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KAREN A. YARBROUGH

COOK COUNTY CLERK'S OFFICE

DATE: 3/20/2024 10:16 AM

PAGE: 1 OF 15

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,	)	
	)	Calendar 1
Plaintiff,	)	
	)	Case No. 23 L 050064
v.	)	
	)	
HIS INVESTMENT II, L.L.C.,	)	Condemnation
an Illinois Limited Liability	)	
Company;	)	Parcel OMO0005
PROTECTIVE LIFE INSURANCE COMPANY;	)	Parcel OMO0005TE-A
HIS INVESTMENT, L.L.C. or its	)	Parcel OMO0005TE-B
successors or assigns by reason of	)	Job No. R-90-005-20
document 1104016056;	)	
ADVANCE STORES COMPANY,	)	Jury Demand
INCORPORATED;	)	
CASH AMERICA, INC. OF ILLINOIS;	)	
UNKNOWN OWNERS AND NON-RECORD	)	
CLAIMANTS.	)	
	)	
Defendants.	)	

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

This matter coming on to be heard on the Complaint For  
Condemnation and the 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

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the taking by Plaintiff of private property by right of eminent domain, and 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 HIS INVESTMENT II, L.L.C. and PROTECTIVE LIFE INSURANCE COMPANY, appearing by Lauren E. Ryan, Ryan & Ryan Law, LLC;

And on December 18, 2023, upon due Notice and Plaintiff's Motion, an Order of Default for Want of Appearance was entered against Defendants HIS INVESTMENT L.L.C. or its successors or assigns by reason of document 11040160961, ADVANCE STORES COMPANY, INCORPORATED, CASH AMERICA, INC. OF ILLINOIS, and 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 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 March 29, 2023 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 for preliminary just compensation in the total amount of \$8,000.00 for Plaintiff taking the full **fee simple title** to real property designated as Parcel OMO0005, and for any damage to the remainder property of which said parcel is part; 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 OMO0005TE-A, and for any diminution in value within and outside the temporary easement area; 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 OMO0005TE-B, and for any diminution in value within and outside the temporary easement area: that Plaintiff has authority to exercise 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,

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therefore, the Court does find that the statutory findings pursuant to 735 ILCS 3C/20-5-10(b) are final and non-appealable;

And on May 9, 2023, upon due Notice and Plaintiff's Motion For Entry of Order Vesting Title, the preliminary just compensation having been timely deposited 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 OMO0005, legally described on Exhibit 1 to the Order Vesting Title, 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 real property designated as Parcel OMO0005TE-A, legally described on Exhibit 2 to the Order Vesting Title, and 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 real property designated as Parcel OMO0005TE-B, legally described on Exhibit 3 to the Order Vesting Title, and that Plaintiff is authorized to take immediate possession of said property;

And on May 25, 2023, upon due Notice and Defendant HIS INVESTMENT II. L.L.C.'s Petition to Withdraw the Preliminary Award

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of Just Compensation, an Order was entered allowing the withdrawal as petitioned;

And on September 27, 2023, upon due Notice and Plaintiff's Motion For Leave to File First Amendment to Complaint for Condemnation, an Order was entered granting Plaintiff leave to file Plaintiff's First Amendment to Complaint for Condemnation amending the fee simple taking in Parcel OMO0005, as legally described on Amended Exhibit 1 to the First Amendment to Complaint for Condemnation, and amending the temporary easement in Parcel OMO0005TE-B, as legally described on Amended Exhibit 3 to the First Amendment to Complaint for Condemnation; said First Amendment to Complaint for Condemnation was filed on September 28, 2023;

And on September 27, 2023, upon due Notice and Plaintiff's Motion for Entry of Amended Agreed Order For Preliminary Just Compensation and for Immediate Vesting of Title as Amended, an Agreed Order for Amended Preliminary Just Compensation was entered for amended preliminary just compensation in the total amount of \$18,885.00 for Plaintiff taking the full ~~fee simple title~~ to real property designated as Parcel OMO0005, legally described on Amended Exhibit 1 attached thereto, and for any damage to the remainder property of which said parcel is part, and for any cost to cure; 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

