



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

COUNTY OF COOK, a body politic and)
corporate of the State of Illinois,)
)
Plaintiff,)
)
v.)
)
LE PARC CONDOMINIUM ASSOCIATION,)
UNKNOWN OWNERS AND NON-RECORD)
CLAIMANTS,)
)
Defendants.)

Case No. 16 L 50329

Condemnation

Parcel No. 0KR0019 & TE

JURY DEMAND

Doc# 1725718104 Fee \$80.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 09/14/2017 03:10 PM PG: 1 OF 22

AGREED FINAL JUDGMENT ORDER

This matter coming on to be heard upon the Complaint for Condemnation filed by Plaintiff, the County of Cook ("Plaintiff" or "County"), for the ascertainment of just compensation to be paid by Plaintiff for the taking of property for public purposes has appeared through its attorney, Kimberly M. Foxx, State's Attorney of Cook County, by Michael Lapinski, assistant State's Attorney. Defendant, Le Parc Condominium Association ("Owner") has appeared by its attorney Daniel A. Wolf of Schwartz Wolf & Bernstein LLP. Unknown Owners and Non-Record Claimants have not appeared. Unknown Owners have been served by publication, but have failed to appear or otherwise plead.

Plaintiff and Defendant Owner, (collectively the "Parties") have entered into the attached Stipulation for Agreed Final Judgment Order which is incorporated herein and made a part hereof ("Stipulation").

BASED UPON THE STIPULATION OF THE PARTIES, THE COURT HEREBY FINDS AND DETERMINES AS FOLLOWS:

1. The real property sought to be taken by Plaintiff in this action is legally described in Exhibit A attached hereto and commonly known as parcel 0KR0019, in addition, a temporary

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easement to parcel 0KR0019TE legally described in Exhibit B, and shall be collectively referred to herein as the "Subject Property."

2. Plaintiff, a governmental body, is vested with and has the authority to exercise the right of eminent domain pursuant to 605 ILCS 5/5-801 (2017).

3. The Subject Property is subject to said exercise of such right and the right is being properly exercised in this proceeding.

4. The Subject Property is being acquired for a public purpose.

5. The Court has jurisdiction over all the parties to the suit who may be interested in the Subject Property and over the subject matter hereof.

6. The Plaintiff and Defendant Owner have negotiated the just compensation to be paid by Plaintiff to Owner for the Subject Property.

7. The Parties have waived a trial by jury for the viewing of the Subject Property and for the determination of the Just Compensation and have entered into a Stipulation which is attached hereto as Exhibit C and incorporated herein.

8. Pursuant to the Stipulation, the just compensation to be paid for the fee taking of parcel 0KR0019 and a temporary easement to parcel 0KR0019TE, and any damages to the remainder is the sum of **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)** (the "Condemnation Award"). Except for the payment of **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)** no other monies, good or services will be paid by Plaintiff.

9. The Condemnation Award will be deposited within ninety (90) days of the entry of the Agreed Final Judgment Order.

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10. Pursuant to the Stipulation, Defendant Owner will transfer full possession of the Subject Property to Plaintiff upon the deposit of the Condemnation Award. Defendant Owner agrees to remove all of their personal property, equipment and inventory prior to tendering possession of the Subject Property to Plaintiff. Any personal property, equipment and inventory remaining on the Subject Property after the deposit of the Condemnation Award shall be deemed abandoned. Plaintiff shall have the full right and authority to dispose of said personal property, equipment and inventory remaining on the Subject Property.

11. Plaintiff shall pay all fees and costs in connection with the transfer of the Subject Property (including state, county and municipal transfer taxes, recording fees and title charges). The Parties agree that each party is responsible for its own legal fees.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED:

1. The Just Compensation to be paid by Plaintiff for the fee taking of parcel 0KR0019 and a temporary easement to parcel 0KR0019TE, and any damages to the remainder is the sum of **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)**.

2. The Just Compensation shall be deposited with the Treasurer of Cook County within ninety (90) days of the entry of the Agreed Final Judgment Order. No statutory interest shall accrue on the award for said ninety (90) days. Statutory interest shall accrue on the award if it is deposited after the 90th day.

