

# UNOFFICIAL COPY



\*2125019039\*

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

THE DEPARTMENT OF TRANSPORTATION OF  
THE STATE OF ILLINOIS, FOR AND ON BEHALF  
OF THE PEOPLE OF THE STATE OF ILLINOIS,

Plaintiff,

v.

CHICAGO TITLE LAND TRUST COMPANY  
SUCCESSOR TO US BANK, N.A., SUCCESSOR  
TO THE NORTHWEST COMMERCE BANK AS  
TRUSTEE UNDER TRUST AGREEMENT DATED  
NOVEMBER 5, 1984 KNOWN AS TRUST NO. LT-  
84-064; HELEN GRIVAS BANOS; AND UNKNOWN  
OWNERS AND NON-RECORD CLAIMANTS,  
generally,

Defendants.

Doc# 2125019039 Fee \$88.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 09/07/2021 02:23 PM PG: 1 OF 8

Case No. 2019 L 050554

## FINAL JUDGMENT ORDER

Property Address: 1779 Rand Road, Des Plaines, Cook County, Illinois 60016

Property PIN: 09-16-300-109

### Prepared by:

Name: Amanda J. Ripp, Special Assistant Attorney General

Atty. for: Plaintiff

Address: Walker Wilcox Matousek LLP, One North Franklin Street, Suite 3200

City/State/Zip: Chicago, Illinois 60606

Phone: 312.244.6700

Attorney No. 41812

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COUNTY DEPARTMENT, LAW DIVISION

THE DEPARTMENT OF TRANSPORTATION OF )  
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OF THE PEOPLE OF THE STATE OF ILLINOIS, )

Plaintiff, )

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OWNERS AND NON-RECORD CLAIMANTS, )  
generally, )

Defendants. )

Case No. 19 L 050554

Condemnation

Parcel OHN0013PE  
OHN0013TE

Job No. R-90-009-11

JURY DEMAND

**FINAL JUDGMENT ORDER**

This matter coming to be heard on the Complaint for Condemnation filed by the Department of Transportation of the State of Illinois (the "Department") to acquire the following real property rights identified in Paragraph 7 of the Department's Complaint: (a) a permanent easement for highway purposes over, under, across and upon real property designated as Parcel OHN0013PE and legally described on attached Exhibit A, together with the right to permit others to use, operate, install, maintain, alter, repair, replace, renew, improve, and remove other facilities and structures including, but not limited to, underground communication lines, fiber optics, wire or other means of electricity, voice data, video, digitized information, pipes and conduits, upon and beneath the surface of the said premises, and overhead wires, cables and poles and other structures for the support of such facilities and structures; (b) a temporary easement for construction purposes for a period not to exceed five (5) years from the date of

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vesting of title or until completion of construction operations, whichever occurs first, across and upon real property designated as Parcel OHN0013TE and legally described in attached Exhibit B; and to ascertain the just compensation to be paid for this acquisition, the Court, having been fully advised in the premises,

## HEREBY FINDS:

1. The Department is represented by Kwame Raoul, Attorney General of the State of Illinois, and by Antonia S. Pritchard, Special Assistant Attorney General, Walker Wilcox Matousek LLP, One North Franklin Street, Suite 3200, Chicago, Illinois 60606.

2. Defendant Helen Grivas Banos ("Banos") is represented by Paul Kolpak of Kolpak & Grcic, 6767 N. Milwaukee Ave, Suite 202, Niles, IL 60714.

3. Parcels OHN0013FE and OHN0013TE are part of a larger parcel of land located in Cook County, Illinois, with a common address of 1774 Rand Road, Des Plaines (the "Subject Property").

4. The Court has jurisdiction over the parties and over the Subject Property in this proceeding.

5. The Department and Banos have entered into a Stipulation and Settlement Agreement (the "Agreement"), which has been filed with the Court. The parties waive their rights to a trial by jury, incorporate the terms of the Agreement into this Final Judgment Order, and consent to the entry of this Final Judgment Order.

