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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,

Plaintiff,

v.

CEDAR RUN VI CONDOMINIUM
ASSOCIATION, CEDAR RUN HOMEOWNERS'
CORPORATION, UNKNOWN OWNERS AND
NON-RECORD CLAIMANTS,

Defendants.

Case No. 16 L 050330

Condemnation

Parcel No. 0KR0017(A+B) PE & TE

JURY DEMAND

Doc# 1725718106 Fee \$86.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 09/14/2017 03:17 PM PG: 1 OF 25

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. Defendants, Cedar Run VI Condominium Association and Cedar Run Homeowners' Corporation (Collectively referred to as "Owner") has appeared by its attorney Mark Roth of Roth Fioretti LLC. 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:**

Bm

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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 0KR0017(A+B), in addition, a permanent easement to parcel 0KR0017(A+B)PE legally described in Exhibit B and a temporary easement to parcel 0KR0017(A+B)TE legally described in Exhibit C, 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 each submitted their respective opinions and appraisal reports 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 D and incorporated herein.

8. Pursuant to the Stipulation, the just compensation to be paid for the fee taking of parcel 0KR0017(A+B), in addition, a permanent easement to parcel 0KR0017(A+B)PE legally described in Exhibit B and a temporary easement to parcel 0KR0017(A+B)TE legally described in Exhibit C, and any damages to the remainder is the sum **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)** (the "Condemnation Award"). Except for the

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payment of **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)** 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.

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.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED:

1. The Just Compensation to be paid by Plaintiff for the fee taking of parcel 0KR0017(A+B), a permanent easement to parcel 0KR0017(A+B)PE and a temporary easement to parcel 0KR0017(A+B)TE and any damages to the remainder is the sum of **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)**

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

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clear of all encumbrances and real estate taxes. All liens, including mortgages and real estate tax 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 James M. McGing
AUG 29 2017
Circuit Court - 1926

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STIPULATED AND AGREED:

County of Cook

Cedar Run VI Condominium Association
Cedar Run Homeowners' Corporation,
Defendant OwnerBy: 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. 10295By: Date: 8/29, 2017Date: 8/28, 2017

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EXHIBIT A

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

Property of Cook County Clerk's Office

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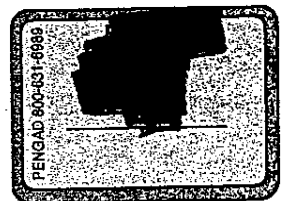
Route : Lake-Cook Road (FAU 0379)
Section: 13-A5015-02-EG
County : Cook
Job No.: R-90-017-14
Parcel : OKR0017-A
Sta. 346+24.68 To Sta. 348+72.72

Index No. 03-04-203-068-1001 through
1052 (pts)

That part of Lot 126, except that part acquired by Cook County in Case 75 L 5104, in Cedar Run Subdivision, being a subdivision of part of the Northeast Quarter of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded October 7, 1971 as document number 21660896, in Cook County, Illinois, described as follows:

Commencing at the southeast corner of Lot 66, in said Cedar Run Subdivision; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 22 minutes 32 seconds East along the east line of Lot 66 in said Cedar Run Subdivision, a distance of 38.98 feet to the south right of way line of Lake-Cook Road according to Judgment Order Case Number 75 L 5104 filed February 23, 1976 in the Circuit Court of Cook County, Illinois; thence South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 14.35 feet to the west line of said Lot 126 and the point of beginning; thence continuing South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 248.05 feet; thence North 89 degrees 44 minutes 45 seconds West, a distance of 248.05 feet to the west line of said Lot 126; thence North 0 degrees 21 minutes 28 seconds East along the west line of said Lot 126, a distance of 0.52 feet to the point of beginning.

Said parcel containing 0.001 acre, more or less, or 65 square feet, more or less.



