

UNOFFICIAL COPY



\*2301957015\*

Doc# 2301957015 Fee \$61.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 01/19/2023 12:13 PM PG: 1 OF 6

*This space reserved for Clerk's Use Only*

**FINAL JUDGMENT ORDER**

**Property ID No.:** 18-06-303-025; 18-06-311-001; 18-311-001; 18-06-311-002; 18-06-311-003; 18-06-311-004; 18-06-311-005; 18-6-311-006; 18-06-311-007; 18-06-311-008; 18-06-311-006; 18-06-311-007; 18-06-311-008; 18-06-31-009; 18-06-311-010; 18-06-311-021; 18-06-311-023; 18-06-310-011; 18-06-310-016; 18-06-310-017; 18-06-310-018; 18-06-310-019; 18-06-310-021

**Street Address:** 631 E. Hickory Street, Hinsdale, Illinois

**Owner:** Illinois Association of Seventh Day Adventists

**THIS DOCUMENT PREPARED BY:**

Christopher J. Murdoch  
Emry Murdoch LLC  
2 North Riverside Plaza, Suite 1850  
Chicago, IL 60606

**AFTER RECORDING RETURN TO:**

Christopher J. Murdoch  
Emry Murdoch LLC  
2 North Riverside Plaza, Suite 1850  
Chicago, IL 60606

# UNOFFICIAL COPY

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY TOLLWAY, LAW DIVISION

**ILLINOIS STATE TOLL HIGHWAY  
AUTHORITY**

**Plaintiff,**

**v.**

**THE ILLINOIS ASSOCIATION OF SEVENTH-  
DAY ADVENTISTS; an Illinois not-for-profit  
corporation, LAKE UNION CONFERENCE  
REVOLVING FUND TRUST, and UNKNOWN  
OWNERS AND NON-RECORD CLAIMANTS,  
generally,**

**Defendants.**

)  
) **Case No. 2021 L 050157**  
)  
)  
) **Parcel No. TW-5-16-074**  
)  
) **Partial Taking**  
) **JURY DEMAND**  
)  
)  
)  
)

### AGREE FINAL JUDGMENT ORDER

*7001*

This matter came to be heard on the Complaint for Condemnation filed by the Illinois State Toll Highway Authority ("the Tollway") to acquire: (1) fee simple title to real property designated as Revised Parcel TW-5-16-074 legally described in Exhibit A to the Complaint (referred to as the "Subject Property"), 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 Tollway is represented by Kwame Raoul, Attorney General of the State of Illinois, and by Christopher J. Murdoch, Special Assistant Attorney General, c/o Emry Murdoch LLC, 2 N. Riverside Plaza, Suite 1850, Chicago, Illinois 60606.
2. Defendant The Illinois Association of Seventh-Day Adventists ("IASDA") is represented by Michael W. Ryan of Ryan & Ryan, 9501 W. Devon Avenue, Suite 300, Rosemont, Illinois 60018.
3. Defendant Lake Union Conference Revolving Fund Trust was dismissed by Order of this Court on December 28, 2022, pursuant to a Release of Mortgage.

# UNOFFICIAL COPY

4. Defendant Unknown Owners and Non-Record Claimants were properly served by publication and a Certificate of Publication was filed on April 15, 2021. Defendant Unknown Owners and Non-Record claimants failed to file an appearance or respond to the Complaint.

5. On June 15, 2022, this Court entered an order determining preliminary just compensation in the amount of \$298,500.00.

6. The Tollway deposited the preliminary just compensation of \$298,500.00 with the Cook County Treasurer on June 28, 2022.

7. On July 19, 2022, this Court entered an order vesting the Tollway with title in the Subject Property, as set forth in the Court's Order.

8. On March 25, 2021, the Tollway filed a Complaint for Condemnation to acquire the Subject Property. On March 25, 2021, and as of the date of entry of the Order Vesting Title, IASDA owned fee simple title to the Subject Property.

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

10. The Tollway has authority to exercise the right of eminent domain; the Subject Property sought to be taken is subject to the exercise of that right; and the right of eminent domain is not being improperly exercised in this proceeding.

11. The full and final just compensation for the taking of the Subject Property, including compensation for the property rights being taken and for any and all damages, whether claimed or unclaimed, arising out of the taking is \$298,500.00.