6. On September 12, 2019, the Department filed a Complaint for Condemnation to acquire Parcels OHN0013PE and OHN0013TE.

7. On September 12, 2019, Chicago Title Land Trust Company Successor to U.S. Bank N.A., Successor to the Northwest Commerce Bank as Trustee Under Trust Agreement

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Dated November 5, 1984 Known as Trust No. LT-84-064 and Banos owned fee simple title to the Subject Property.

8. Pursuant to the Department's Motion for Immediate Vesting of Title, this Court entered an agreed order on January 13, 2020, setting the preliminary just compensation at THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500).

9. On March 6, 2020, the Department deposited the preliminary just compensation of \$3,500.00 with the Cook County Treasurer.

10. On June 2, 2020, the Court entered an Order Vesting Title vesting title to Parcels OHN0013PE and OHN0013TE with the Department.

11. On May 26, 2020, the Court defaulted Chicago Title Land Trust Company Successor to U.S. Bank, N.A., Successor to the Northwest Commerce Bank as Trustee under Trust Agreement dated November 5, 1984 known as Trust No. Lt-84-064 pursuant to the Department's motion to for default.

12. On June 2, 2020, the Court granted default judgment against Defendants Unknown Owners and Non-Record Claimants.

13. The full and final just compensation for the taking of (a) a permanent easement for highway purposes over, under, across and upon real property designated as Parcel OHN0013PE, together with the right to permit others to use, operate, install, maintain, alter, repair, replace, renew, improve, and remove other facilities and structures including, but not limited to, underground communication lines, fiber optics, wire or other means of electricity, voice data, video, digitized information, pipes and conduits, upon and beneath the surface of the said premises, and overhead wires, cables and poles and other structures for the support of such facilities and structures; (b) a temporary easement for construction purposes for a period not to

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exceed five (5) years from the date of vesting of title or until completion of construction operations, whichever occurs first, across and upon real property designated as Parcel OHN0013TE; including the compensation for the property rights taken and for any and all damage to the remainder, whether claimed or unclaimed, arising out of the taking is \$3,500.00.

14. The parties have waived any claims for payment of costs and attorneys' fees.

15. The parties have waived any claims for interest, statutory or otherwise.

16. The parties have agreed not to appeal this order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

A. The full and final just compensation, including compensation for the property rights being taken and for any and all damage to the remainder, whether claimed or unclaimed, arising out of the taking of (a) a permanent easement for highway purposes over, under, across and upon real property designated as Parcel OHN0013PE, together with the right to permit others to use, operate, install, maintain, alter, repair, replace, renew, improve, and remove other facilities and structures including, but not limited to, underground communication lines, fiber optics, wire or other means of electricity, voice data, video, digitized information, pipes and conduits, upon and beneath the surface of the said premises, and overhead wires, cables and poles and other structures for the support of such facilities and structures; (b) a temporary easement for construction purposes for a period not to exceed five (5) years from the date of vesting of title or until completion of construction operations, whichever occurs first, across and upon real property designated as Parcel OHN0013TE; including the compensation for the property rights taken and for any and all damage to the remainder, whether claimed or unclaimed, arising out of the taking is THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00).

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B. The Order Vesting Title entered on June 2, 2020, vesting the Department with a permanent easement across and upon Parcel 0HN0013PE, a temporary easement across and upon Parcel 0HN0013TE, and authorizing the Department to take immediate possession of the property rights to said Parcels, is confirmed in all respects.

C. The Final Judgment Order entered in the amount of \$3,500.00 as full and final just compensation for the taking of Parcels 0HN0013PE and 0HN0013TE be and the same is hereby declared satisfied and the judgment entered on this day against the Department is hereby released.