3. **IT IS FURTHER ORDERED AND ADJUDGED** that upon the deposit of the Condemnation Award with the Treasurer of Cook County, Plaintiff shall thereby acquire and be vested with fee simple title to and possession of the real property described in Exhibit A, free and clear of all encumbrances and real estate taxes. All liens, including mortgages and real estate tax

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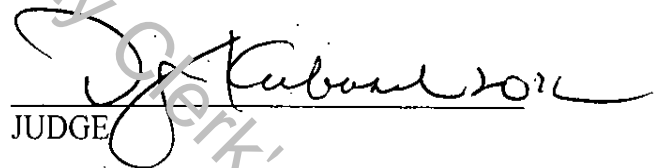
liens shall attach and transfer to the Condemnation Award and shall be extinguished and void as to the real property described in Exhibit A.

4. Defendant Owner shall transfer full possession of the Subject Property to Plaintiff upon the deposit of the Condemnation Award. Any personal property inventory or equipment left on the Subject Property on the date of the deposit of the Condemnation Award shall be deemed abandoned and transferred to Plaintiff.

5. This Court shall retain jurisdiction of the above entitled cause for the purpose of enforcing the Stipulation, the Agreed Final Judgment Order, the disbursement and application of the Condemnation Award, the clearance of title and payment or refund of real estate taxes due for the Subject Property as provided in the Stipulation and in this Agreed Final Judgment Order.

IT IS FURTHER ORDERED AND ADJUDGED that this Court finds no just reason to delay the enforcement of this judgment entered herein.

ENTERED:


JUDGE

Dated: _____

Judge Daniel J. Kudala

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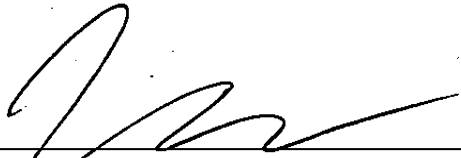
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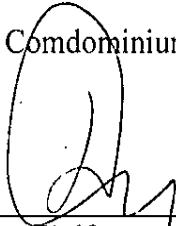
STIPULATED AND AGREED:

County of Cook

Le Parc Condominium Association, Defendant
Owner

By: 

Kimberly M. Foxx,
Cook County State's Attorney
Michael Lapinski,
Assistant States Attorney
500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-5669
Attorney No. 10295

By: 

Daniel A. Wolf
Schwartz Wolf & Bernstein LLP
314 N. McHenry Road
Buffalo Grove, IL 60089
(847) 459-4999
Attorney No. 6202253

Date: 8/9, 2017

Date: 8/7, 2017

Property of Cook County Clerk's Office

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EXHIBIT A

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
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**COOK COUNTY
RECORDER OF DEEDS**

Property of Cook County Clerk's Office

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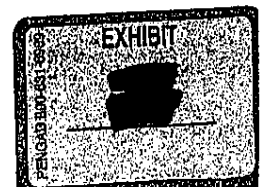
Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
 County : Cook
 Job No.: R-90-017-14
 Parcel : OKR0019
 Sta. 49+17.78 To Sta. 49+35.48
 Sta. 353+77.01 To Sta. 359+50.57

Index No. 03-03-100-053-1001 through
 03-03-100-053-1014(pts)
 15-33-413-002 through 020
 15-33-414-001 through 054(pts)
 15-34-309-003 through 032
 15-34-312-001 through 048
 15-34-313-001 through 030

That part of Lot 1, in Northwood Grove Unit II, being a subdivision of part of the Southeast Quarter of Section 33 and part of the Southwest Quarter of Section 34, Township 43 North, Range 11 East of the Third Principal Meridian, in Lake County, Illinois, and also a part of the Northwest Quarter of Section 3, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded March 9, 1984 in Lake County, Illinois as document number 2271173 and recorded March 22, 1984 in Cook County, Illinois, as document number 27015476, in Cook County, Illinois, described as follows:

