

92459323

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

92459323

The Illinois Department of Transportation,

Plaintiff,

vs.

Chicago Title and Trust Co. as Trustee under Trust #1085900 et. al.,

Defendants.

DEPT-01 RECORDING 531.00  
T44444 TRAN 138 06/24/92 14:21:09  
#8369 #0 \* 92-459323  
COOK COUNTY RECORDER

No. ...91 L 51386.....  
Parcel #0011TE

92459323

I, the undersigned, do hereby certify that the above entitled cause was filed in my office on the ..... day of ....., 19.., and is now

pending in said court and that the property affected by said cause is described as follows:

That Part of the Northeast Quarter of Section 25, Township 39 North, Range 12 East of the Third Principal Meridian Described as Follows: Beginning at a point 50.00 feet South of, and 476.16 Feet East of the Northwest corner of the aforesaid Northeast Quarter; Thence on an assumed bearing of North 89 degrees 48 minutes 51 seconds west 50.00 feet; thence South 00 degrees 11 minutes 09 seconds West 30.00 feet; thence South 89 degrees 48 minutes 51 seconds East 50.10 feet; thence North 00 degrees 00 minutes 06 seconds West 30.00 feet to the point of beginning in Cook County, Illinois.

Containing: 0.034 Acre

P.I. N. 15-25-200-004

in Cook County, Illinois.

Witness my hand and the seal of said court.

WILL CALL

James D. Montgomery (S)  
~~Attorney for Plaintiff~~  
Attorney of record

Name: JAMES D. MONTGOMERY & ASSOC.  
Attorney for PLAINTIFF  
Address 111 W. Washington Street  
City Chicago, Illinois 60602  
Telephone (312) 977-0200  
ATTY No 91165

By .....  
Deputy Clerk

3/88

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Property of Cook County Clerk's Office

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2. That under and by virtue of Articles 2 and 4 of the Illinois Highway Code, approved June 8, 1959, as amended (Chapter 121, Article 2, Sections 2-101 through 4-508, Illinois Revised Statutes 1977, and all other applicable provisions of said High-

1. It is a Department of the State Government of the State of Illinois, as created and provided for in an act known as the Civil Administrative Code of Illinois.

The Plaintiff the Department of Transportation of the State of Illinois, by Roland W. Burris, Attorney General of the State of Illinois and James D. Montgomery and Associates, Ltd., Special Assistant Attorney General, respectfully represent unto this Court:

## COMPLAINT FOR CONDEMNATION

THE DEPARTMENT OF TRANSPORTATION  
 OF THE STATE OF ILLINOIS FOR AND  
 ON BEHALF OF THE PEOPLE OF THE  
 STATE OF ILLINOIS,  
 Plaintiff,  
 v.  
 CHICAGO TITLE & TRUST COMPANY, an  
 Illinois corporation as Trustee  
 Under Trust No. 1065900; SIX  
 ANCHORS LIMITED PARTNERSHIP; CPS  
 REALTY PARTNERSHIP; THE TRUSTEES  
 OF THE MELLON PARTICIPATING  
 MORTGAGE TRUST COMMERCIAL PROPERTY  
 SERIES (5/10; CARSON PIRIE SCOTT &  
 COMPANY, a Delaware corporation;  
 P.A. BERGNER & COMPANY, a Delaware  
 corporation; MITCHELL DICARLO &  
 DYNACON BUILDERS as Lien holder of  
 Lien Recorded September 8, 1988  
 Under Document #88409314; and  
 PHOTOGRAPHIC DIMENSIONS, INC. and  
 RICHARD ZANKEL; and UNKNOWN OWNERS  
 Defendants.

PARCEL NO. 00117E

NO.

91L51386

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

92459323

FILED

SEP 19 11 55

CLERK OF COURT  
 LAW DIVISION

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7-2-89

hereinafter described.

for the purposes aforesaid an easement in the property Illinois Highway code (referred above), is authorized to acquire 5. Plaintiff, under the provisions of Section 4-501 of the

described.

highway purposes the rights in the property hereinafter acquire for the use of the people of the state of Illinois for public highway; that it is necessary that the Plaintiff have and for public use, and constitutes a public purpose, namely, a 4. The work and improvement aforesaid is a public work, is

interest therein.

or otherwise are interested in the same or claim to have some in- and so far as Plaintiff has been able to learn, the persons who tioned in connection therewith are, so far as appears of record, described are private property, and the persons hereinafter men- 3. The lands, rights or other property herein after Cook County, Illinois.

