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2328557029

IN THE CIRCUIT COURT OF COOK
COUNTY, ILLINOIS

Doc# 2328557029 Fee \$93.00

The Department of Transportation of
the State of Illinois, *etc.*, Plaintiff,

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 10/12/2023 04:24 PM PG: 1 OF 7

v.

CPP PROPERTIES MATTESON
LLC, an Illinois Limited Liability
Company, PACIFIC PARADIGM,
INC., or Its Successors or Assigns
By Reason of Document
1128022088; OLD NATIONAL
BANK, Successor to First Midwest
Bank; COOK COUNTY
TREASURER; and UNKNOWN
OWNERS and NON-RECORD
CLAIMANTS, generally,
Defendants.

Case No. 2022L050631

FINAL JUDGMENT ORDER

Property Address: 4605 Lincoln Highway, Matteson, Illinois 60443
PIN: 31-22-300-057

Return to:

James R. Carr
Special Assistant Attorney General
CARR LAW FIRM LLC
2250 W. Belmont Ave., Unit 4W
Chicago, IL 60618
(312) 543-8486
jcarr@jcarrlawfirm.com

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2. On November 14, 2022, the Department filed a Complaint For Condemnation ("*Complaint*") to acquire 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, whichever first occurs, across and upon the parcel of real property designated in the Complaint as Parcel 0MR0009TE, as legally described in Exhibit A hereto.

3. On November 14, 2022, the defendant, CPP PROPERTIES MATTESON LLC, an Illinois Limited Liability Company, owned fee simple title to the Whole Property, including but not limited to Parcel 0MR0009TE.

4. All defendants have been served with process, and the Court has jurisdiction over the subject matter of this proceeding and all parties.

5. The defendants, CPP PROPERTIES MATTESON LLC, an Illinois Limited Liability Company, PACIFIC PARADIGM, INC., or Its Successors or Assigns By Reason of Document 1128022088, and OLD NATIONAL BANK, Successor to First Midwest Bank, have not appeared in this action.

6. On March 28, 2023, this Court entered a judgment of default against all three of the aforesaid defendants pursuant to 735 ILCS 5/2-1301(c).

7. On March 28, 2023, the Court also entered a judgment of default against the defendant Unknown Owners and Non-Record Claimants.

8. Parcel 0MR0009TE is part of a larger parcel (the "*Whole Property*") measuring approximately 65,863 square feet (1.512 acres) which is located at the southwest corner of US Route 30 (Lincoln Highway) and Lindenwood Drive. The common address of the Whole Property is 4605 Lincoln Highway, Matteson, Illinois.

9. Pursuant to the Department's Motion for Immediate Vesting of Title, this Court entered an order on February 22, 2022 determining the preliminary just compensation for the

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taking of the temporary easement across and upon Parcel 0MR0009TE in the amount of twelve thousand four hundred dollars (\$12,400.00).

10. The award of preliminary just compensation was entered following an *ex parte* prove-up hearing and was based upon the Affidavits of Lin M. Li, P.E., one of the Department's Land Acquisition Engineers, and Dino Lanzo, Civiltech Engineering, Inc., a Certified General Real Estate Appraiser, who appraised Parcel 0MR0009TE at \$12,400.00 as of the valuation date, November 14, 2022, when the Complaint was filed.

11. The Department deposited the preliminary just compensation of \$12,400.00 with the Cook County Treasurer on March 23, 2023.

12. On March 28, 2023, the Court entered an Order Vesting Title to a temporary easement for construction purposes for a period not to exceed five (5) years from the date of vesting to title, or until completion of construction, whichever first occurs, on the parcel of real property designated in the Complaint as Parcel 0MR0009TE and authorizing the Department to take possession of Parcel 0MR0009TE and exercise all property rights vested in the Department therein.

13. On June 27, 2023, the defendant, COOK COUNTY TREASURER, appeared in this action and is represented by Ares G. Dalianis, Esq. and Jared M. Costanzo of Franczek P.C., 300 S. Wacker Drive, Suite 3400, Chicago, Illinois.

