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Tollway #65

Doc#: 1607716065 Fee: \$60.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/17/2016 04:12 PM Pg: 1 of 12

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**COOK COUNTY RECORDING OF CERTIFIED COPY OF
FINAL JUDGMENT ORDER**

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY v.
ESTATE OF STEWART E. BARRELL, DECEASED, ET AL.

Cook County Case No. 2013 L 050352

PIN Nos. 28-12-112-028-0000
28-12-112-029-0000
28-12-112-030-0000
28-12-112-051-0000
28-12-112-052-0000

INSTRUMENT PREPARED BY:

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And the Tollway, appearing by Karen Kavanagh Mack, David J. Ben-Dov, and Anda Tatoi, Special Assistant Attorneys General, and this matter being before this Court, subject to the in personam jurisdiction thereof;

And the Court having jurisdiction over the parties hereto and the cause hereof, and the parties interested herein and such parties being before the Court;

And it appearing to the Court that all defendants have been served with process in the manner provided by statute;

And it appearing to the Court that Defendants, Estate of Stewart Barrell, deceased, Village of Posen, Victor M. Romero, and the Estate of Joseph Metzger, deceased, have executed disclaimers of interest and have been dismissed as parties in this matter;

And it appearing to the Court that Defendants Benito Juarez (on April 16, 2015), Patricia Juarez (on April 16, 2015), Stacie Schmuckal (on April 17, 2013), Rosemary C. Anderson (on April 17, 2013), Minnie Cabrera (on April 19, 2015), and Demy Cabrera (on August 19, 2015) were properly served with summons and complaint by the Cook County Sheriff and have failed to appear and/or otherwise respond to the Condemnation Complaint filed in this matter;

And it appearing to the Court that Defendants the Estate of E. Heaton, deceased, Henry G. Anguish, Benjamin D. Anguish, Mary E. Blair, Hobart S. Anguish, James A. Anguish, the Estate of Isaac M. Neely, deceased, Cora E. Merrill, and Unknown Owners and Non-Record Claimants have been properly served by publication, as provided by statute and that all such defendants have failed to file an appearance in this matter;

And it appearing to the Court from the record of this cause that a Motion was heretofore brought by the Tollway for the immediate vesting in the Tollway of fee simple title to

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Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC, pursuant to the statutes of the State of Illinois and, by virtue thereof, on June 12, 2013, this Court found, adjudged and decreed the amount of preliminary just compensation for the taking of fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC to be Eight Hundred, Fifty Dollars & No Cents (\$850.00); that on June 18, 2013, the Tollway deposited said sum with the Treasurer of Cook County, Illinois; that on July 2, 2013, pursuant to the Tollway's motion, an Order was entered vesting the Tollway with fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC;

And the Tollway, having filed its Motion for Entry of Final Judgment Order in the Amount of the Preliminary Award, due notice being given, with said motion requesting that: Defendants Benito Juarez, Patricia Juarez, Stacie Schmuckal, Rosemary C. Anderson, Minnie Cabrera, Demy Cabrera, the Estate of E. Heaton, deceased, Henry G. Anguish, Benjamin D. Anguish, Mary E. Blair, Hobart S. Anguish, James A. Anguish, the Estate of Isaac M. Neely, deceased, Cora E. Merrill, and Unknown Owners and Non-Record Claimants be found in default for failure to appear herein; and further, that the sum of Eight Hundred, Fifty Dollars & No Cents (\$850.00) be determined by this Court to constitute full, final and just compensation for the taking of fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC;

And no party hereto having raised an objection to the Tollway's Motion for Entry of Final Judgment;

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**AND NOW BEING FULLY ADVISED IN THE PREMISES, THE COURT
HEREBY FINDS:**

That Defendants Benito Juarez, Patricia Juarez, Stacie Schmuckal, Rosemary C. Anderson, Minnie Cabrera, Demy Cabrera, the Estate of E. Heaton, deceased, Henry G. Anguish, Benjamin D. Anguish, Mary E. Blair, Hobart S. Anguish, James A. Anguish, the Estate of Isaac M. Neely, deceased, Cora E. Merrill, and Unknown Owners and Non-Record Claimants, are in default as a consequence of their failure to file an appearance herein;

And the Court further finds that the amount to be paid by the Tollway as full and final just compensation to the owner or owners of and party or parties interested in the property described in Exhibits "A," "B" and "C" hereto (i.e. Parcels TW-1C-10-230, TW-1C-10-230-TE & TW-1C-10-230-AC), in which the Tollway has acquired fee simple title, a temporary easement and access control is as follows:

To the owner or owners of and party or parties interested in Parcels TW-1C-10-230, TW-1C-10-230-TE and TW-1C-10-230-AC, legally described in Exhibits "A," "B" and "C" hereto, as full and final just compensation therefore to the owner or owners of and party or parties interested therein, the sum of Eight Hundred, Fifty Dollars & No Cents (\$850.00), inclusive of interest and inclusive of any damages to the remainder.

