



Doc# 1733519006 Fee \$44.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 12/01/2017 09:33 AM PG: 1 OF 4

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

EXOHO ASSOCIATES LIMITED PARTNERSHIP, AN
ILLINOIS LIMITED PARTNERSHIP; HINSDALE BANK
AND TRUST COMPANY; RIVERBEND, LLC; CITY OF
CHICAGO; MANGRUM GLASS AND MIRROR; YOGURT
FACTORY, LLC; OUTDOOR SPACE; PLOTE
CONSTRUCTION; BIJORA, INC.; DOUGLAS VENTURES,
LLC; VISION QUEST COACHING; CHICAGO, WHIRLY,
INC.; MY GYM; BAUER F&S MANAGEMENT; COSMO'S
DESIGNER DIRECT; and UNKNOWN OWNERS

Defendants.

Case No. 2014 L 50008

Parcel No. 0J80003 & TE

Partial Taking

AGREED FINAL JUDGMENT ORDER PURSUANT TO STIPULATIONS

This matter coming to be heard upon the Complaint for Condemnation of Plaintiff, CITY OF CHICAGO, for the entry of An Agreed Final Judgment Order Pursuant to Stipulations; Plaintiff's counsel being present along with counsel for Defendant, EXOHO ASSOCIATES LIMITED PARTNERSHIP, an Illinois limited partnership; process having been served on all defendants to this proceeding and all other defendants having appeared or been dismissed; the Court having jurisdiction of the Parties and the subject matter of this proceeding, and having heard the representations of the Parties FINDS THAT:

1. The Parties agree and stipulate that Plaintiff has the authority to exercise the power of eminent domain in this proceeding.
2. The Parties agree and stipulate that Parcel 0J80003 (Partial Taking), which is legally described on Exhibit A attached hereto, is being taken pursuant to Plaintiff's power of eminent domain, and that the power of eminent domain is being exercised properly.

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3. The Parties agree and stipulate that reasonable necessity exists for Plaintiff's taking of Parcel OJ80003 in the manner requested.
4. On June 18, 2014, after a "Quick Take" hearing, the Court entered an Agreed Order Fixing Preliminary Just Compensation in the amount of Six Million Dollars (\$6,000,000.00) for the taking of fee simple title to Parcel OJ80003.
5. On August 1, 2014, Plaintiff deposited with the Cook County Treasurer's office the Preliminary Just Compensation Award of Six Million Dollars (\$6,000,000.00) to be paid by the Plaintiff for all right, title and interest in and to Parcel OJ80003.
6. On August 15, 2014, the Court entered an Order Directing the Cook County Treasurer to Release the Award of Preliminary Just Compensation.
7. On August 12, 2014, the Court entered an Order Vesting Title in the Plaintiff.
8. The Parties agree and stipulate that upon the payment of the Preliminary Just Compensation by Plaintiff to the Cook County Treasurer, Plaintiff became the fee simple title owner of Parcel OJ80003, and that all existing leases, liens, easements and encumbrances affecting Parcel OJ80003 were terminated.
9. Defendant, Exoho Associates Limited Partnership, understands and agrees that any claim which may be made by any lender, lienholder, tenant, occupant, or any other entity who may file a claim for compensation regarding Plaintiff's taking of Parcel OJ80003 must be satisfied solely from the Award of Just Compensation agreed to in this Agreed Final Judgment Order Pursuant to Stipulations, and Defendant agrees to indemnify and hold Plaintiff harmless from any and all such claims.
10. The Court, having heard and considered the arguments and representations of the Parties, and pursuant to an agreement and stipulation between the Parties that the owner of, and any party interested in, Parcel J80003, have agreed to take as Full Just Compensation for fee simple title to Parcel OJ80003 the amount of Six Million Dollars (\$6,000,000.00). "Just Compensation" as used in this Order shall include, but not be limited to the market value of Parcel OJ80003 acquired on January 3, 2014, the date that Plaintiff filed its Complaint for Condemnation.

