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2308034017

Doc# 2308034017 Fee \$88.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 03/21/2023 03:22 PM PG: 1 OF 7

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.)

SYLVESTER BELL;)
MARIA PAPPAS, COOK COUNTY)
TREASURER;)
COUNTY OF COOK D/B/A)
COOK COUNTY LAND BANK AUTHORITY;)
UNKNOWN OWNERS AND NON-RECORD)
CLAIMANTS;)

Defendants.)

Calendar 1

Case No. 21 L 050502

Condemnation
Parcel 0L73401TE
Job No. R-90-011-14

JURY DEMAND

**FINAL JUDGMENT ORDER AND
ORDER OF SATISFACTION AND RELEASE OF JUDGMENT**

This matter coming on to be heard on Plaintiff's Motion For
Summary Judgment For Entry Of Final Judgment Order and Order of
Satisfaction and Release of Judgment;

And Plaintiff THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF
ILLINOIS, appearing by KWAMI RAOUL, Attorney General of the State

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of Illinois, by Mark A. Spadaro, Special Assistant Attorney General;

And on December 28, 2022, upon due notice and Plaintiff's Motion For Order of Default for Want of Appearance, an Order of Default for Want of Appearance was entered against Defendants SYLVESTER BELL, MARIA PAPPAS, COOK COUNTY TREASURER, COUNTY OF COOK D/B/A COOK COUNTY LAND BANK AUTHORITY, UNKNOWN OWNERS AND NON-RECORD CLAIMANTS; and said Order of Default has not been vacated;

And all Defendants to this proceeding have been properly served by process as provided by statute, and have either entered an appearance or the time to appear has expired and have been defaulted for want of appearance; the Court does find that it has jurisdiction of the subject matter of this proceeding and of all parties thereto;

And on February 23, 2022, upon due notice and Quick-take proceeding on Plaintiff's Motion for Immediate Vesting of Title, an Order was entered that preliminary just compensation is set in the total amount of \$300.00 for Plaintiff taking 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, over, across and upon real property designated as Parcel 0L73401TE, and for any diminution in value within and outside the temporary easement area, and for any costs to cure; that Plaintiff has authority to exercise

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the right of eminent domain, that the property sought to be taken herein is subject to the exercise of such right, that such right is not being improperly exercised in this proceeding, and that a reasonable necessity exists for taking the property in the manner requested in this case; that pursuant to 735 ILCS 30/20-5-10(b), the parties had thirty days to appeal the statutory findings within said Order setting preliminary just compensation, an appeal was not filed and, therefore, the Court does find that the statutory findings pursuant to 735 ILCS 30/20-5-10(b) are final and non-appealable;

And on April 27, 2022, upon due notice and Plaintiff's Motion for Entry of Order Vesting Title, Plaintiff having timely deposited the preliminarily just compensation with the Cook County Treasurer, an Order Vesting Title was entered that Plaintiff is vested with 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, over, across and upon Parcel 0L73401TE, legally described in Exhibit 1 attached to the Order Vesting Title and incorporated herein by reference, and authorized Plaintiff to take immediate possession of said property;

And due notice of this hearing having been given, and the Court having considered Plaintiff's Motion For Summary Judgment For Entry Of Final Judgment Order And Order Of Satisfaction and Release

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Of Judgment, the supporting Affidavit and Appraisal Report of Plaintiff's Appraiser which Affidavit the Court finds is in compliance with Illinois Supreme Court Rule 191(a), the Complaint For Condemnation, the Order of Default for Want of Appearance and the Order of Default has not been vacated, the record, and no party appearing in opposition at this hearing or having filed a counter-affidavit; and the Court being fully advised in the premises, does find that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law, and that summary judgment is proper and shall be rendered; and does find and adjudge that the final just compensation for the property taken and damaged as follows:

To the owner or owners of and party or parties interested in Parcel 0L73401TE, legally described in Exhibit 1 attached hereto and incorporated herein by reference, as full and final just compensation for Plaintiff taking 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, over, across and upon Parcel 0L73401TE, legally described in Exhibit 1 attached hereto and incorporated herein by reference, and for any diminution of value within and outside the temporary easement area of said parcel due to impressment of the temporary easement, and for any costs to cure, by right of eminent domain for a necessary public