Beginning at the southwest corner of said Lot 1, lying in Cook County, Illinois; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 52 minutes 15 seconds East along the west line of said Lot 1, being also the west line of the Northwest Quarter of said Section 3, a distance of 10.31 feet; thence South 89 degrees 46 minutes 33 seconds East, a distance of 569.12 feet; thence North 60 degrees 13 minutes 27 seconds East, a distance of 10.70 feet; thence North 30 degrees 15 minutes 13 seconds East, a distance of 18.16 feet to an east line of said Lot 1; thence South 0 degrees 15 minutes 13 seconds West along an east line of said Lot 1, a distance of 17.70 feet to a southeasterly line of the Declaration of Condominium Ownership for Le Parc Condominium I, recorded in Cook County, Illinois October 12, 1984 as document number 27291743; thence South 45 degrees 15 minutes 16 seconds West along the southeasterly line of the said Declaration of Condominium Ownership for Le Parc Condominium I, a distance of 19.80 feet (19.79 feet, recorded) to the south line of said Lot 1; thence North 89 degrees 44 minutes 41 seconds West along the south line of said Lot 1, a distance of 573.57 feet (572.98 feet, recorded) to the point of beginning.

Said parcel containing 0.142 acre, more or less.



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EXHIBIT B

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

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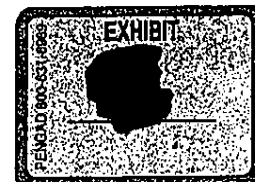
Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
 County : Cook & Lake
 Job No.: R-90-017-14
 Parcel : OKR0019T.E.
 Sta. 49+19.77 To Sta. 50+01.23
 Sta. 350+20.49 To Sta. 359+46.24

Index No. 03-03-100-053-1001 through
 03-03-100-053-1014(pts)
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Commencing at the southwest corner of said Lot 1, lying in Cook County, Illinois; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 52 minutes 15 seconds East along the west line of said Lot 1, being also the west line of the Northwest Quarter of said Section 3, a distance of 10.31 feet to the point of beginning; thence South 89 degrees 46 minutes 33 seconds East, a distance of 569.12 feet; thence North 60 degrees 13 minutes 27 seconds East, a distance of 10.70 feet; thence North 30 degrees 15 minutes 13 seconds East, a distance of 18.16 feet to an east line of said Lot 1; thence North 0 degrees 15 minutes 13 seconds East along an east line of said Lot 1, a distance of 65.75 feet; thence North 89 degrees 44 minutes 47 seconds West, a distance of 5.00 feet to a point 5.00 feet normally distant West of an east line of said Lot 1; thence South 0 degrees 15 minutes 13 seconds West along a line 5.00 feet normally distant West of and parallel with an east line of said Lot 1, a distance of 60.00 feet; thence South 41 degrees 20 minutes 14 seconds West, a distance of 25.42 feet; thence North 89 degrees 46 minutes 33 seconds West, a distance of 92.88 feet; thence South 87 degrees 56 minutes 01 second West, a distance of 50.04 feet; thence North 89 degrees 46 minutes 33 seconds West, a distance of 365.00 feet; thence North 0 degrees 13 minutes 27 seconds East, a distance of 20.00 feet; thence North 89 degrees 46 minutes 33 seconds West, a distance of 52.59 feet; thence North 0 degrees 52 minutes 15 seconds East, a distance of 19.09 feet to a

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Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
 County : Cook & Lake
 Job No.: R-90-017-14
 Parcel : OKR0019T.E.
 Sta. 49+19.77 To Sta. 50+01.23
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Index No. 03-03-100-053-1001 through
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point 5.00 feet normally distant North of the Easterly extension of the south line said Lot 1 in Lake County, Illinois; thence North 89 degrees 37 minutes 28 seconds West along a line 5.00 feet normally distant North of and parallel with the south line of said Lot 1 in Lake County, Illinois and the Easterly extension thereof, a distance of 362.09 feet to the west line of said Lot 1; thence South 0 degrees 14 minutes 02 seconds West along the west line of said Lot 1, a distance of 5.00 feet to the southwest corner of Lot 1 in Lake County, Illinois; thence South 89 degrees 37 minutes 28 seconds East along the south line of said Lot 1 in Lake County, Illinois, a distance of 357.03 feet to the west line of Lot 1 in Cook County, Illinois; thence South 0 degrees 52 minutes 15 seconds West along the west line of said Lot 1 in Cook County, Illinois, a distance of 39.77 feet to the point of beginning.

