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Doc# 2319115005 Fee \$88.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/10/2023 10:53 AM PG: 1 OF 13

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) Calendar 1
v.) Case No. 21 L 050435
THOMAS ANDREWS AND PATRICIA)
ANDREWS AS TRUSTEES UNDER A TRUST)
AGREEMENT DATED DECEMBER 19, 2014)
KNOWN AS THE THOMAS AND PATRICIA)
ANDREWS FAMILY TRUST;)
ANDREWS CONVERTING, LLC, F/K/A)
ANDREWS STEEL RULE DIE CO., INC.;)
UNKNOWN OWNERS AND NON-RECORD)
CLAIMANTS;)
Defendants.)
Condemnation.
Parcel OLG0002
Parcel OLG0002PE
Parcel OLG0002TE
Job No. R-90-025-16
JURY DEMAND

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

This matter coming on to be heard on the Complaint For
Condemnation and First Amendment to Complaint For Condemnation of
Plaintiff THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF
ILLINOIS, to ascertain the final just compensation and damages for
the taking by Plaintiff of property by right of eminent domain, and

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on Plaintiff's Motion For Entry Of Final Judgment Order and Order of Satisfaction and Release of Judgment by Stipulation;

And Plaintiff THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, appearing by KWAMI RAOUL, Attorney General of the State of Illinois, by Mark A. Spadoro, Special Assistant Attorney General;

And Defendants THOMAS ANDREWS AND PATRICIA ANDREWS AS TRUSTEES UNDER A TRUST AGREEMENT DATED DECEMBER 19, 2014 KNOWN AS THE THOMAS AND PATRICIA ANDREWS FAMILY TRUST, and ANDREWS CONVERTING, LLC, F/K/A ANDREWS STEEL RULE DIE CO., INC., appearing by attorney Victor J. Cacciatore II, Esq.;

And on December 15, 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 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, have filed an appearance and are before the Court 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 15, 2022, upon due notice and Quick-take proceeding on Plaintiff's Motion for Immediate Vesting of Title, an

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Agreed Order was entered that preliminary just compensation is set in the amount of \$200,000 for Plaintiff taking the full **fee simple title** to real property designated as Parcel OLG0002, and for any damages to the remainder property of which said parcel is part, and for any cost to cure, for Plaintiff taking a **permanent easement** for highway purposes over, under, across and upon real property designated as Parcel OLG0002PE, 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, and for any diminution in value within and outside the permanent easement area, and for any cost to cure, and 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 OLG0002TE, and for any diminution in value within and outside the temporary easement area, and for any cost to cure; and that Plaintiff has authority to exercise the right of eminent domain; that the property sought to be taken herein is subject to

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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 March 31, 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 the full **fee simple title** to real property designated as Parcel OLG0002, and legally described on Exhibit 1 attached to the Order Vesting Title and incorporated herein by reference, vested with a **permanent easement** for highway purposes over, under, across and upon real property designated as Parcel OLG0002PE, and legally described on Exhibit 2 attached to the Order Vesting Title and incorporated herein by reference, 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

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the surface of the said premises, and overhead wires, cables and poles and other structures for the support of such facilities and structures, and 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 real property designated as Parcel OLG0002TE and legally described on Exhibit 3 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 Entry Of Final Judgment Order And Order Of Satisfaction and Release Of Judgment By Stipulation, the Complaint For Condemnation, the First Amendment to Complaint For Condemnation, the Stipulation for Entry of Final Judgment Order and Order of Satisfaction and Release of Judgment, the Order of Default for Want of Appearance and the Order of Default has not been vacated, the record, no party appearing in opposition at this hearing, and the Court being fully advised in the premises, does find that judgment by stipulation and agreement is proper; and does find and adjudge that the final just compensation for the property taken and damaged is as follows:

To the owner or owners of and party or parties interested in Parcel OLG0002, Parcel OLG0002PE and Parcel OLG0002TE, legally

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described on Exhibit 1, Exhibit 2 and Exhibit 3 attached hereto and incorporated herein by reference, as full and final just compensation for Plaintiff taking the full **fee simple title** to real property designated as Parcel OLG0002, legally described on Exhibit 1 attached hereto and incorporated herein by reference, and for any damages to the remainder property of which said parcel is part, and for any cost to cure, for Plaintiff taking a **permanent easement** for highway purposes over, under, across and upon real property designated as Parcel OLG0002PE, legally described on Exhibit 2 attached hereto and incorporated herein by reference, 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, and for any diminution in value within and outside the permanent easement area, and for any cost to cure, and 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 OLG0002TE, legally