DATE:

ENTER:   
JUDGE

Order prepared by:  
Amanda Ripp  
Special Assistant Attorney General  
Walker Wilcox Matousek LLP  
One North Franklin, Suite 3200  
Chicago, IL 60606  
(312) 244-6700  
Atty No. 41812  
[aripp@walkerwilcox.com](mailto:aripp@walkerwilcox.com)

Judge John J. Curry, Jr

MAY 03, 2021

Circuit Court - 2126

I hereby certify that the document to which this certification is affixed is a true copy.  
IRIS Y. MARTINEZ MAY 07 2021  
Date \_\_\_\_\_  
IRIS Y. MARTINEZ  
Clerk of the Circuit Court  
of Cook County, IL



**UNOFFICIAL COPY****EXHIBIT A**

Route: Rand Road over DesPlaines River  
 Section:  
 County: Cook  
 Job No.: R-80-009-11  
 Parcel No.: OHN0013PE  
 Station 239+20.20 To Station 239+92.41  
 Index No.: 09-16-300-109

**Parcel OHN0013PE**

That part of Lot 6 in Hodges' Subdivision of parts of Sections 16 and 17 in Township 41 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded August 19, 1872 as Document No. 50684 in Cook County, Illinois, described as follows: Beginning at the Intersection of the west line of said Lot 6 with a line parallel with and 50.00 feet Southwest of the northeast line of said Lot 6, said parallel line being the southwest right of way line of Rand Road; thence South 84 degrees 13 minutes 36 seconds East on a bearing based on the Illinois State Plane Coordinate System, East Zone, NAD 83 on said southwest right of way line and 50.00 feet Southwest of and parallel with the northeast line of said Lot 6, a distance of 71.00 feet; thence South 12 degrees 08 minutes 22 seconds West, 5.15 feet to a line 5.00 feet Southwest of, as measured perpendicular to, said southwest right of way line; thence North 84 degrees 13 minutes 36 seconds West, parallel with said southwest right of way line, 70.82 feet to the west line of said Lot 6; thence North 10 degrees 09 minutes 26 seconds East, on said west line, 5.19 feet to the Point of Beginning.

Said parcel containing 0.008 acre (355 square feet), more or less.

August 6, 2018

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AUG 09 2018 *for*

**PLATS & LEGALS**

**UNOFFICIAL COPY****EXHIBIT B**

Route: Rand Road over DesPlaines River  
 Section:  
 County: Cook  
 Job No.: R-90-009-11  
 Parcel No.: OHN0013TE  
 Station 239+50.00 To Station 239+93.62  
 Index No.: 09-16-300-109

**Parcel OHN0013TE**

That part of Lot 6 in Hodges' Subdivision of parts of Sections 16 and 17 in Township 41 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded August 19, 1872 as Document No. 50684 in Cook County, Illinois, described as follows: Commencing at the intersection of the west line of said Lot 6 with a line parallel with and 50.00 feet Southwest of the northeast line of said Lot 6, said parallel line being the southwest right of way line of Rand Road; thence South 64 degrees 13 minutes 36 seconds East on a bearing based on the Illinois State Plane Coordinate System, East Zone, NAD 83 on said southwest right of way line and 50.00 feet Southwest of and parallel with the northeast line of said Lot 6, a distance of 29.80 feet; thence South 25 degrees 46 minutes 27 seconds West, 5.00 feet to a line 5.00 feet South of, as measured perpendicular to, said southwest right of way line, and to the Point of Beginning; thence South 64 degrees 13 minutes 36 seconds East, parallel with said southwest right of way line, 42.41 feet; thence South 12 degrees 01 minutes 22 seconds West, 5.15 feet to a line 10.00 feet Southwest of, as measured perpendicular to, said southwest right of way line; thence North 64 degrees 13 minutes 36 seconds West, parallel with said southwest right of way line, 43.62 feet; thence North 25 degrees 46 minutes 27 seconds East, 5.00 feet to the Point of Beginning.

Said parcel containing 0.005 acre (215 square feet), more or less.

August 6, 2018

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AUG 09 2018 *PM*

**PLATS & LEGALS**