Said temporary easement containing 0.162 acre, more or less.

Said temporary easement to be used for construction purposes.

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EXHIBIT C STIPULATION

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

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RECORDER OF DEEDS**

Property of Cook County Clerks Office

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

COUNTY OF COOK, a body politic and)	
corporate of the State of Illinois,)	
)	Case No. 16 L 50329
Plaintiff,)	
v.)	
)	Condemnation
LE PARC CONDOMINIUM ASSOCIATION,)	
UNKNOWN OWNERS AND NON-RECORD)	Parcel No. 0KR0019 & TE
CLAIMANTS,)	
)	JURY DEMAND.
)	
Defendants.)	

STIPULATION FOR AGREED FINAL JUDGMENT ORDER

Plaintiff, County of Cook ("Plaintiff" or "County"), has appeared through its attorney, Kimberly M. Foxx, State's Attorney of Cook County, by Michael Lapinski, assistant State's Attorney. Defendant, Le Parc Condominium Association ("Owner") has appeared by its attorney Daniel A. Wolf of Schwartz Wolf & Bernstein LLP. Unknown Owners and Non-Record Claimants have not appeared.

Plaintiff and Defendant Owner, ("Parties" herein), hereby stipulate and agree this action has been fully compromised and settled between them as follows:

1. The real property sought to be taken by Plaintiff in this action is legally described on Exhibit A attached hereto known as 0KR0019. Additionally, a temporary easement is sought on 0KR0019TE, legally described in Exhibit B attached hereto. The real property described in Exhibits A through B shall be referred to herein as the "Subject Property."
2. Defendant Owner represent that they have fee simple title to the Subject Property.
3. Plaintiff, a governmental entity vested with the power of eminent domain, 605 ILCS 5/5-80 (2017), is acquiring the Subject Property for purpose of widening a county

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2017 SEP 11 PM 1:32
CIRCUIT COURT OF COOK COUNTY
CLERK'S OFFICE

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highway.

4. Plaintiff and Defendant Owner disagreed as to the fair cash market value of the Subject Property and Plaintiff filed condemnation to acquire the Subject Property by eminent domain on May 19, 2016 (the Date of Value).

5. The Parties agree the Court has jurisdiction over all the Parties interested in the Subject Property and over the subject matter hereof.

6. The Parties agree that: (a) Plaintiff has the authority to exercise the right of eminent domain; (b) the Subject Property is subject to the exercise of such right; (c) such right is being properly exercised in this proceeding; and (d) the Subject Property is being acquired for a public purpose.

7. The Parties waive the right to the impaneling of a jury for the viewing of the Subject Property and for the determination of just compensation.

8. The Parties have agreed to settle this acquisition and to stipulate as to the just compensation to be paid for the Subject Property.

10. For purposes of settlement only, the Parties agree that the just compensation to be paid for the fee taking of parcel 0KR0019 and a temporary easement to parcels 0KR0019TE, and any damages to the remainder is the sum of **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)** (the "Condemnation Award").

13. Except for the payment of **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)** no other monies, good or services will be paid by Plaintiff for the Subject Property.

14. Plaintiff agrees to deposit the **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)** Condemnation Award with the Cook County Treasurer

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within ninety (90) days of entry of the Stipulation and Final Judgment Order. No interest shall accrue on the award for said 90 days.

15. Defendant Owner agrees to transfer full possession of the Subject Property to Plaintiff upon the deposit of the Condemnation Award.

16. Defendant Owner shall remove all personal property, inventory, and equipment, located on the Subject Property prior to delivery of possession to Plaintiff. Any personal property inventory or equipment left on the Subject Property on the date of the deposit of the Condemnation Award shall be deemed abandoned and transferred to Plaintiff.

17. Plaintiff shall pay all fees and costs in connection with the transfer of the Subject Property (including state, county and municipal transfer taxes, recording fees and title charges). The Parties agree that each party is responsible for its own legal fees.