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described on Exhibit 3 attached hereto and incorporated herein by reference, and for any diminution in value within and outside the temporary easement area, and for any cost to cure; by right of eminent domain for a necessary public 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 \$200,000; comprised as follows: the fair market value of the **fee simple taking** is \$19,000, damages to the remainder is \$85,700, the fair market value of the **temporary easement** is \$20,000, the diminution of market value of the property outside the temporary easement area is \$75,000, and the fair market value of the **permanent easement** is \$300; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of TWO HUNDRED THOUSAND AND 00/100 (\$200,000) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in Parcel OLG0002, Parcel OLG0002PE and Parcel OLG0002TE, legally described on Exhibit 1, Exhibit 2 and Exhibit 3 attached hereto and incorporated herein by reference, for Plaintiff taking the full **fee simple title** to real property designated as Parcel OLG0002, legally described on Exhibit 1 attached hereto and incorporated herein by reference, and for any damages to the remainder property of which said parcel is part, and for any cost to cure, for Plaintiff taking a **permanent easement** for highway purposes over, under, across and upon real property designated as

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Parcel OLG0002PE, legally described on Exhibit 2 attached hereto and incorporated herein by reference, 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, and for any diminution in value within and outside the permanent easement area, and for any cost to cure, and 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 OLG0002TE, legally described on Exhibit 3 attached hereto and incorporated herein by reference, and for any diminution in value within and outside the temporary easement area, and for any cost 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 is due from Plaintiff under 735

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ILCS 5/2-1303; that interest shall not be paid by Plaintiff nor is due from Plaintiff under 735 ILCS 30/20-5-30; that interest shall not be paid by Plaintiff nor is due from Plaintiff under any other 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 on March 31, 2022 is confirmed.

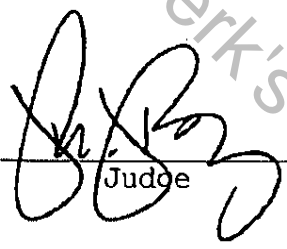
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount of final just compensation awarded herein being the amount of preliminary just compensation previously deposited by Plaintiff with the Cook County Treasurer, this Final Judgment Order is hereby declared fully satisfied by Plaintiff and said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

Judge Daniel P. Duffy

JUN 26 2023

ENTER:

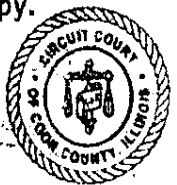
Circuit Court - 2103



Judge

Attorney No. 11110
Mark A. Spadaro
Special Assistant Attorney General
111 East Wacker Drive
Suite 2300
Chicago, IL 60601
(312) 251-9700
mspadoro@spadaro.com

I hereby certify that the document to which this certification is affixed is a true copy.
IRIS Y. MARTINEZ JUL 10 2023
Date
IRIS Y. MARTINEZ
Clerk of the Circuit Court
of Cook County, IL



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STIPULATED AND AGREED:

THE DEPARTMENT OF TRANSPORTATION OF
THE STATE OF ILLINOIS, Plaintiff,

By: Mark A. Spadaro Dated: 6-15-2021
Mark A. Spadaro, Attorney No. 11110
Special Assistant Attorney General
17 East Wacker Drive, Suite 2100
Chicago, Illinois 60601
(312) 231-9700
Email: msp000@spadaro.com

THOMAS ANDREWS AND PATRICIA ANDREWS AS
TRUSTEES UNDER A TRUST AGREEMENT DATED
DECEMBER 19, 2011 KNOWN AS THE THOMAS
AND PATRICIA ANDREWS FAMILY TRUST, Defendant,

By: Victor J. Cacciatori Dated: 20 June 2023
Victor J. Cacciatori II, Esq., Attorney No. 51121
527 South Wells Street, Suite 800
Chicago, Illinois 60607
(312) 987-1855
Email: vcacciatori@sbqglobal.net

