



# UNOFFICIAL COPY

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

ILLINOIS STATE TOLL HIGHWAY	)	
AUTHORITY	)	Case No.: 2018 L 050064
	)	
Plaintiff,	)	Condemnation
	)	
v.	)	
	)	Parcel No. TW-7-16-009.P
NORKOL, INC; CHICAGO TITLE LAND	)	TW-7-16-009.T1
TRUST COMPANY AS SUCCESSOR TO	)	TW-7-16-009.T2
AMERICAN NATIONAL BANK AND TRUST	)	
COMPANY OF CHICAGO AS TRUSTEE	)	<b><u>JURY DEMAND</u></b>
UNDER TRUST AGREEMENT DATED JUNE	)	
16, 1987 KNOWN AS TRUST NO. 102752-04;	)	
CHICAGO TITLE LAND TRUST COMPANY	)	
AS SUCCESSOR TO LASALLE NATIONAL	)	
BANK AS TRUSTEE UNDER TRUST NO.	)	
46182; CHICAGO TITLE LAND TRUST	)	
COMPANY AS SUCCESSOR TO LASALLE	)	
NATIONAL BANK AS TRUSTEE UNDER	)	
TRUST NO. 102904; MB FINANCIAL BANK,	)	
N.A., SUCCESSOR TO COLE TAYLOR BANK;	)	
COOK COUNTY TREASURER; IMAGE	)	
MEDIA ADVERTISING INCORPORATED;	)	
UNKNOWN OWNERS AND NON-RECORD	)	
CLAIMANTS,	)	
	)	
Defendants.	)	

### **AGREED FINAL JUDGMENT ORDER**

8001

This matter coming to be heard on the Amended Complaint of THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY ("Plaintiff"), to ascertain the just compensation for the taking of property sought to be taken for improvement purposes, as more fully set forth in the Amended Complaint; the Plaintiff, having appeared by KWAME RAOUL, Attorney General, State of Illinois, and THOMAS W. CONKLIN, JR., Special Assistant Attorney General; due notice of this hearing having been given; the Court having heard and considered the evidence and the representations of Counsel;

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A) All Defendants having been served as provided by statute and the Court having jurisdiction over this proceeding and over all parties; and

B) Defendants Chicago Title Land Trust Company as Successor to LaSalle National Bank as Trustee Under Trust No. 46182; Chicago Title Land Trust Company as Successor to Lasalle National Bank as Trustee Under Trust No. 102904; and Unknown Owners and Non-Record Claimants have been previously defaulted by the Court; and

C) Defendants Cook County Treasurer and Image Media Advertising Incorporated having been voluntarily dismissed or defaulted from this case; and

D) The remaining Defendants, Norkol, Inc.; Chicago Title Land Trust Company as Successor to American National Bank and Trust Company of Chicago as Trustee Under Trust Agreement Dated June 16, 1987 known as Trust No. 102752-04; MB Financial Bank, N.A., Successor to Cole Taylor Bank ("Owner") have filed a Stipulation for entry Final Judgment Order, the terms of which are incorporated by reference as if fully set forth herein and wherein the parties have stipulated and agreed to the entry of this Final Judgment Order; and

E) The Plaintiff and Owner acknowledge that the parties have executed an Amended Stipulation dated July 27, 2023, the terms of which are incorporated by reference as if fully set forth herein, wherein the parties made certain agreements concerning the use of the property interests acquired herein. The Plaintiff and the property owner agree that if ISTHA violates any terms of the Amended Stipulation and fails to cure the violation within 48 hours after receiving written notice from the property owner, then the Owner may seek additional just compensation from the ISTHA and reopen the case.

F) The Plaintiff and the Owner agreed, pursuant to the Amended Complaint, to change the name of Parcel No. TW-7-16-009.T to Parcel No. TW-7-16-009.T1 and extend the term for Parcel No. TW-7-16-009.T1, which is legally described in attached Exhibit 2 and incorporated

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herein by reference, from April 26, 2018 through December 31, 2024 and to record this Final Judgement Order; and

G) The Plaintiff and the Owner agreed, pursuant to the Amended Stipulation and Amended Complaint filed in this matter, that the Plaintiff may acquire an additional temporary easement for construction purposes across and upon real property designated as Parcel No. TW-7-16-009.T2 legally described in attached Exhibit 3 and incorporated herein by reference, for a term from April 26, 2018, through December 31, 2024 or until the completion of construction activity, whichever occurs first; and

