties and the findings set forth above, as follows:

That the total sum of forty thousand dollars (\$40,000) is final just compensation to be paid by Plaintiff to Defendant Owner, First Midwest Bank as Trustee of Trust No. 2922, for taking of the said parcel TW-1C-04-017 as legally described on the attached Exhibit "B", which amount includes but is not limited to all claims for the value of the property taken, damage to any remainder, special benefit to any remainder, and all accrued interest on any amount due from Plaintiff to Defendant; and

That Plaintiff has previously deposited the sum of fifty thousand (\$50,000), with the Cook County Treasurer for the benefit of Defendant, in accordance with the Order setting preliminary just compensation as entered herein on December 22, 2004 and is entitled to return of the excess amount of ten thousand dollars (\$10,000) in accordance with 735 ILCS 5/7-123(b) upon entry of this Order; and

That an Order Vesting Title to Plaintiff was previously entered on January 25, 2005, and Plaintiff is in possession of the premises at issue herein, and that the Order Vesting Title in Plaintiff is hereby confirmed and made final;

That by entry of this Order, any judgment herein against Plaintiff for the payment of the final just compensation is hereby satisfied and released, without further notice to the Defendants or hearing thereon to be required;

That the parties shall execute such documents as may be reasonably necessary to amend the Indenture recorded June 6, 1966 by the Cook County Recorder as Document No. 19847493, in accordance with the terms of the Stipulation; and

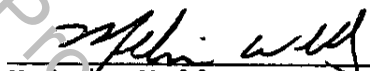
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That the Court retains jurisdiction of this matter to the extent necessary to enforce the terms hereof and to enter its Order of Withdrawal of Just Compensation,

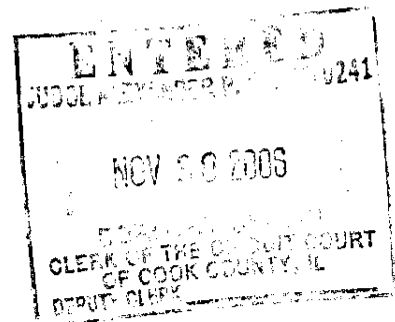
Order entered this 28th day of March, 2006.


JUDGE

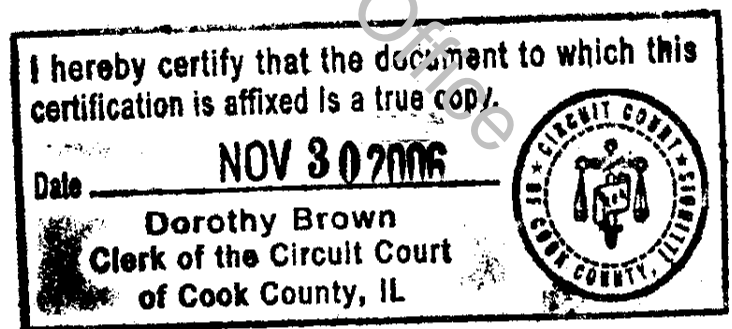
Agreed:


Melvin Wells


Mary Wells



Order Prepared by:
Attorney Robert T. Lane
Cook County #33616
IL Atty No. 03122852
Assistant Attorney General
Illinois State Toll Highway Authority
2700 Ogden Avenue
Downers Grove, IL 60515
(630) 241-6800 Ext. 1525



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That part of lots 34 to 38, inclusive in Block 17 in Orchard Ridge Addition to South Harvey, a subdivision of the South Half of the Northwest Quarter of Section 30, Township 36 North, Range 14 East of the Third Principal Meridian and the East Half of the Southeast Quarter of the Northeast Quarter and the East 16 feet of the Northeast Quarter of the Northeast Quarter of Section 25, Township 36 North, Range 13, East of the Third Principal Meridian, described as follows:

That part of Lot 34 of Block 17 of Orchard Ridge Addition to South Harvey, a subdivision of the South Half of the Northwest Quarter of Section 30, Township 36 North, Range 14 East of the Third Principal Meridian and the East Half of the Southeast Quarter of the Northeast Quarter and the East 16 feet of the Northeast Quarter of the Northeast Quarter of Section 25, Township 36 North, Range 13, East of the Third Principal Meridian lying Southwesterly of a line beginning at a point on the west line of said lot 34, 13.23 feet North of the Southwest corner of said lot 34; thence Southeasterly to a point on the South line of said lot 34, 14.57 feet East of the Southwest corner of said lot 34, all in Cook County, Illinois

Said parcel contains 96.365 square feet or 0.002 acres, more or less

EXHIBIT "B"

"FINAL TAKING"