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RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/14/2014 11:41 AM Pg: 1 of 10

Property of Cook County Clerk's Office

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

THE DEPARTMENT OF TRANSPORTATION)	
OF THE STATE OF ILLINOIS, FOR)	Calendar 3
AND ON BEHALF OF THE PEOPLE OF)	
THE STATE OF ILLINOIS,)	Case No. 14 L 050134
)	
Plaintiff,)	
)	
v.)	Condemnation
)	
STANDARD BANK AND TRUST COMPANY as)	Parcel 1JX0005
successor Trustee to Bank Chicago)	
f/k/a Bank of Lyons as Trustee)	
under Trust Agreement dated)	Job No. R-91-024-12
August 10, 1976 known as Trust)	
No. 1755;)	JURY DEMAND
THE PRIVATE BANK AND TRUST COMPANY)	
as successor to Founders Bank;)	
L. DINEFF 171 TRT LEMONT;)	
UNKNOWN OWNERS AND NON-RECORD)	
CLAIMANTS,)	
)	
Defendants.)	

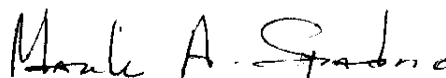
LIS PENDENS NOTICE

Notice is hereby given that Plaintiff in the above entitled cause has filed its Complaint For Condemnation to acquire through

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exercise of the law of eminent domain, real estate described in Exhibit "1" attached hereto, which Complaint prays that just compensation may be made according to law to the owners and persons interested in the said premises. The interest sought to be acquired for highway purposes is the full fee simple title to the real property designated as Parcel 1JX0005, legally described in Exhibit "1" attached hereto.

THE DEPARTMENT OF TRANSPORTATION OF
THE STATE OF ILLINOIS, Plaintiff



BY: LISA MADIGAN, ATTORNEY GENERAL
Special Assistant Attorney General

Attorney No. 11110
Mark A. Spadaro
Special Assistant Attorney General
111 East Wacker Drive, Suite 2600
Chicago, Illinois 60601
(312) 251-9700

IDOT\1JX0005\LISPENSDNOTICE

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

THE DEPARTMENT OF TRANSPORTATION)
OF THE STATE OF ILLINOIS, FOR)
AND ON BEHALF OF THE PEOPLE OF)
THE STATE OF ILLINOIS,)

Plaintiff,)

v.)

STANDARD BANK AND TRUST COMPANY as)
successor Trustee to Bank Chicago)
f/k/a Bank of Lyons as Trustee)
under Trust Agreement dated)
August 10, 1976 known as Trust)
No. 1755;)

THE PRIVATE BANK AND TRUST COMPANY)
as successor to Founders Bank;)
L. DINEFF 171 TRT LEMONT;)
UNKNOWN OWNERS AND NON-RECORD)
CLAIMANTS,)

Defendants.)

Case No. 2014L050134
CALENDAR/ROOM 3
TIME 00:00
Condemnation

Condemnation

Parcel 1JX0005

Job No. R-91-024-12

JURY DEMAND

FILED
2014 FEB 10 AM 9:04
DEBORAH S. BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

COMPLAINT FOR CONDEMNATION

NOW COMES THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, the Plaintiff, for and on behalf of the People of the State of Illinois (hereafter "the Department"), by LISA MADIGAN, Attorney General of the State of Illinois, by Mark A. Spadaro, Special Assistant Attorney General, and for its Complaint against the defendants, states:

1. The Department is a department of the State government of the State of Illinois, as created and provided for in the Civil Administrative Code of Illinois (20 ILCS 5/5-1 et seq.).

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2. Pursuant to Article 4 of the Illinois Highway Code (605 ILCS 5/1-101 et seq.), the Department is authorized to locate, lay out, construct, operate and maintain highways in the State of Illinois.

3. Pursuant to Section 4-501 of the Illinois Highway Code (605 ILCS 5/4-501), the Department may acquire by purchase or by the exercise of the right of eminent domain, the fee simple title, or such lesser interest as may be desired, to any land, rights, or other property necessary for, *inter alia*, the construction, maintenance or operation of highways, or necessary for locating, relocating, extending, widening or straightening any State highway.