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use and public purpose, as set forth in the Complaint for Condemnation, and the record in this case, and for any and all damages, the total sum of \$300.00; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of THREE HUNDRED AND 00/100 (\$300.00) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in Parcel 0L73401TE, legally described in Exhibit 1 attached hereto and incorporated herein by reference, for Plaintiff taking 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, over, across and upon Parcel 0L73401TE, legally described in Exhibit 1 attached hereto and incorporated herein by reference, and for any diminution of value within and outside the temporary easement area of said parcel due to impairment of the temporary easement, and for any costs to cure, and for the taking by Plaintiff of said property by right of eminent domain for a necessary public use and public purpose, and for any and all damages, and judgment is hereby entered accordingly.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that interest shall not be paid by Plaintiff nor be due from Plaintiff under 735 ILCS 5/2-1303; that interest shall not be paid by Plaintiff nor be due from Plaintiff under 735 ILCS 30/20-5-30; that interest shall not be paid by Plaintiff nor be due from Plaintiff under any other

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statute or provision; and that the parties shall each bear their own attorney's fees, expenses, and costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Order Vesting Title entered in this case on April 27, 2022 is confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount of final just compensation awarded herein being the amount of preliminary just compensation previously deposited by Plaintiff with the Cook County Treasurer, this Final Judgment Order is hereby declared fully satisfied by Plaintiff and said judgment against Plaintiff is hereby released.

ENTER:

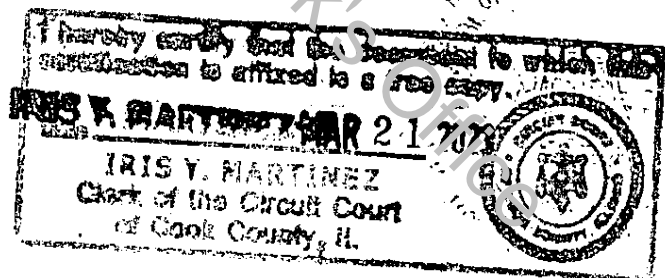
Judge Daniel P. Duffy

MAR 13 2023

Circuit Court - 2103

MAIL TO

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Special Assistant Attorney General
111 East Wacker Drive, Suite 2300
Chicago, IL 60601
(312) 251-9700
mspadoro@spadoro.com



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Route: Wood Street
 Section:
 County: Cook
 Job No.: R-90-011-14
 Parcel No.: 0L73401TE
 Station 247+20.55 To Station 247+95.95
 Index No.: 29-06-407-019 (PT)
 29-06-407-010 (PT)

Parcel 0L73401TE

That part of the Southeast Quarter of Fractional Section 6, Township 36 North, Range 14 East of the Third Principal Meridian, south of the Indian Boundary Line, in Cook County, Illinois, bearings and distances based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment) with a combined scale factor of 0.99999231, described as follows: Commencing at the intersection of the west line of the East 33 feet of the west half of said Southeast Quarter with the south line of the Northwest Quarter of said Southeast Quarter; thence North 00 degrees 49 minutes 51 seconds West, on said west line, 164.92 feet to the south line of the North 16 feet of the south half of the South 11.0 acres of the Northwest Quarter of said Southeast Quarter, and to the Point of Beginning; thence South 89 degrees 24 minutes 06 seconds West, on said south line, 7.00 feet; thence North 00 degrees 49 minutes 51 seconds West, parallel with the east line of the west half of said Southeast Quarter, 75.37 feet to the south line of the North 13 feet of the South 2/5 of the North 5-1/2 acres of the south 11.0 acres of the Northwest Quarter of said Southeast Quarter; thence North 89 degrees 24 minutes 06 seconds East, on said south line, 7.00 feet to the west line of the East 33 feet of the west half of said Southeast Quarter; thence South 00 degrees 49 minutes 51 seconds East, on said west line, 75.37 feet to the Point of Beginning.

Said parcel containing 0.012 acre, more or less.

March 1, 2021

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14042 S. Wood St

Downer IL 60426

APPROVED
 By coronator at 10:49 am, Mar 01, 2021

EXHIBIT 1