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Parcel 1:

The East 132 feet of the North 125 feet of the West ½ of the East ½ (except the West 10 feet thereof) of Block 5 in Harry W. Honore Jr.'s Subdivision of the North ¼ of Section 12, Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois;

Parcel 2:

The North 125 feet of that part of the East ¼ of Block 5 lying West of the East 188.6 feet thereof in Harry W. Honor Jr.'s subdivision of the North ¼ of Section 12, Township 37 North, Range 13 East of the third Principal Meridian, in Cook County, Illinois.

Commonly known as: 2637-2641 W. 95th Street, Evergreen Park, Illinois 60642

P.I.N.: 24-12-201-038-0000 (the "Evergreen Parcel")

3. Plaintiff, Evergreen Partners, LLC., claims title to the real property, pursuant to Sections 735 ILCS 5/13-109 and 5/13-110, located adjacent to the Evergreen Parcel, and legally described as follows:

The South 45 feet of the North 170 feet of that part of Block 5 lying west of the West line of the East 188.60 feet of said Block 5 and lying east of the East line of the West ½ of the East ½ of said Block 5, all in Harry H. Honore Jr.'s Subdivision of the North ¼ of the East ½ and the North 3/8 of the West ½ of the Northeast ¼ of Section 12, Township 37 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Also commonly known as: 2637-2641 W. 95th Street, Evergreen Park, Illinois 60642

P.I.N.: 24-12-201-039-0000 (the "Claimed Parcel"); and

Pursuant to the Prove-Up Affidavit of Plaintiff's Member, Carole Boron, the Court finds that the Claimed Parcel is vacant and unoccupied land, as defined in Section 735 ILCS 5/13-110.

4. Plaintiff has demonstrated sufficient color of title, by virtue of the granting of a security interest in said Claimed Parcel, executed by Plaintiff's predecessor-in-interest in a Mortgage Amendment, Cross-Collateralization and Cross-Default Agreement dated April 1, 1994, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 94319863, identifying both parcels 24-12-201-038-0000 and 24-12-201-039-0000, as 2637-41 W. 95th Street, Evergreen Park, thus indicating that said land trust had an

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interest in Claimed Parcel 24-12-201-039-0000, and having the exact same address as the Evergreen Parcel. thus indicating that said predecessor in interest had an interest in the Claimed Parcel to which a security interest could attach; and

5. Plaintiff further demonstrated sufficient color of title, by virtue of a reconfirmation of said predecessor-in-interest's ownership interest in a second Mortgage Amendment, Cross-Collateralization and Cross-Default Agreement dated June 30, 1998, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 24, 1998, as Document No. 98750267, identifying parcels 24-12-201-038-0000 and 24-12-201-039-0000, both as 2637-41 W. 95th Street, Evergreen Park.

6. In addition, and pursuant to Section 735 ILCS 5/13-109 and 5/13-110, for more than ten (10) years, Evergreen has been the named tax assessee of the Claimed Parcel, and has, in fact paid all real estate taxes due and payable on said Claimed Parcel.

7. As shown by the Prove-Up Affidavit of Carole Boron, a Member of the Plaintiff limited liability company, the Claimed Parcel is adjacent to, and contiguous with, the Evergreen Parcel, and at all times during more than the past ten (10) years, Plaintiff, Evergreen, has had continuous exclusive possession of the Claimed Parcel, and has used, maintained and controlled said Claimed Parcel as Evergreen's own property for its own purposes, and in connection with its ownership, use, possession and control of the Evergreen Parcel, all to the exclusion of any and all other parties who might have claimed an interest in the Claimed Parcel; and that no other party has exercised or claimed any interest in the ownership, possession or control of said Claimed Parcel.

8. That by virtue of the above and foregoing, Plaintiff has demonstrated a right to a declaration that title to the Claimed Parcel is held by, Plaintiff, Evergreen, to the exclusion of all other persons and entities, including but not limited to, the Defendants named herein.

IT IS HEREBY ORDERED AS FOLLOWS:

A. That title to the Claimed Parcel, as legally described and referenced above, is hereby declared to be held by Evergreen Partners, LLC., an Illinois limited liability company, to the exclusion of all other persons and entities, including but not limited to the exclusion of Sunfresh, Inc., National Holdings, Inc., and Unknown Owners and Nonrecord Claimants; and

B. That Defendant, 95th & Western, LLC., an Illinois limited liability company, be and hereby is dismissed, with prejudice, and with each party to bear their own costs, and

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C. That this Court finds no just cause to delay the enforcement or appeal of this judgment order, pursuant to Supreme Court Rule 304(a).

Date: January 12, 2017

ENTER:

Diane Joan Larsen
Judge Judge's No.

Prepared by - court for:

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ENTERED
JUDGE DIANE J. LARSEN-1771

JAN 12 2017

DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

Property of Cook County Clerk's Office