12. The Tollway and IASDA have waived any claims for payment of costs and attorneys' fees.

13. IASDA has waived any claim for interest, statutory or otherwise.

# UNOFFICIAL COPY

14. The Tollway and IASDA have agreed not to appeal this order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

4219

A. A Judgment by Default is hereby entered against Defendants Unknown Owners and Non-Record Claimants.

B. The full and final just compensation for the acquisition of the Subject Property identified in the Complaint and legally described below, including compensation for the property rights being taken and for any and all damages, whether claimed or unclaimed, arising out of the taking is \$298,500.00.

4361

C. The Court shall retain jurisdiction over the parties, the Subject Property, and this matter for the purpose of enforcing the terms of this Final Judgment Order.

D. This is a final judgment order and there is no just reason for delaying either enforcement or appeal of this order.

9208

E. The next pages are the legal descriptions of the Subject Property and the final page of this order is the signature page.

# UNOFFICIAL COPY

## LEGAL DESCRIPTION:

THAT PART OF A.H.R. RESUBDIVISION NO. 2 BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 31, 1995 AS DOCUMENT NUMBER 95073273 AND ALSO THAT PART OF THE SUBDIVISION OF THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY'S RIGHT OF WAY, EXCEPT THE NORTH 241.56 FEET OF SAID WEST HALF OF THE SOUTHWEST QUARTER ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 30, 1895 AS DOCUMENT NUMBER 2167764, ALL IN COOK COUNTY, ILLINOIS, BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD 83 (2011 ADJUSTMENT), DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 4 IN SAID A.H.R. SUBDIVISION; THENCE SOUTH 2 DEGREES 12 MINUTES 41 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 4 AND THE PROLONGATION OF SAID EAST LINE, 113.00 FEET TO THE CENTERLINE OF VACATED KAVINE ROAD PER DOCUMENT NUMBER 25074296; THENCE NORTH 87 DEGREES 20 MINUTES 39 SECONDS EAST ALONG SAID CENTERLINE, 21.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 87 DEGREES 20 MINUTES 39 SECONDS EAST ALONG SAID CENTERLINE, 20.51 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE TRI-STATE TOLLWAY PER DOCUMENT NUMBER 1019744112; THENCE SOUTH 16 DEGREES 13 MINUTES 22 SECONDS EAST ALONG SAID WESTERLY LINE, 375.11 FEET; THENCE SOUTH 2 DEGREES 24 MINUTES 04 SECONDS EAST, 83.46 FEET; THENCE NORTH 16 DEGREES 13 MINUTES 22 SECONDS WEST, 460.97 FEET TO THE POINT OF BEGINNING. SAID PARCEL TW-5-16-074 CONTAINS 0.191 ACRE, OR 8,335 SQUARE FEET, MORE OR LESS.

# UNOFFICIAL COPY

**ENTERED**  
 Judge Daniel Duffy-7103  
**JAN 05 2023**  
 IRIS Y. MARTINEZ  
 CLERK OF THE CIRCUIT COURT  
 OF COOK COUNTY, IL

ENTER: *[Signature]* 2103

AGREED TO BY:

Plaintiff, the Tollway of Transportation  
of the State of Illinois

Defendant, Illinois Association of  
Seventh-Day Adventists

By: *[Signature]*  
 One of its attorneys

By: *[Signature]*  
 One of its attorneys

Defendant, Illinois Association of  
Seventh-Day Adventists

By: *[Signature]*  
 Name: PAULCE SAINT-VILLERS  
 Title: CORPORATION SECRETARY

DRAFTED BY:

Christopher J. Murdoch (#6196537)  
 Special Assistant Attorney General  
 Emry Murdoch LLC  
 2 North Riverside Plaza, Suite 1850  
 Chicago, IL 60606  
 (312) 235-4022  
[Chris.Murdoch@EmDoch.com](mailto:Chris.Murdoch@EmDoch.com)

I hereby certify that the document to which this  
 certification is affixed is a true copy.  
 IRIS Y. MARTINEZ JAN 19 2023  
 Date  
 IRIS Y. MARTINEZ  
 Clerk of the Circuit Court  
 of Cook County, IL