The Court further orders that such compensation is inclusive of damage, if any, to any remainder or adjacent real estate, as a consequence of the taking of fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC.

The Court further finds that the payment of said sum to the owner or owners of and party or parties interested in said real property will fully compensate said owner or owners of,

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and party or parties interested in, said property for the taking by the Tollway of fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC.

And the Court being fully advised in the premises, Orders and Adjudges that the sums of money herein awarded by the Court to the owner or owners of and party or parties interested in said real property described herein is full and final just compensation, inclusive of interest and inclusive of any damages to the remainder, to the owner or owners thereof and party or parties interested therein for the taking of the said fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC.

This is an award of final and full just compensation, inclusive of interest and inclusive of any damages to the remainder, for the taking by the Tollway of fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC, and not an award of preliminary just compensation relative to the taking thereof.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED THAT:

1. The Order of the Court of June 12, 2013, vesting the Tollway with fee simple title to Parcel TW-1C-10-230, a temporary easement across and upon Parcel TW-1C-10-230-TE and access control over Parcel TW-1C-10-230-AC is hereby confirmed in all respects;
2. The sum of Eight Hundred, Fifty Dollars & No Cents (\$850.00), was deposited by the Tollway with the Treasurer of Cook County on June 18, 2013; therefore, the Tollway shall be deemed to have fully satisfied this Final Judgment Order; and

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3. This judgment is hereby declared satisfied and this matter is hereby stricken from the call.

9381 8001

Attorneys for Plaintiff
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David J. Ben-Dov
Anda Tatoi
Special Assistant Attorneys General
225 W. Washington Street, Suite 1700
Chicago, IL 60606
312/346-1460
Firm No. 90235

ENTER: 

ENTERED
JUDGE EDMUND PONCE DE LEON-1708
OCT 28 2015
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

I hereby certify that the document to which this
recognition is attached is a true copy.
Date **NOV 24 2015**
Dorothy Brown
Clerk of the Circuit Court
of Cook County, IL



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SHEET 1 OF 1

THAT PART OF THE ALLEY (EXCEPTING THEREFROM THAT PART TAKEN BY THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY) IN BLOCK 8 OF JAS. JAY SMITH & COMPANY'S THIRD ADDITION TO BLUE ISLAND IN PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, NORTH OF INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4 IN SAID BLOCK 8, SAID POINT BEING ON THE EAST LINE OF SAID ALLEY; THENCE (BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD83 [2007 ADJUSTMENT]) SOUTH 2 DEGREES 02 MINUTES 25 SECONDS EAST, ON SAID EAST LINE, 56.47 FEET; THENCE NORTH 33 DEGREES 34 MINUTES 48 SECONDS WEST, 30.59 FEET TO THE WEST LINE OF SAID ALLEY; THENCE NORTH 2 DEGREES 02 MINUTES 25 SECONDS WEST, 30.32 FEET TO THE EXISTING RIGHT OF WAY LINE OF THE TRI-STATE TOLLWAY (I-294); THENCE NORTH 87 DEGREES 40 MINUTES 00 SECONDS EAST, ON SAID EXISTING RIGHT OF WAY LINE, 16.00 FEET TO THE POINT OF BEGINNING.

THE SAID REAL ESTATE BEING ALSO SHOWN BY PLAT HERETO ATTACHED AND MADE A PART HEREOF.