By: Patricia Andrews Dated: 6-18-23
Patricia Andrews, 100% Beneficiary

ANDREWS CONVEYING, LLC, F/R/A
ANDREWS STEEL RULE DIE CO., INC., Defendant,

By: Victor J. Cacciatori Dated: 20 June 2023
Victor J. Cacciatori II, Esq., Attorney No. 51121
527 South Wells Street, Suite 800
Chicago, Illinois 60607
(312) 987-1855
Email: vcacciatori@sbqglobal.net

By: Jason J. Anderson Dated: 06/18/2023
Jason Andrews, Manager and Member

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MAR 07 2017

PLATS & LEGALS

Route: 47th Street
 Section: @ East Avenue
 County: Cook
 Job No.: R-90-025-16
 Parcel No.: 0LG0002
 Station: 620+33.15 to 623+48.10
 (East Avenue)
 Index No.: 18-04-418-024; 18-04-418-025

That part of Block 8 in E.S. Badger's Subdivision of part of the Southeast Quarter of Section 4, Township 26 North, Range 12 East of the Third Principal Meridian, lying east of Bluff Avenue, according to the plat thereof recorded January 23, 1905 as Document Number 3646569, in Cook County, Illinois, bearings and distances are based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.999965; described as follows:

Commencing at a 3" long iron nail with a stainless steel CWA survey disc at the southeast corner of said Southeast Quarter of Section 4 per Monument Record recorded February 28, 2017 as Document Number 1705916048; thence North 02 degrees 02 minutes 58 seconds West along the east line of said Southeast Quarter 33.00 feet; thence South 88 degrees 07 minutes 29 seconds West 48.00 feet to the northerly right of way line of 47th Street per said Document Number 3646569 and to the point of beginning; thence continuing South 88 degrees 07 minutes 29 seconds West along said northerly right of way line 73.44 feet to the westerly line of said Block 8, being also the easterly right of way line of the Indiana Harbor Belt Railroad; thence northwesterly 4.03 feet along said westerly line, said easterly right of way line, and a nontangent curve to the right, having a radius of 905.40 feet, the chord of said curve bears North 43 degrees 44 minutes 51 seconds West 4.03 feet; thence North 88 degrees 07 minutes 29 seconds East 65.00 feet; thence North 43 degrees 02 minutes 16 seconds East 27.50 feet; thence northeasterly 33.35 feet along a nontangent curve to the left, having a radius of 140.42 feet, the chord of said curve bears North 04 degrees 45 minutes 19 seconds East 33.27 feet to a point of tangency; thence North 02 degrees 02 minutes 58 seconds West 223.12 feet; thence North 00 degrees 10 minutes 24 seconds East 36.37 feet to the north line of the South 348.00 feet of said Southeast Quarter of Section 4; thence North 88 degrees 07 minutes 29 seconds East along said north line 1.29 feet to the westerly right of way line of East Avenue per said Document Number 3646569; thence South 02 degrees 02 minutes 58 seconds East along said westerly right of way line 300.00 feet to the existing right of way line per Final Judgment Order No. 87 L 50181 Parcel No. 07J0002 entered December 14, 1990; thence South 43 degrees 02 minutes 16 seconds West along said existing right of way line 21.18 feet to the point of beginning.

Said parcel containing 0.029 Acres, more or less.

707 E 47th St
 La Grange IL 60525



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By William Wright at 9:09 am, Sep 17, 2020

Route: 47th Street
 Section: @ East Avenue
 County: Cook
 Job No.: R-90-025-16
 Parcel No.: 0LG0002PE
 Station: 98+73.40 to 98+84.02
 (47th Street)
 Index No.: 18-04-418-025

That part of Block 8 in E.S. Badger's Subdivision of part of the Southeast Quarter of Section 4, Township 38 North, Range 12 East of the Third Principal Meridian, lying east of Bluff Avenue, according to the plat thereof recorded January 23, 1905 as Document Number 3646569, in Cook County, Illinois, bearings and distances are based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.999965; described as follows:

Commencing at a 3" long mag nail with a stainless steel CWA survey disc at the southeast corner of said Southeast Quarter of Section 4 per Monument Record recorded February 28, 2017 as Document Number 1705916048; thence North 02 degrees 02 minutes 58 seconds West along the east line of said Southeast Quarter 33.00 feet; thence South 88 degrees 07 minutes 29 seconds West 48.00 feet to the northerly right of way line of 47th Street per said Document Number 3646569; thence continuing South 88 degrees 07 minutes 29 seconds West along said northerly right of way line 73.44 feet to the westerly line of said Block 8, being also the easterly right of way line of the Indiana Harbor Belt Railroad; thence northwesterly 4.03 feet along said westerly line, said easterly railroad right of way line, and a nontangent curve to the right, having a radius of 905.40 feet, the chord of said curve bears North 43 degrees 44 minutes 51 seconds West 4.03 feet to the point of beginning; thence continuing northwesterly 7.01 feet along said westerly line, said easterly railroad right of way line, and said curve to the right, having a radius of 905.40 feet, the chord of said curve bears North 43 degrees 23 minutes 54 seconds West 7.01 feet; thence North 88 degrees 11 minutes 41 seconds East 6.20 feet; thence South 42 degrees 00 minutes 14 seconds East 6.85 feet; thence South 88 degrees 07 minutes 29 seconds West 5.97 feet to the point of beginning.

Said parcel containing 0.001 Acres (32 square feet), more or less.

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By William Wright at 9:10 am, Sep 17, 2020

Route: 47th Street
 Section: @ East Avenue
 County: Cook
 Job No.: R-90-025-16
 Parcel No.: 0LG0002TE
 Station: 620+36.18 to 623+48.13
 (East Avenue)
 Index No.: 18-04-418-024; 18-04-418-025

That part of Block 8 in E.S. Badger's Subdivision of part of the Southeast Quarter of Section 4, Township 38 North, Range 12 East of the Third Principal Meridian, lying east of Bluff Avenue, according to the plat thereof recorded January 23, 1905 as Document Number 3646569, in Cook County Illinois, bearings and distances are based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.999965; described as follows:

Commencing at a 3" long mag nail with a stainless steel CWA survey disc at the southeast corner of said Southeast Quarter of Section 4 per Monument Record recorded February 28, 2017 as Document Number 170516048; thence North 02 degrees 02 minutes 58 seconds West along the east line of said Southeast Quarter 33.00 feet; thence South 88 degrees 07 minutes 29 seconds West 48.00 feet to the northerly right of way line of 47th Street per said Document Number 3646569; thence continuing South 88 degrees 07 minutes 29 seconds West along said northerly right of way line 73.44 feet to the westerly line of said Block 8, being also the easterly right of way line of the Indiana Harbor Belt Railroad; thence northwesterly 4.03 feet along said westerly line, said easterly railroad right of way line, and a nontangent curve to the right, having a radius of 905.40 feet, the chord of said curve bears North 43 degrees 44 minutes 51 seconds West 4.03 feet; thence North 88 degrees 07 minutes 29 seconds East 5.97 feet to the point of beginning; thence North 42 degrees 00 minutes 14 seconds West 6.54 feet; thence North 88 degrees 07 minutes 29 seconds East 61.16 feet; thence North 43 degrees 02 minutes 16 seconds East 16.21 feet; thence North 02 degrees 02 minutes 58 seconds West 126.25 feet; thence North 87 degrees 57 minutes 02 seconds East 6.34 feet; thence North 01 degrees 29 minutes 51 seconds West 124.80 feet; thence South 87 degrees 57 minutes 07 seconds West 3.54 feet; thence North 02 degrees 02 minutes 58 seconds West 8.78 feet; thence North 00 degrees 10 minutes 24 seconds East 36.21 feet to the north line of the South 348.00 feet of said Southeast Quarter of Section 4; thence North 88 degrees 07 minutes 29 seconds East along said north line 10.01 feet; thence South 00 degrees 10 minutes 24 seconds West 36.37 feet; thence South 02 degrees 02 minutes 58 seconds East 223.12 feet to a point of curve; thence southwesterly 33.35 feet along said curve to the right, having a radius of 140.42 feet, the chord of said curve bears South 04 degrees 45 minutes 19 seconds West 33.27 feet to a point of nontangency; thence South 43 degrees 02 minutes 16 seconds West 27.50 feet; thence South 88 degrees 07 minutes 29 seconds West 59.02 feet to the point of beginning.

Said parcel containing 0.079 Acres, more or less.