H) The Plaintiff and the Owner agreed that the Final Just Compensation to the Owner for the taking of a permanent easement for highway purposes, over, under, across, and upon real property designated as Parcel No. TW-7-16-009.P is \$70,000.00 and \$343,000.00 in damage to the remainder; and Final Just Compensation to the Owner for the taking of a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T1 is \$218,697.00, and Final Just Compensation to the Owner for the taking of a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T2 is \$142,966.00, for a total Final Just Compensation of \$774,633.00 including all claims for interest; and

I) Due notice of this hearing having been given; and

NOW THEREFORE, THIS COURT FINDS THAT:

Chicago Title Land Trust Company as Successor to American National Bank and Trust Company of Chicago as Trustee Under Trust Agreement Dated June 16, 1987 Known As Trust No. 102752-04 is the Owner and interested party in Parcel No. TW-7-16-009.P, a permanent easement for highway purposes and legally described in attached Exhibit 1 and incorporated herein by reference; Parcel No. TW-7-16-009.T (now renamed Parcel No. TW-7-16-009.T1), a

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temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 and legally described in attached Exhibit 2 and incorporated herein by reference; and Parcel No. TW-7-16-009.T2, a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 and legally described in attached Exhibit 3 and incorporated herein by reference.

Chicago Title Land Trust Company As Successor To American National Bank And Trust Company of Chicago As Trustee Under Trust Agreement Dated June 16, 1987 Known As Trust No. 102752-04 is entitled to receive \$774,633.00 as full and final just compensation for the taking of a permanent easement for highway purposes over, under, across, and upon Parcel No. TW-7-16-009.P; a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T1; and a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW- 7-16-009.T2.

1. Final Just Compensation to the Owner for the taking of a permanent easement for highway purposes, over, under, across, and upon real property designated as Parcel No. TW-7-16-009.P is \$70,000.00; Final Just Compensation to the Owner for the taking of a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T1 is \$218,697.00; Final Just Compensation to the Owner for the taking of a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T2 is \$142,966.00; and, \$343,000.00 is Final Just Compensation for damage to the remainder for all takings for a total Final Just Compensation of \$774,633.00 and judgment is hereby entered in that amount. The agreed amount includes any claims for interest due from the Plaintiff to the Defendants.

2. That a motion was heretofore made by the Plaintiff for the immediate vesting of a

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permanent easement for highway purposes over, under, across, and upon certain real property designated as Parcel No. TW-7-16-009.P and for a temporary easement for construction purposes for a period not to exceed five (5) years from the date of the vesting of title or until the completion of construction activity, whichever occurs first, across and upon real property designated as TW-7-16-009.T (now renamed Parcel No. TW-7-16-009.T1), and that on April 18, 2019, the Court entered a Preliminary Just Compensation Order finding the Preliminary Just Compensation for Parcel Numbers TW-7-16-009.P and TW-7-16-009.T to be \$550,000.000; and that on April 24, 2018, the Plaintiff deposited the Preliminary Just Compensation with the Cook County Treasurer; and that on April 28, 2018, the Court ordered that the Plaintiff be vested with a permanent easement for highway purposes over, under, across, and upon certain real property designated as Parcel No. TW-7-16-009.P and a temporary easement for construction purposes for a period not to exceed five (5) years from the date of the vesting of title or until the completion of construction activity, whichever occurs first, across and upon real property designated as TW-7-16-009.T (now renamed Parcel No. TW-7-16-009.T1).

3. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the default order entered by the Court as to Defendants, Chicago Title Land Trust Company as Successor to Lasalle National Bank as Trustee Under Trust No. 46182; Chicago Title Land Trust Company as Successor to Lasalle National Bank as Trustee Under Trust No. 102904; Image Media Advertising Incorporated and Unknown Owners and Non-Record Claimants be and the same hereby is confirmed.

4. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the voluntary dismissal of Defendant, Cook County Treasurer, be and the same hereby is confirmed.

5. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Order entered November 7, 2019, vesting the Plaintiff with a permanent easement for highway purposes

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over, under, across, and upon real property designated as Parcel No. TW-7-16-009P., and legally described in Exhibit A be and the same is hereby confirmed.

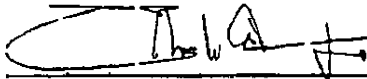
6. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon deposit with the Cook County Treasurer of \$224,633.00, the balance of the Final Just Compensation fixed herein, within 90 days of the Court's Order, the Plaintiff shall be vested, pursuant to the Amended Complaint, with an amended temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T1 (formerly named TW-7-16-009.T) and a temporary easement for construction purposes for the period from April 26, 2018 through December 31, 2024 across and upon Parcel No. TW-7-16-009.T2, and further, that the judgment entered against the Plaintiff herein shall be deemed to have been satisfied.