14. The full and final just compensation for the taking of a temporary easement for construction purposes in Parcel 0MR0009TE, including compensation for the property rights being taken and for any or all damage to the remainder, including costs to cure, whether claimed or unclaimed, arising out of the taking is TWELVE THOUSAND FOUR HUNDRED DOLLARS (\$12,400.00).

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15. The Department, having previously deposited the full and final just compensation with the Cook County Treasurer, as set forth above, is entitled to a Satisfaction and Release of Judgment upon entry of this Final Judgment Order.

16. Defendants, CPP PROPERTIES MATTESON LLC, an Illinois Limited Liability Company, PACIFIC PARADIGM, INC., or Its Successors or Assigns By Reason of Document 1128022088, and OLD NATIONAL BANK, Successor to First Midwest Bank, have waived any claim for interest or costs, statutory or otherwise by their failure to appear or otherwise plead.

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 or all damage to the remainder, including costs to cure, whether claimed or unclaimed, arising out of the taking is TWELVE THOUSAND FOUR HUNDRED DOLLARS (\$12,400.00).

B. This Final Judgment Order is hereby declared satisfied, and the Judgment entered herein against the Department is hereby released.

C. The Order Vesting Title entered herein on March 28, 2023 is confirmed in all respects.

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

E. The Court retains jurisdiction to enforce the terms of this Final Judgment Order; approve disbursement of funds on deposit with the Cook County Treasurer; and any other related matters.

F. The legal description of Parcel OMR0009TE is set forth as Exhibit A below:

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EXHIBIT A

Parcel 0MR0009TE

That part of Lot 2 in Chi-Chi's Resubdivision of part of Lot 2 in the Resubdivision of Lot 12 in Lincoln Mall, being a subdivision of part of the southwest quarter of Section 22, Township 35 North, Range 13 East of the Third Principal Meridian according to the plat thereof recorded February 1, 1985, as document 27428447, in Cook County, Illinois. Bearings and distances based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.99988792, described as follows:

Beginning at the northwest corner of said Lot 2, also being the south right of way line of Lincoln Highway (US-30); thence North 89 degrees 43 minutes 53 seconds East, 330.59 feet, along the north line of said Lot 2, to the northeast corner of said Lot 2; thence South 14 degrees 01 minutes 01 seconds East, 11.32 feet, along the east line of said Lot 2; thence South 89 degrees 43 minutes 53 seconds West, 20.50 feet; thence North 78 degrees 21 minutes 24 seconds West, 14.53 feet, to a line 8.00 feet south of and parallel with said north line of Lot 2; thence South 89 degrees 43 minutes 53 seconds West, 298.50 feet, along said parallel line, to the west line of said Lot 2, also being the east line of Lot 1 in the Resubdivision of Lot 12 in Lincoln Mall according to the plat thereof recorded April 15, 1974, as document 22684834; thence North 00 degrees 41 minutes 02 seconds West, 8.00 feet, along said west line, to the Point of Beginning.

Said parcel containing 0.063 acres more or less.

Dated: July 31, 2023

Enter

JUDGE

ACCEPTED AND AGREED:

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

Judge Daniel P. Duffy

JUL 31 2023

Circuit Court - 2103

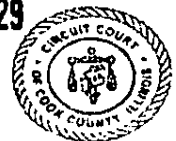
By: Kwame Raoul, Attorney General of the State of Illinois

By:

James R. Carr
James R. Carr

Special Assistant Attorney General

I hereby certify that the document to which this certification is affixed is a true copy.	
IRIS Y. MARTINEZ AUG 02 2023	
Date	_____
IRIS Y. MARTINEZ Clerk of the Circuit Court of Cook County, IL	



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COOK COUNTY TREASURER

By: Ares Dalianis 7-24-2023
Ares G. Dalianis, Esq.
Franczek, P.C.

Order prepared by:

James R. Carr
Special Assistant Attorney General
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