18. The Parties agree to the entry of a Final Judgment Order in conformity with this Stipulation, setting forth the just compensation the just compensation to be paid for the fee taking of parcel 0KR0019 and the temporary easement to parcel 0KR0019TE, and any damages to the remainder as described above to be **TWO HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500.00)**.

19. The Court shall retain jurisdiction of the above-entitled action for the purpose of placing Plaintiff in possession of the Subject Property upon the deposit of the Condemnation Award and to enforce all of the terms in this Stipulation and in the Agreed Final Judgment Order, including distributing and allocating the Condemnation Award, extinguishing any and all liens and real estate taxes encumbering title and the payment or refund of final real estate taxes due for the Subject Property as provided herein.

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20. The agreements of the Parties set forth in this Stipulation shall be construed in accordance with the laws of the State of Illinois without regard to any conflict of law analysis.

21. To the extent any part of this Stipulation shall be deemed unenforceable by any court of competent jurisdiction, then that part only of the Stipulation shall be deemed unenforceable and all other parts of the Stipulation shall remain in full force and effect.

22. The Parties hereto agree to the entering of the Agreed Final Judgment Order ~~attached hereto as Exhibit C~~. There is no just reason to delay the enforcement of the Judgment contemplated herein.

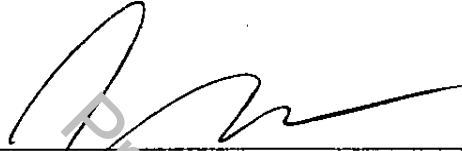
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STIPULATED AND AGREED:

County of Cook

Le Parc Condominium Association, Defendant
Owner

By: 

Kimberly M. Foxx,
Cook County State's Attorney
Michael Lapinski,
Assistant States Attorney
500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-5669
Attorney No. 10295

By: 

Daniel A. Wolf
Schwartz Wolf & Bernstein LLP
314 N. McHenry Road
Buffalo Grove, IL 60089
(847) 459-4999
Attorney No. 6202253

Date: 8/9, 2017

Date: 8/7, 2017

Property of Cook County Clerk's Office

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EXHIBIT A

**COOK COUNTY
RECORDER OF DEEDS**

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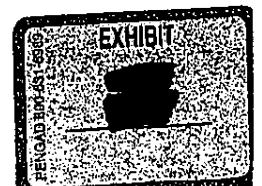
Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
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Beginning at the southwest corner of said Lot 1, lying in Cook County, Illinois; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 52 minutes 15 seconds East along the west line of said Lot 1, being also the west line of the Northwest Quarter of said Section 3, a distance of 10.31 feet; thence South 89 degrees 46 minutes 33 seconds East, a distance of 569.12 feet; thence North 60 degrees 13 minutes 27 seconds East, a distance of 10.70 feet; thence North 30 degrees 15 minutes 13 seconds East, a distance of 18.16 feet to an east line of said Lot 1; thence South 0 degrees 15 minutes 23 seconds West along an east line of said Lot 1, a distance of 17.70 feet to a southeasterly line of the Declaration of Condominium Ownership for Le Parc Condominium I, recorded in Cook County, Illinois October 12, 1984 as document number 27291743; thence South 45 degrees 15 minutes 16 seconds West along the southeasterly line of the said Declaration of Condominium Ownership for Le Parc Condominium I, a distance of 19.80 feet (19.79 feet, recorded) to the south line of said Lot 1; thence North 89 degrees 44 minutes 41 seconds West along the south line of said Lot 1, a distance of 573.57 feet (572.98 feet, recorded) to the point of beginning.

Said parcel containing 0.142 acre, more or less.



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EXHIBIT B

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
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**COOK COUNTY
RECORDER OF DEEDS**

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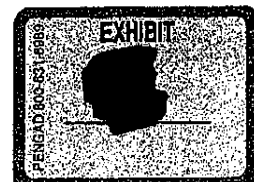
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Said temporary easement containing 0.162 acre, more or less.

Said temporary easement to be used for construction purposes.

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EXHIBIT C

AGREED FINAL JUDGMENT ORDER

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