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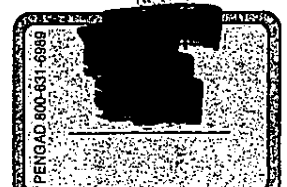
Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
 County : Cook
 Job No.: R-90-017-14
 Parcel : OKR0017-B
 Sta. 349+31.64 To Sta. 349+97.95

Index No. 03-04-203-068-1001 through
 1052 (pts)

That part of Lot 126, except that part acquired by Cook County in Case 75 L 5104, in Cedar Run Subdivision, being a subdivision of part of the Northeast Quarter of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded October 7, 1971 as document number 21660896, in Cook County, Illinois, described as follows:

Commencing at the southeast corner of Lot 66, in said Cedar Run Subdivision; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 22 minutes 32 seconds East along the east line of Lot 66 in said Cedar Run Subdivision, a distance of 38.98 feet to the south right of way line of Lake-Cook Road according to Judgment Order Case Number 75 L 5104 filed February 23, 1976 in the Circuit Court of Cook County, Illinois; thence South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 14.35 feet to the west line of said Lot 126; thence continuing South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 306.97 feet to the point of beginning; thence continuing South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 65.93 feet to the easterly line of said Lot 126; thence southerly 1.24 feet along the easterly line of said Lot 126 on a curve to the left having a radius of 322.46 feet, the chord of said curve bears South 17 degrees 21 minutes 14 seconds East, 1.24 feet; thence North 88 degrees 36 minutes 00 seconds West, a distance of 66.32 feet to the point of beginning.

Said parcel containing 0.001 acre, more or less, or 39 square feet, more or less.



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EXHIBIT B

COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS

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 : OKR0017P.E.
 Sta. 346+24.67 To Sta. 349+99.60

Index No. 03-04-203-068-1001 through
 1052 (pts)

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Said permanent easement containing 0.043 acre, more or less.

Said permanent easement to be used for noise wall purposes.



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EXHIBIT C

COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS

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 : 0KR0017T.E.
 Sta. 346+24.65 To Sta. 350+00.46

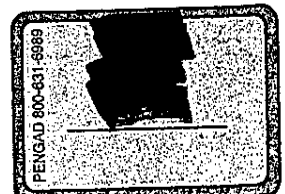
Index No. 03-04-203-068-1001 through
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Said temporary easement containing 0.053 acre, more or less.

Said temporary easement to be used for construction purposes.



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EXHIBIT D

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

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RECORDER OF DEEDS**

Property of Cook County Clerk's 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 050330
Plaintiff,)	
v.)	
)	Condemnation
CEDAR RUN VI CONDOMINIUM)	Parcel No. 0KR0017(A+B) PE & TE
ASSOCIATION, CEDAR RUN HOMEOWNERS')	
CORPORATION, UNKNOWN OWNERS AND)	
NON-RECORD 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. Defendants, Cedar Run VI Condominium Association and Cedar Run Homeowners' Corporation (Collectively referred to as "Owner") has appeared by its attorney Mark Roth of Roth Fioretti LLC. 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 0KR0017(A+B). Additionally, a permanent easement is sought on 0KR0017(A+B)PE, legally described in Exhibit B attached hereto and a temporary easement on 0KR017(A+B)TE, legally described in Exhibit C attached hereto. The real property described in Exhibits A through C 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

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ILCS 5/5-80 (2017), is acquiring the Subject Property for purpose of widening a county 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 0KR0017(A+B), a permanent easement to parcel 0KR0017(A+B)PE, and a temporary easement to 0KR0017(A+B)TE and any damages to the remainder is the sum of **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)** (the "Condemnation Award").

13. Except for the payment of **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)** no other monies, good or services will be paid by Plaintiff for the Subject Property.

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14. Plaintiff agrees to deposit the **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)** Condemnation Award with the Cook County Treasurer 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.

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 0KR0017(A+B), the permanent easement to parcel 0KR0017(A+B)PE, and the temporary easement to 0KR0017(A+B)TE and any damages to the remainder as described above to be **EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$8,750.00)**.

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.

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.

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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. There is no just reason to delay the enforcement of the Judgment contemplated herein.

**COOK COUNTY
RECORDER OF DEEDS**

STIPULATED AND AGREED:

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County of Cook

Cedar Run VI Condominium Association
Cedar Run Homeowners' Corporation,
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: 

Date: 8/29, 2017

Date: 8/28, 2017

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EXHIBIT A

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

**COOK COUNTY
RECORDER OF DEEDS**

Property of Cook County Clerk's Office

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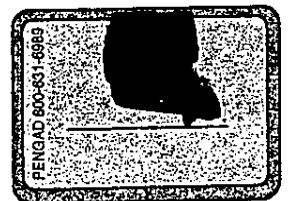
Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
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 Sta. 346+24.68 To Sta. 348+72.72