7. The Owner and Plaintiff agree that nothing contained in this Agreed Final Judgment Order shall have any effect on any party's rights, claims or defenses in the action entitled, Fireman's Fund Insurance Company, as subrogee of Norkol, Inc, (Plaintiff) v Illinois State Toll Highway Authority and Judlau Contracting Inc., (Defendants), 2022 L 004240, filed in the Circuit Court of Cook County, Illinois.

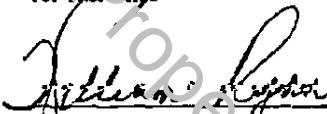
8. That this Court shall retain jurisdiction to enforce the terms and conditions contained within this Agreed Final Judgment Order, the Stipulation for Final Judgment Order and the Amended Stipulation, including the provision referred to in paragraph E above.

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AGREED BY:

 Date 9/15/2023

Thomas W. Conklin, Jr.  
Special Assistant Attorney General  
for Plaintiff

 Date 9/18/2023

William Ryan, One of the attorneys for Norkol, Inc.  
Chicago Title Land Trust Company as Successor To  
American National Bank and Trust Company Of  
Chicago As Trustee Under Trust Agreement Dated  
June 16, 1987, Known as Trust No. 102752-04; and  
MB Financial Bank, N A., Successor to Cole Taylor Bank

Judge Daniel P. Duffy

SEP 21 2023

Circuit Court - 2103

ENTER: 

JUDGE

DATE: \_\_\_\_\_

I hereby certify that the document to which this  
certification is affixed is a true copy.  
**IRIS Y. MARTINEZ** SEP 29 2023  
Date \_\_\_\_\_  
**IRIS Y. MARTINEZ**  
Clerk of the Circuit Court  
of Cook County, IL



Thomas W. Conklin, Jr.  
Special Assistant Attorney General  
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## EXHIBIT A

LEGAL DESCRIPTION TW-7-16-009.P

PART OF LOT 1 IN J.L.W. I.C.C. INDUSTRIAL CENTER, BEING A SUBDIVISION IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 30 AND THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED FEBRUARY 11, 1976 AS DOCUMENT 2338719 IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GRAND AVENUE WITH THE WEST LINE OF SAID SECTION 30, SAID INTERSECTION ALSO BEING SOUTH 00 DEGREES 01 MINUTES 40 SECONDS EAST, 1640.61 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 88 DEGREES 05 MINUTES 29 SECONDS EAST ON SAID CENTERLINE, 928.62 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE EASTERLY RIGHT OF WAY LINE OF GARNET DRIVE (FORMERLY INLAND DRIVE) EXTENDED; THENCE NORTH 01 DEGREES 50 MINUTES 32 SECONDS EAST ON SAID RIGHT OF WAY LINE, 1340.43 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE TRI-STATE TOLLWAY (I-294) ALSO BEING THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE NORTH 48 DEGREES 19 MINUTES 44 SECONDS EAST ON SAID SOUTHEASTERLY RIGHT OF WAY LINE, 173.81 FEET TO A FOUND 5/8 INCH REBAR; THENCE NORTH 52 DEGREES 24 MINUTES 43 SECONDS EAST, 189.41 FEET TO A FOUND 5/8 INCH IRON PIN; THENCE NORTH 56 DEGREES 12 MINUTES 15 SECONDS EAST, 101.76 FEET; THENCE SOUTH 19 DEGREES 10 MINUTES 51 SECONDS EAST, 10.85 FEET TO A POINT ON A LINE 10.50 FOOT NORMALLY DISTANT AND PARALLEL TO SAID SOUTHEASTERLY RIGHT OF WAY LINE; THENCE SOUTH 56 DEGREES 12 MINUTES 15 SECONDS WEST ON SAID LINE, 98.69 FEET; THENCE SOUTH 52 DEGREES 33 MINUTES 49 SECONDS WEST, 188.70 FEET; THENCE SOUTH 47 DEGREES 47 MINUTES 33 SECONDS WEST, 184.86 FEET TO THE EASTERLY RIGHT OF WAY LINE OF GARNET DRIVE (FORMERLY INLAND DRIVE); THENCE NORTH 01 DEGREES 50 MINUTES 32 SECONDS EAST, 16.55 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SAID PERMANENT EASEMENT PARCEL TW-7-16-009.P CONTAINING 0.114 ACRES OR 4,957 SQUARE FEET, MORE OR LESS.