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occurs first, over, across and upon real property designated as Parcel 0M00005TE-A, legally described on Exhibit 2 attached thereto, and for any diminution in value within and outside the temporary 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 0M00005TE-B, legally described on Amended Exhibit 3 attached thereto, and for any diminution in value within and outside the temporary easement area, and for any cost to cure; that Plaintiff has authority to exercise 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 Plaintiff having previously deposited \$8,000, shall within ninety days deposit with the County Treasurer of Cook County, Illinois, the additional sum of \$10,885, for total preliminary just compensation, as amended, in the amount of \$18,885 for Plaintiff taking the aforesaid Parcels by quick-take; 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

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statutory findings pursuant to 735 ILCS 30/20-5-10(b) are final and non-appealable;

And on November 15, 2023, upon due Notice and Plaintiff's Motion For Entry of Amended Order Vesting Title, the additional preliminary just compensation having been timely deposited with the Cook County Treasurer, an Amended Order Vesting Title was entered that Plaintiff is vested with the full **fee simple title** to real property designated as Parcel OMO0005, legally described on Amended Exhibit 1 attached thereto, 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 real property designated as Parcel OMO0005TE-A, legally described on Exhibit 2 attached thereto, 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 real property designated as Parcel OMO0005TE-B, legally described on Amended Exhibit 3 attached thereto, and that Plaintiff is authorized to take immediate possession of the aforesaid property;

And on November 28, 2023, upon due Notice and Defendant HIS INVESTMENT II, L.L.C.'s Petition to Withdraw the Additional

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Preliminary Award of Just Compensation, an Order was entered allowing the withdrawal as petitioned;

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 in Parcel OMO0005, Parcel OMO0005TE-A, and Parcel OMO0005TE-B, legally described on Amended Exhibit 1, Exhibit 2, and Amended 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 OMO0005, legally described on Amended Exhibit 1 attached hereto and incorporated herein by reference, and for any damage to the remainder property of which said parcel is part, and for any cost to cure; for Plaintiff taking a **temporary easement** for construction purposes for



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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 OMO0005TE-A, legally described on Exhibit 2 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 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 OMO0005TE-B, legally described on Amended 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 First Amendment to Complaint for Condemnation, and the record in this case, and for any and all damages, the total sum of \$18,885.00; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of EIGHTEEN THOUSAND EIGHT HUNDRED EIGHTY FIVE (\$18,885.00) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in Parcel OMO0005, Parcel OMO0005TE-A, and Parcel OMO0005TE-B, legally described on Amended Exhibit 1,

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Exhibit 2, and Amended Exhibit 3 attached hereto and incorporated herein by reference, for Plaintiff taking the full **fee simple title** to real property designated as Parcel OMO0005, legally described on Amended Exhibit 1 attached hereto and incorporated herein by reference, and for any damage to the remainder property of which said parcel is part, and for any cost to cure; 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 OMO0005TE-A, legally described on Exhibit 2 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 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 OMO0005TE-B, legally described on Amended 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 care; 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.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that interest shall not be paid by Plaintiff nor is due from Plaintiff under 735 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 Amended Order Vesting Title entered on November 15, 2023 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.

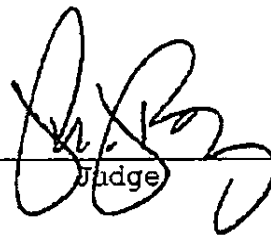
Judge Daniel P. Duffy

ENTER:

MAR 14 2024

Circuit Court - 2103

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



Judge

c:\d3r1

I hereby certify that the document to which this authentication is affixed is a true copy.  
**IRIS Y. MARTINEZ MAR 20 2024**  
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

Date: February 16, 2024

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

HIS INVESTMENT II, L.L.C., an Illinois  
Limited Liability Company;  
PROTECTIVE LIFE INSURANCE COMPANY,  
Defendants,

By: Lauren E. Ryan

Date: February 29, 2024

Attorney No. 65106  
Lauren E. Ryan, Esq.  
Ryan & Ryan Law, LLC  
9501 W. Devon Avenue, Suite 300  
Rosemont, IL 60018  
(847) 825-8600  
Email: lryan@ryanryanlaw.com

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Route : IL. Rt. 1 (Halsted Street)  
 Job No. R-90-005-20  
 County: Cook  
 Parcel No. 0MO0005  
 Station 103+91.48 to 104-50.88  
 P.I.N. 29-08-403-014  
       29-08-403-015  
       29-08-403-016

That part of Lots 15 through 17 in Block 3, Chaxel and Mecham's Subdivision, in part of the East half of the Southeast quarter of Section 8, Township 36 North, Range 14 East of the Third Principal Meridian, according to the Plat thereof, recorded as document number 1544075, on September 30<sup>th</sup>, 1891, in Cook County, Illinois, bearings and distances based the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.99999186, described as follows:

Beginning at the Northwest corner of said Lot 15; thence North 89 degrees 31 minutes 53 seconds East, along the North line of said Lot 15, 5.74 feet; thence South 00 degrees 47 minutes 36 seconds East, 8.75 feet; thence South 40 degrees 13 minutes 54 seconds West, 5.13 feet; thence South 89 degrees 12 minutes 24 seconds West, 1.60 feet; thence South 00 degrees 47 minutes 36 seconds East, 8.75 feet; thence North 89 degrees 12 minutes 24 seconds East, 7.01 feet; thence South 00 degrees 47 minutes 36 seconds East, 40.04 feet; thence South 89 degrees 12 minutes 24 seconds West, 7.78 feet to the east right-of-way line of Illinois Route 1 (Halsted Street), per document number 1544075, recorded on September 30<sup>th</sup>, 1891; thence North 00 degrees 47 minutes 36 seconds West, along said right-of-way line, 59.44 feet to the Point of Beginning.

Said parcel contains 0.009 Acres (383 square feet), more or less.

14715 S. Halsted  
 Hanover IL 60426

AMENDED EXHIBIT 1

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-Route : IL. Rt. 1 (Halsted Street)  
 Job No. R-90-005-20  
 County: Cook  
 Parcel No. 0MO0005TE-A  
 Station 104+42.13 to 104+50.89  
 P.I.N. 29-08-403-014

That part of Lot 15 in Block 3, Chaxel and Mecham's Subdivision, in part of the East half of the Southeast quarter of Section 8, Township 36 North, Range 14 East of the Third Principal Meridian, according to the Plat thereof, recorded as document number 1544075, on September 30<sup>th</sup>, 1891, in Cook County, Illinois, bearings and distances based the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.99999186, described as follows:

Commencing at the Northwest corner of said Lot 15; thence North 89 degrees 31 minutes 53 seconds East, along the North line of said Lot 15, 5.74 feet to the Point of Beginning; thence North 89 degrees 31 minutes 53 seconds East, along said North line, 5.00 feet; thence South 00 degrees 48 minutes 28 seconds East, 8.72 feet, thence South 89 degrees 11 minutes 32 seconds West, 5.00 feet; thence North 00 degrees 48 minutes 28 seconds West, 8.75 feet to the Point of Beginning.

Said parcel contains 0.001 Acres (44 Sq. ft.) more or less.

EXHIBIT 2

**APPROVED**

By William Wright at 9:51 am, Mar 08, 2021

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Route : IL. Rte. 1 (Halsted Street)  
 Job No. R-90-005-20  
 County: Cook  
 Parcel No. 0MO0005TE-B  
 Station 103+84.50 to 104+33.52  
 P.I.N. 29-08-403-014  
           29-08-403-015  
           29-08-403-016

That part of Lots 15 through 17 in Block 3, Chaxel and Mecham's Subdivision, in part of the East half of the Southeast quarter of Section 8, Township 36 North, Range 14 East of the Third Principal Meridian, according to the Plat thereof, recorded as document number 1544075, on September 30<sup>th</sup>, 1891, in Cook County, Illinois, bearings and distances based the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.99999186, described as follows:

Commencing at the Southwest corner of Lot 18 in said Block 3, Chaxel and Mecham's Subdivision; thence North 00 degrees 47 minutes 36 seconds West, along the east right-of-way line of Illinois Route 1 (Halsted Street), dedicated per document 1544075, 35.19 feet to the Point of Beginning; thence North 00 degrees 47 minutes 36 seconds West, along said right-of-way line, 6.97 feet; thence North 89 degrees 12 minutes 24 seconds East, 7.78 feet; thence North 00 degrees 47 minutes 36 seconds West, 40.04 feet; thence South 89 degrees 12 minutes 24 seconds West, 7.01 feet; thence North 00 degrees 47 minutes 36 seconds West, 2.01 feet; thence North 89 degrees 12 minutes 24 seconds East, 11.06 feet; thence South 00 degrees 47 minutes 36 seconds East, 49.02 feet; thence South 89 degrees 12 minutes 24 seconds West, 11.83 feet to the Point of Beginning.

Said parcel contains 0.006 Acres (267 square feet), more or less.

AMENDED EXHIBIT 3