4. The Department may acquire private property for highway use through the exercise of its right of eminent domain in accordance with the Illinois Eminent Domain Act (735 ILCS 30/1-1-1 et seq.), formerly Article VII of the Illinois Code of Civil Procedure (735 ILCS 5/7-101 et seq.).

5. The Department is engaged in the improvement of F.A.P. 577 (IL ROUTE 171 - ARCHER AVENUE) over LONG RUN CREEK in Cook County and Will County, Illinois.

6. The improvement of F.A.P. 577 (IL ROUTE 171 - ARCHER AVENUE) over LONG RUN CREEK is a public work, is for public use, and constitutes a public purpose, namely, a public highway, and this project and the property sought to be acquired will be owned

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and controlled by the Department, in accordance with 735 ILCS 30/5-5-5(b).

7. The Department has determined that it is necessary to acquire for this improvement, and by this Complaint it seeks to acquire for the use of the people of the State of Illinois for highway purposes, the following property rights:

A. The full **fee simple title** to real property designated as Parcel 1JX0005 and legally described on Exhibit "1", attached hereto and incorporated herein by reference;

8. The persons who are named defendants are, so far as appears of record, those persons who own, are interested in, or may otherwise claim some interest in, the subject property. The record owner(s) of Parcel 1JX0005 is/are:

A. Standard Bank and Trust Company as successor Trustee to Bank Chicago f/k/a Bank of Lyons as Trustee under Trust Agreement dated August 10, 1976 known as Trust No. 1755.

Those persons who may have or may claim an interest in the subject property and who are made defendants are:

B. The Private Bank and Trust Company as successor to Founders Bank, any and all right, title or interest in the subject property, including without limitation, Mortgage dated February 11, 2002 and recorded March 7, 2002 as Document No. 0020260045 made by Bank Chicago as Trustee under Trust Agreement dated August 10, 1976 known as Trust No. 1755 to Founders Bank to secure a note in the amount of \$1,045,000.00 recorded in the Cook County Recorder's Office; Assignment of Rents dated February 11, 2002 and recorded March 7, 2002 as Document No. 0020260046 made by Bank Chicago as Trustee under Trust Agreement dated August 10, 1976 known as Trust No. 1755 to Founders Bank recorded

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in the Cook County Recorder's Office; Modification of Mortgage dated November 30, 2004 and recorded January 24, 2005 as Document No. 0502402424 made by Bank Chicago TUT 1755 to Founders Bank recorded in the Cook County Recorder's Office; see also Document No. 0314207013 recorded in the Cook County Recorder's Office;

C. L. Dineff 171 TRT Lemont, any and all right, title or interest in the subject property, including without limitation, interest listed in the Assessor's Office for this property;

E. Unknown Owners and Non-Record Claimants.

9. Pursuant to 735 ILCS 30/10-5-15, formerly 735 ILCS 5/7-102.1, the Department has made a good faith offer to purchase this parcel. After reasonable attempts to purchase the parcel, the Department has been unable to reach an agreement with the owner(s) as to the compensation to be paid for the acquisition of the subject property. Pursuant to its eminent domain powers, the Department is therefore authorized to proceed and now seeks to acquire, for the use of the people of the State of Illinois, the private property rights described in this Complaint.

10. In addition to the defendants named herein, there are or may be persons who are interested in this action who do or may claim some right, title or interest in or to the real property or some part thereof, described in this Complaint, whose names are unknown to the Department, and upon diligent inquiry, cannot be ascertained, and all such persons are made parties defendant to this action by the name and description of "UNKNOWN OWNERS AND NON-RECORD CLAIMANTS."

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11. Upon diligent inquiry, it cannot be ascertained whether the persons named as defendants herein be living or dead, and the names of such persons who would be their heirs or devisees are unknown, and all such persons are made parties defendant to this action by the name and description of "UNKNOWN OWNERS AND NON-RECORD CLAIMANTS."