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## EXHIBIT B

LEGAL DESCRIPTION TW-7-16-009.T1

PART OF LOT 1 IN J.L.W. I.C.C. INDUSTRIAL CENTER, BEING A SUBDIVISION IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 30 AND THE SW FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED FEBRUARY 11, 1976 AS DOCUMENT 23387192 IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GRAND AVENUE WITH THE WEST LINE OF SAID SECTION 30, SAID INTERSECTION ALSO BEING SOUTH 00 DEGREES 01 MINUTES 40 SECONDS EAST, 1640.61 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 88 DEGREES 05 MINUTES 29 SECONDS EAST ON SAID CENTERLINE, 928.52 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE EASTERLY RIGHT OF WAY LINE OF GARNET DRIVE (FORMERLY INLAND DRIVE) EXTENDED; THENCE NORTH 01 DEGREES 50 MINUTES 32 SECONDS EAST ON SAID RIGHT OF WAY LINE, 1340.43 FEET TO THE SOUTHEASTERLY RIGHT OF WAY OF LINE OF THE TRI-STATE TOLLWAY (I-294); THENCE NORTH 48 DEGREES 19 MINUTES 44 SECONDS EAST ON SAID SOUTHEASTERLY RIGHT OF WAY LINE, 173.81 FEET TO A FOUND 5/8 INCH REBAR; THENCE NORTH 52 DEGREES 24 MINUTES 43 SECONDS EAST, 189.41 FEET TO A FOUND 5/8 INCH IRON PIN; THENCE NORTH 56 DEGREES 12 MINUTES 15 SECONDS EAST, 101.76 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE CONTINUING NORTH 56 DEGREES 12 MINUTES 15 SECONDS EAST, 229.09 FEET TO A FOUND 5/8 INCH REBAR ON THE EASTERLY LINE OF SAID LOT 1; THENCE SOUTH 02 DEGREES 02 MINUTES 58 SECONDS EAST ON SAID EASTERLY LINE, 154.71 FEET; THENCE SOUTH 88 DEGREES 14 MINUTES 17 SECONDS WEST, 193.55 FEET TO THE CORNER OF AN EXISTING SINGLE STORY BRICK AND METAL COMMERCIAL BUILDING; THENCE NORTH 02 DEGREES 47 MINUTES 26 SECONDS EAST, 22.91 FEET; THENCE NORTH 19 DEGREES 10 MINUTES 51 SECONDS WEST, 10.85 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SAID TEMPORARY BASEMENT PARCEL TW-7-16-009.T1 CONTAINING 0.419 ACRES OR 18,235 SQUARE FEET, MORE OR LESS.

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## EXHIBIT C

LEGAL DESCRIPTION TW-7-16-009.T2

PART OF LOT 1 IN J.L.W. I.C.C. INDUSTRIAL CENTER, BEING A SUBDIVISION IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 30 AND THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED FEBRUARY 11, 1976 AS DOCUMENT 23387192 IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF GRAND AVENUE WITH THE WEST LINE OF SAID SECTION 30, SAID INTERSECTION ALSO BEING SOUTH 00 DEGREES 01 MINUTES 40 SECONDS EAST, 1640.61 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 88 DEGREES 05 MINUTES 29 SECONDS EAST ON SAID CENTERLINE, 928.62 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE EASTERLY RIGHT OF WAY LINE OF GARNET DRIVE (FORMERLY INLAND DRIVE) EXTENDED; THENCE NORTH 01 DEGREES 50 MINUTES 32 SECONDS EAST ON SAID RIGHT OF WAY LINE, 1323.88 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE NORTH 47 DEGREES 42 MINUTES 33 SECONDS EAST, 184.86 FEET; THENCE NORTH 52 DEGREES 33 MINUTES 49 SECONDS EAST, 188.70 FEET; THENCE NORTH 56 DEGREES 12 MINUTES 15 SECONDS EAST, 98.69 FEET; THENCE SOUTH 02 DEGREES 47 MINUTES 26 SECONDS WEST, 21.67 FEET; THENCE SOUTH 56 DEGREES 12 MINUTES 15 SECONDS WEST, 56.70 FEET; THENCE SOUTH 33 DEGREES 47 MINUTES 45 SECONDS EAST, 2.60 FEET; THENCE SOUTH 56 DEGREES 12 MINUTES 15 SECONDS WEST, 28.44 FEET; THENCE SOUTH 52 DEGREES 33 MINUTES 49 SECONDS WEST, 187.21 FEET; THENCE SOUTH 47 DEGREES 42 MINUTES 33 SECONDS WEST, 293.42 FEET TO THE EASTERLY RIGHT OF WAY LINE OF GARNET DRIVE (FORMERLY INLAND DRIVE); THENCE NORTH 01 DEGREES 50 MINUTES 32 SECONDS EAST ON SAID EASTERLY RIGHT OF WAY LINE, 27.87 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SAID TEMPORARY EASEMENT PARCEL TW-7-16-009.T2 CONTAINING 0.214 ACRES OR 9,316 SQUARE FEET, MORE OR LESS.