



Doc# 2411009015 Fee \$176.00  
ILRHSP FEE:\$18.00 RPRF FEE:\$1.00  
KAREN A. YARBROUGH  
COOK COUNTY CLERK'S OFFICE  
DATE: 4/19/2024 12:18 PM  
PAGE: 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	)	Calendar 3
THE STATE OF ILLINOIS,	)	
	)	
Plaintiff,	)	Case No. 23 L 050303
	)	
v.	)	
	)	
JAMES E. JEFCHAK, individually and	)	Condemnation
as joint tenant with Gail R.	)	Parcel 0HY3005TE
Jefchak, wife;	)	Job No. R-90-012-12
GAIL R. JEFCHAK, individually and	)	
as joint tenant with James E.	)	
Jefchak;	)	
FIFTH THIRD BANK, NATIONAL	)	Jury Demand
ASSOCIATION successor to Fifth	)	
Third Mortgage Company;	)	
MIDLAND CREDIT MANAGEMENT, INC.;	)	
UNKNOWN OWNERS AND NON-RECORD	)	
CLAIMANTS.	)	
	)	
Defendants.	)	

**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;

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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 Defendant JAMES E. JEFCHAK, individually and as joint tenant with Gail R. Jefchak, wife and Defendant GAIL R. JEFCHAK, individually and as joint tenant with James E. Jefchak having been duly served with process, and Defendants UNKNOWN OWNERS AND NON-RECORD CLAIMANTS having been duly served by publication; said Defendants have been defaulted for want of appearance by Order entered March 18, 2024;

And Defendant FIFTH THIRD BANK, NATIONAL ASSOCIATION successor to Fifth Third Mortgage Company having been duly served with process, has filed an Appearance by counsel, and Defendant MIDLAND CREDIT MANAGEMENT, INC. has filed a Waiver of Service and a Disclaimer of interest;

And all Defendants to this proceeding have been duly served with process as provided by statute, and have filed an appearance or disclaimer of interest, or have been defaulted for want of an appearance; the Court does find that it has jurisdiction of the subject matter of this proceeding and of all parties thereto;

And on December 5, 2023, 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 the Plaintiff taking a temporary

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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 OHY3005TE, and for any diminution in value within and outside the temporary easement area due to impressment of the temporary easement, 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 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 February 29, 2024, 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 the 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

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Parcel OHY3005TE, legally described on Exhibit 1 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 Of Judgment, the supporting Affidavit and Appraisal Report of Plaintiff's Appraiser which Affidavit the Court does find 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 OHY3005TE, legally described on Exhibit 1 attached hereto and incorporated herein by reference, as full and final just compensation for the 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

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construction operations, whichever occurs first, over, across and upon real property designated as Parcel OHY3005TE, legally described on Exhibit 1 attached hereto and incorporated herein by reference, and for any diminution in value within and outside the temporary easement area due to impressment of the temporary easement, 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 \$300.00; wherefore:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of THREE HUNDRED (\$300.00) DOLLARS is the full and final just compensation to the owner or owners of and party or parties interested in Parcel OHY3005TE, legally described on Exhibit 1 attached hereto and incorporated herein by reference, for the 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 OHY3005TE, legally described on Exhibit 1 attached hereto and incorporated herein by reference, and for any diminution in value within and outside the temporary easement area due to impressment of the temporary easement, and for any cost to cure, and for the taking by Plaintiff of said property by right of eminent domain for a

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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 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 February 29, 2024 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.

Proposed by + mail to:

\_\_\_\_\_, 2024  
ENTER:

Attorney No. 11110  
Mark A. Spadaro  
Spec. Asst. Attorney General  
111 E. Wacker Dr., Ste. 2300  
Chicago, IL 60601  
(312) 251-9700  
mspadoro@spadoro.com

Judge

Associate Judge John A. Simon

*The 4/29/24 date  
is stricken*

APR 16 2024

Circuit Court- 2273

I hereby certify that the document to which this certification is affixed is a true copy Page 6 of 6

IRIS V. MARTINEZ APR 19 2024

Date \_\_\_\_\_  
IRIS V. MARTINEZ  
Clerk of the Circuit Court  
of Cook County, IL



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Route : IL Route 7 (143rd Street)  
 Section: At Creek Crossing Drive  
 Job No: R-90-012-12  
 County: Cook  
 Parcel : 0HY3005TE  
 Sta. : 499+62.00 to  
 Sta. : 499+67.00  
 Owner: James E. Jefchak and Gail R.  
 Jefchak, his wife, as joint tenants  
 Pin No.: 27-07-108-001

That part of Lot 1, in Block 1, in Pinewood East Subdivision Unit #1, being a subdivision in the North Half of Section 7, Township 36 North, Range 12 East of the Third Principal Meridian, described as follows:

Beginning at the northeast corner of said Lot 1; thence South 01 degrees 41 minutes 44 seconds East, (bearings based on Illinois State Plane Coordinates System, NAD83, East Zone), being the east line of said Lot 1, a distance of 5.00 feet; thence North 46 degrees 41 minutes 44 seconds West, 7.07 feet to a point on the north line of said Lot 1; thence North 88 degrees 18 minutes 16 seconds East, along said north line, 5.00 feet to the Point of Beginning, situated in the County of Cook and the State of Illinois.

Said Parcel Containing 0.000 acres, or 13 square feet, more or less.

Dated: April 21, 2020

11592 Glenview Dr  
 Oakland Park IL

EXHIBIT 1

APPROVED  
 By *coralinn* at 9:25 am, Apr 23, 2020