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TW-1C-10-230-TE

SHEET 1 OF 1

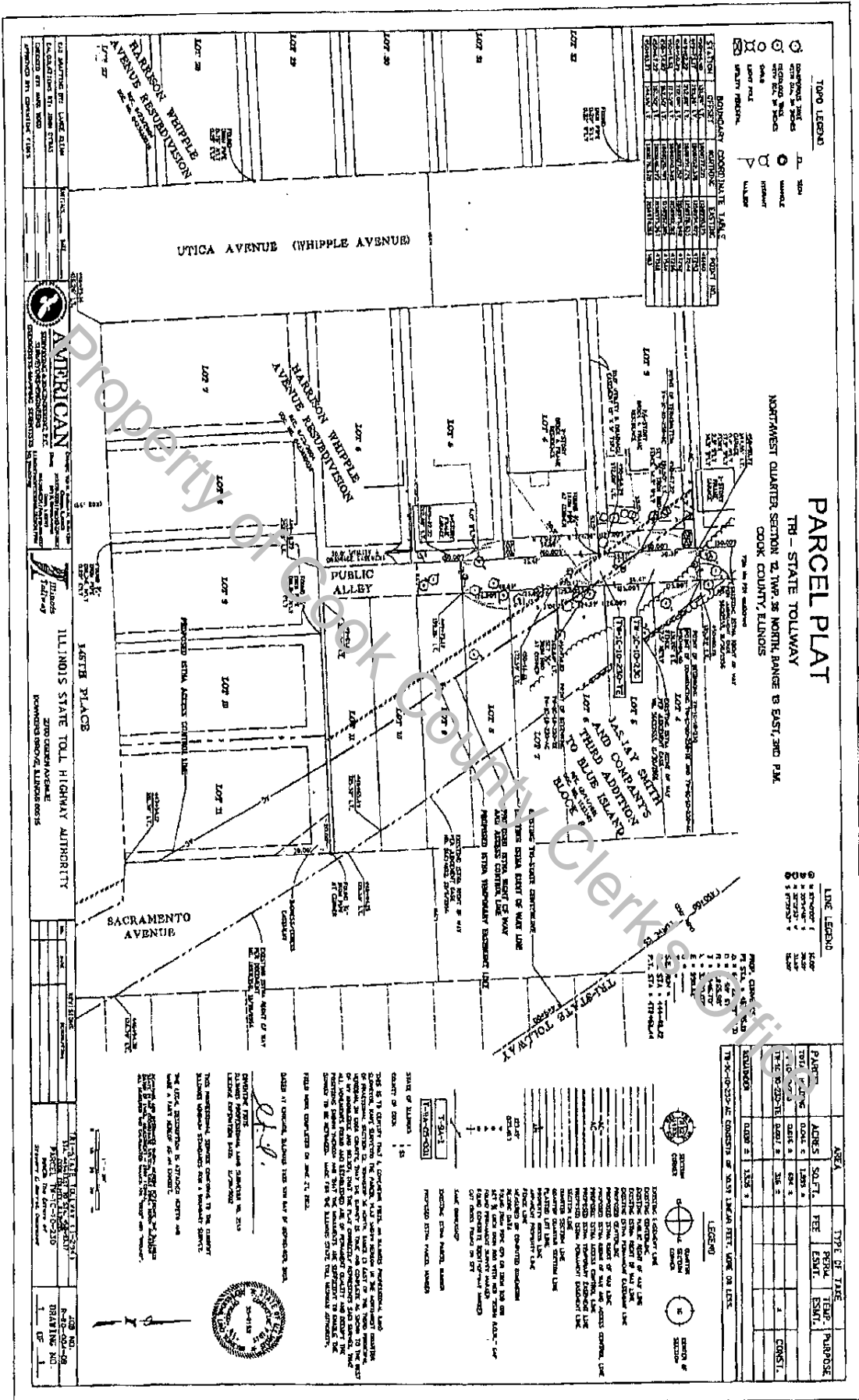
THAT PART OF THE ALLEY (EXCEPTING THEREFROM THAT PART TAKEN BY THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY) IN BLOCK 8 OF JAS. JAY SMITH & COMPANY'S THIRD ADDITION TO BLUE ISLAND IN PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, NORTH OF INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 4 IN SAID BLOCK 8, SAID POINT BEING ON THE EAST LINE OF SAID ALLEY; THENCE (BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD83 [2007 ADJUSTMENT]) SOUTH 2 DEGREES 02 MINUTES 25 SECONDS EAST, ON SAID EAST LINE, 56.47 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 2 DEGREES 02 MINUTES 25 SECONDS EAST, CONTINUING ON SAID EAST LINE, 20.42 FEET; THENCE NORTH 32 DEGREES 21 MINUTES 53 SECONDS WEST, 31.69 FEET TO THE WEST LINE OF SAID ALLEY; THENCE NORTH 2 DEGREES 02 MINUTES 25 SECONDS WEST, ON SAID WEST LINE, 19.13 FEET; THENCE SOUTH 33 DEGREES 34 MINUTES 48 SECONDS EAST, 30.59 FEET TO THE POINT OF BEGINNING.

THE SAID REAL ESTATE BEING ALSO SHOWN BY PLAT HERETO ATTACHED AND MADE A PART HEREOF.



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TW-1C-10-230-AC

SHEET 1 OF 1

THAT PART OF THE ALLEY (EXCEPTING THEREFROM THAT PART TAKEN BY THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY) IN BLOCK 8 OF JAS. JAY SMITH & COMPANY'S THIRD ADDITION TO BLUE ISLAND IN PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, NORTH OF INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 4 IN SAID BLOCK 8, SAID POINT BEING ON THE EAST LINE OF SAID ALLEY; THENCE (BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD83 [2007 ADJUSTMENT]) SOUTH 2 DEGREES 02 MINUTES 25 SECONDS EAST, ON SAID EAST LINE, 56.77 FEET TO THE POINT OF BEGINNING; THENCE NORTH 33 DEGREES 34 MINUTES 48 SECONDS WEST, 30.59 FEET TO THE POINT OF TERMINATION.

CONSISTING OF 30.59 LINEAR FEET, MORE OR LESS.