Index No. 03-04-203-068-1001 through
 1052 (pts)

That part of Lot 126, except that part acquired by Cook County in Case 75 L 5104, in Cedar Run Subdivision, being a subdivision of part of the Northeast Quarter of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded October 7, 1971 as document number 21660896, in Cook County, Illinois, described as follows:

Commencing at the southeast corner of Lot 66, in said Cedar Run Subdivision; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 22 minutes 32 seconds East along the east line of Lot 66 in said Cedar Run Subdivision, a distance of 38.98 feet to the south right of way line of Lake-Cook Road according to Judgment Order Case Number 75 L 5104 filed February 23, 1976 in the Circuit Court of Cook County, Illinois; thence South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 14.35 feet to the west line of said Lot 126 and the point of beginning; thence continuing South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 248.05 feet; thence North 89 degrees 44 minutes 45 seconds West, a distance of 248.05 feet to the west line of said Lot 126; thence North 0 degrees 21 minutes 28 seconds East along the west line of said Lot 126, a distance of 0.52 feet to the point of beginning.

Said parcel containing 0.001 acre, more or less, or 65 square feet, more or less.



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Route : Lake-Cook Road (FAU 0379)
 Section: 13-A5015-02-EG
 County : Cook
 Job No.: R-90-017-14
 Parcel : 0KR0017-B
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Index No. 03-04-203-068-1001 through
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Said parcel containing 0.001 acre, more or less, or 39 square feet, more or less.



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EXHIBIT B

COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
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 Sta. 346+24.67 To Sta. 349+99.60

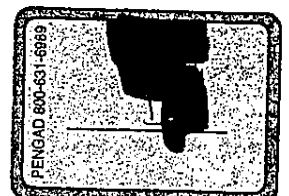
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Said permanent easement containing 0.043 acre, more or less.

Said permanent easement to be used for noise wall purposes.



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EXHIBIT C

COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS

Property of Cook County Clerk's Office

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 Section: 13-A5015-02-EG
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 Sta. 346+24.65 To Sta. 350+00.46

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 1052 (pts)

That part of Lot 126, except that part acquired by Cook County in Case 75 L 5104, in Cedar Run Subdivision, being a subdivision of part of the Northeast Quarter of Section 4, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded October 7, 1971 as document number 21660896, in Cook County, Illinois, described as follows:

Commencing at the southeast corner of Lot 66, in said Cedar Run Subdivision; thence on an Illinois Coordinate System NAD 83(2007) East Zone bearing of North 0 degrees 22 minutes 32 seconds East along the east line of Lot 66 in said Cedar Run Subdivision, a distance of 38.98 feet to the south right of way line of Lake-Cook Road according to Judgment Order Case Number 75 L 5104 filed February 23, 1976 in the Circuit Court of Cook County, Illinois; thence South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 14.35 feet to the west line of said Lot 126; thence continuing South 89 degrees 37 minutes 28 seconds East along the said south right of way line of Lake-Cook Road, a distance of 306.97 feet; thence South 88 degrees 36 minutes 00 seconds East, a distance of 66.32 feet to the easterly line of said Lot 126; thence southerly 5.30 feet along the easterly line of said Lot 126 on a curve to the left having a radius of 322.46 feet, the chord of said curve bears South 17 degrees 56 minutes 07 seconds East, 5.30 feet to the point of beginning; thence North 88 degrees 36 minutes 00 seconds West, a distance of 74.26 feet; thence North 89 degrees 44 minutes 45 seconds West, a distance of 300.69 feet to the west line of said Lot 126; thence South 0 degrees 21 minutes 28 seconds West along the west line of said Lot 126, a distance of 9.00 feet; thence South 89 degrees 44 minutes 45 seconds East, a distance of 175.35 feet; thence North 0 degrees 15 minutes 15 seconds East, a distance of 5.00 feet; thence South 89 degrees 44 minutes 45 seconds East, a distance of 200.46 feet to the easterly line of said Lot 126; thence northerly 2.66 feet along the easterly line of said Lot 126 on a curve to the right having a radius of 322.46 feet, the chord of said curve bears North 18 degrees 38 minutes 32 seconds West, 2.66 feet to the point of beginning.

Said temporary easement containing 0.053 acre, more or less.

Said temporary easement to be used for construction purposes.