12. There may be persons who are guardians, conservators or spouses of the defendants named herein whose names are unknown to the Department, and all such persons are made parties defendant to this action by the name and description of "UNKNOWN OWNERS AND NON-RECORD CLAIMANTS."

13. In addition to persons designated by name herein, there are or may be other persons occupying or in possession of a portion of any building or structure on the property and the names of these other persons are unknown to the Department, and all such persons are made parties defendant to this action by the name and description of "UNKNOWN OWNERS AND NON-RECORD CLAIMANTS."

14. The Department demands a trial by jury.

WHEREFORE, the Department of Transportation of the State of Illinois prays that:

- A. Summons issue to each of the named defendants;
- B. Due notice according to law be given to the owners and persons interested in the subject property and to Unknown Owners and Non-Record Claimants, if any;

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C. The respective rights and interests of the defendants be ascertained and determined;

D. Such proceedings be had and such orders entered as are necessary to vest the Department with the property interests described in this Complaint, and as are necessary to place the Department in possession of the subject property;

E. Such proceedings be had and such orders entered as are necessary to ascertain and determine the just compensation to be paid by the Department for the acquisition of the subject property;

F. Such other and further relief be awarded as is right and just and as may be required and by statute in such case provided.

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LISA MADIGAN, ATTORNEY GENERAL,
State of Illinois

By: Mark A. Spadaro
Special Assistant
Attorney General

Pat Quinn
PAT QUINN
GOVERNOR, State of Illinois

DEPARTMENT OF TRANSPORTATION,
State of Illinois

Ann L. Schneider
ANN L. SCHNEIDER
SECRETARY OF TRANSPORTATION

Approved: Sharon P. Eisenberg
Assistant Attorney General
Chief, Land Acquisition Bureau

Attorney No. 11110
Mark A. Spadaro
Special Assistant Attorney General
111 East Wacker Drive, Suite 2600
Chicago, Illinois 60601
(312) 251-9700

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Route : F.A.P 577 (Illinois Route 171)
 Section:
 County : Cook
 Job No.: R-91-024-12
 Parcel : 1JX0005
 Sta. : 87+11.73 To Sta. 95+00.64
 Owner : Bank Chicago, formerly known
 as Bank of Lyons as Trustee
 under Trust Agreement dated
 August 10, 1976 known as Trust
 No. 1755

Index No. 22-32-302-007

That part of the Southwest Quarter of Section 32, Township 37 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Commencing at the southeast corner of the Southwest Quarter of said Section 32; thence on an assumed bearing of South 88 degrees 21 minutes 41 seconds West along the south line of the Southwest Quarter of said Section 32, a distance of 827.44 feet to the point of beginning; thence continuing South 88 degrees 21 minutes 41 seconds West along the south line of the Southwest Quarter of said Section 32, a distance of 41.82 feet to the southeasterly right of way line of Archer Avenue (Illinois Route 171) recorded March 10, 1944 as document number 13243343; thence North 42 degrees 26 minutes 15 seconds East along the said southeasterly right of way line of Archer Avenue (Illinois Route 171), a distance of 665.72 feet to the north line of deed in trust recorded December 15, 1976 as document number 23750266; thence North 88 degrees 51 minutes 13 seconds East along the north line of said deed in trust, a distance of 177.99 feet; thence South 47 degrees 35 minutes 23 seconds East, a distance of 120.75 feet; thence South 42 degrees 24 minutes 37 seconds West, a distance of 150.00 feet; thence North 81 degrees 16 minutes 47 seconds West, a distance of 270.42 feet; thence South 42 degrees 24 minutes 37 seconds West, a distance of 400.00 feet; thence South 47 degrees 35 minutes 23 seconds East, a distance of 5.00 feet; thence South 42 degrees 24 minutes 37 seconds West, a distance of 59.29 feet to the point of beginning.

Said parcel containing 1.431 acres, more or less.

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PLATS & LEGALS