concerned with widening and improving the existing roadway in plaintiff are in Sections 551 WRS & 551 (B) BVB-1) BR-89, which is that said lands and premises, which are the subject of this com- tain lands and premises situated in Cook County, Illinois; and said highway has been surveyed, laid out, and projected over cer- the providing of natural deposits and road materials therefor, jurisdiction of the Plaintiff; and that for such purposes, and (Carmack Road) in Cook County, a highway under the control and repairing, and maintaining of the roadway known as Route PAU 1453 reconstructing, extending, widening, straightening, improving, Civil Procedure, the Plaintiff is engaged in the relocating, way code), and Sections 7-103 and 7-104 of the Illinois code of

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Chicago Title and Trust Company Trustee under Trust Agreement dated June 15, 1985, known as trust number 1085900.

OWNER OF RECORD

CONTAINING: 0.034 ACRE

THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS, BEGINNING AT A POINT 50.00 FEET SOUTH OF, AND 476.15 FEET EAST OF THE NORTHWEST CORNER OF THE AFORESAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 48 MINUTES 51 SECONDS WEST 50.00 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 09 SECONDS WEST 30.00 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 51 SECONDS EAST 50.10 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 06 SECONDS WEST 30.00 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 00117E

32459023

plaint, are as follows:

6. The compensation to be paid by the Plaintiff for the right to use the property sought to be appropriated or damaged for the above-mentioned purposes cannot be agreed upon between the Plaintiff and the parties interested therein although Plaintiff has attempted to effect such an agreement; and that Plaintiff, therefore, is authorized to proceed to acquire said use of the property through the exercise of the right of eminent domain under the eminent domain laws of this State.

7. The Plaintiff now seeks to acquire under the eminent domain laws of this State, for the uses and purposes aforesaid, a temporary easement to the real property in Cook County, Illinois, hereinafter described in numbered parcel 00117E. The names of all persons interested in each numbered parcel as owners or otherwise, as appearing of record, or so far as is known to the Plaintiff, all of whom are hereby made parties Defendant to this complaint, are as follows:

# UNOFFICIAL COPY

WHEREFORE, Plaintiff prays that the process of summons be issued against each and all of the above described Defendants according to law, commanding them to be and appear before this court on the return day of said summons and that due notice according to the law may be given to the owners of and parties interested in and to the UNKNOWN OWNERS of said property aforesaid.

this action by the name and description of UNKNOWN OWNERS.

and all such persons are, therefore, made parties Defendant to described, and the name of each of said other persons is unknown, tion of the building or structures on said real property are or may be other persons occupying or in possession of a por-

9. In addition to persons designated by name herein, there

this action by the name and description of UNKNOWN OWNERS.

and all such persons are, therefore, made parties Defendant to real estate, or some parts thereof, in this petition described, or claim some right, title, interest or lien in, to, or upon the are other persons who are interested in this action and who have 8. In addition to persons designated by name herein, there

Photographic Dimensions, Inc. / Richard Zankel

Dynacon Builders

Mitchell J. DiCarlo

P.A. Berger & Company

Carson Fire Scott & Company

The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10.

CPS Realty Partnership

Six Anchors Limited Partnership

OTHER INTERESTED PARTIES

02100320

JAMES D. MONTGOMERY  
SPECIAL ASSISTANT ATTORNEY GENERAL  
JAMES D. MONTGOMERY & ASSOCIATES, LTD.  
111 WEST WASHINGTON  
SUITE 823  
CHICAGO, ILLINOIS 60602  
(312) 977-0200  
FIRM I.D. NO. 91165

92459323

Properly Filed  
County Clerk's Office

ROLAND W. BURRIS  
ATTORNEY GENERAL  
OF THE STATE OF ILLINOIS

*[Signature]*

KIRK KROMM, SECRETARY OF THE  
DEPARTMENT OF TRANSPORTATION

*[Signature]*

JIM EDGAR, GOVERNOR OF THE STATE  
OF ILLINOIS

*[Signature]*

PLAINTIFF DEMANDS TRIAL BY JURY

Plaintiff further prays the court to cause compensation to be as-  
certained and determined according to the statute for a temporary  
easement to the property for which the right to use is sought and  
to take such proceedings and enter such orders as necessary, or-  
dering that Plaintiff enter upon such property and use the same  
upon payment of full compensation to the parties entitled thereto  
or to the County Treasurer, with such reasonable time as is fixed  
by the court and that the court return jurisdiction of this cause  
to enter such further orders as may be necessary in this cause,  
including such orders as may be necessary to vest Plaintiff with  
the right to use the subject property.