IT IS HEREBY ORDERED THAT:

- A. By the agreement of the Parties and the approval of the Court, the Final Just Compensation Award to be paid by Plaintiff to the owner of, and any party interested in Parcel OJ80003 is **Six Million Dollars (\$6,000,000.00)** for the taking of Parcel OJ80003 pursuant to the Plaintiff's Complaint for Condemnation.
- B. Any claim that may be made by any lender, lienholder, tenant, occupant, or any other entity who may file a claim regarding Parcel OJ80003 for

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compensation paid by Plaintiff for the acquisition of Parcel 0J80003, must be satisfied solely from the award of Just Compensation set forth in this Agreed Final Judgment Order Pursuant to Stipulations, and Defendant shall indemnify and hold Plaintiff harmless from any and all such claims.

C. Plaintiff has previously deposited with the Cook County Treasurer pursuant to an Order Fixing Preliminary Just Compensation entered by this Court on June 18, 2014, the amount of Six Million Dollars (\$6,000,000.00) for the taking of fee simple title to Parcel 0J80003.

D. Plaintiff has satisfied its obligation regarding full payment of Just Compensation for Parcel 0J80003. All encumbrances, easements, leases, liens, including tax liens, shall attach to the Final Just Compensation Award, and are hereby extinguished and void as to Parcel 0J80003.

E. Defendant has made no representations regarding Parcel 0J80003, including its physical or environmental condition as of the date of the filing the Complaint. Plaintiff has relied solely upon its own inspection.

F. The Court shall retain jurisdiction of this matter to enforce the terms of this Agreed Final Judgment Order Pursuant to Stipulations.

ENTERED:

JUDGE

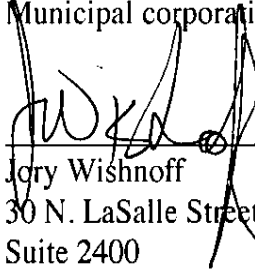
Judge Daniel J. Kubasi.

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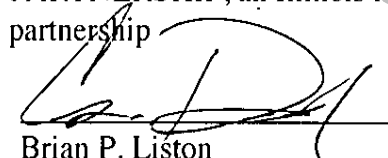
Circuit Court-2072

AGREED BY:

CITY OF CHICAGO, an Illinois
Municipal corporation


Jory Wishnoff
30 N. LaSalle Street
Suite 2400
Chicago, Illinois 60602
(312) 676-2906

EXOHO ASSOCIATES LIMITED
PARTNERSHIP, an Illinois limited
partnership


Brian P. Liston
Liston & Tsantilis
33 N. LaSalle Street, 28th Floor
Chicago, Illinois 60602
(312) 580-1594

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EXHIBIT A

That part of the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying west and south of the North Branch of the Chicago River, north of Fullerton Avenue, northeast of Elston Avenue and east of the East line of Robey Street now known as Damen Avenue, as now located, more particularly described as follows:

Beginning at the northeast corner of Fullerton and Wolcott Avenues, being also the southwest corner of vacated Block 10, in Fullerton's Addition to Chicago recorded May 7, 1879 as Document Number 221101, in said Southwest 1/4 of the Southeast 1/4; thence on an assumed bearing of North 0 degrees 24 minutes 44 seconds West along the East line of North Wolcott Avenue, 141.00 feet to the easterly extension of the north line of the 16 foot wide public alley first north of Fullerton Avenue; thence South 89 degrees 59 minutes 35 seconds West, 37.80 feet to the owners westerly property line as described in Special Warranty Deed recorded November 21, 2008 as Document Number 0632502574; thence North 17 degrees 30 minutes 25 seconds West along said line, 168.64 feet; thence southeasterly 403.19 feet along the arc of a nontangential curve concave southwesterly having a radius of 303.50 feet, the chord of said curve bears South 41 degrees 08 minutes 24 seconds East, 374.19 feet to a line 20 feet north of, as measured perpendicular to, the existing north line of Fullerton Avenue, thence North 89 degrees 59 minutes 35 seconds East parallel with said north line, 95.71 feet to the easterly line of the lands described in Special Warranty Deed recorded November 21, 2008 as Document Number 0632502574; thence South 0 degrees 40 minutes 56 seconds West along said line, 20.00 feet to said north line of Fullerton Avenue; thence South 89 degrees 59 minutes 35 seconds West along said line, 252.10 feet to the Point of Beginning; all in Cook County, Illinois.

The parcel described above contains 0.950 acre, more or less.

PIN: 14-30-401-018 (pt.)