

# UNOFFICIAL COPY

NO. 10295

STATE OF ILLINOIS )  
                          )     SS  
COUNTY OF C O O K )

95254175

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

THE COUNTY OF COOK, a body  
politic and corporate,

Plaintiff,

SOUTHWEST FERR DISTRIBUTORS, INC.,  
et al.,  
and UNKNOWN OWNERS,  
Defendants.

) CONDEMNATION

) NO. 92 L 50160

) Road: Midlothian Turnpike

) Tract: 28-09 RECORDING

\$31.00

TH5555 TRIN B107 04/10/95 15:41:00

#1906 # L.L.A # 95254175

COOK COUNTY RECORDER

AGREED JUDGMENT ORDER

THIS CAUSE COMING TO BE HEARD upon the Complaint For  
Condemnation of the plaintiff, COUNTY OF COOK, filed February 14,  
1992, for the ascertainment of just compensation to be paid by  
plaintiff for fee simple title to the real estate commonly known as  
4413 W. Midlothian Turnpike, Crestwood, Illinois, Tract 28-09 as  
described in Exhibit A attached to and made a part of this Order;

AND the plaintiff appearing by JACK O'MALLEY, State's Attorney  
of Cook County, Illinois, through KEITH BUTLER, Assistant State's  
Attorney, with the defendant appearing by its attorney, Schreiber,  
Mack & Postweiler, all party defendants having been served with  
process in the manner and form provided by statute, with those  
defendants not appearing having been found in default, the  
plaintiff and defendant(s) through their respective attorneys  
having waived trial by jury, and the Court having jurisdiction of  
the parties and the subject matter;

THE COURT HEREBY FINDS that the plaintiff has authority to

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exercise the right of eminent domain, that the property sought to be taken herein is subject to the exercise of such right, with the defendant(s) not contesting that such right is being properly exercised in this proceeding, and that a reasonable necessity exists for taking the property in the manner and for the purposes requested;

AND the Court having heard evidence, both oral and documentary, pertaining to the agreed just compensation to be paid by the plaintiff, and the Court being fully advised in the premises;

THE COURT HEREBY RECOGNIZES that the parties have compromised their positions and have agreed upon the fair market value of the interest(s) to be acquired, and this COURT CONCURS that the agreed just compensation to be paid by the plaintiff to the owner or owners or other parties holding an interest in the real property legally described in Exhibit A is supported by the evidence and is as follows:

\$ 4,800.00	for the fee taking,
5,200.00	for damages to remainder,
<u>99.00</u>	for filing fees
\$ 10,099.00	Total Compensation.

WHEREFORE, PURSUANT TO AGREEMENT OF COUNSEL, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the just compensation to be paid by the plaintiff for the real estate interests legally described in Exhibit A to be the sum of Ten Thousand and Ninety-Nine Dollars (\$10,099.00), said amount being in full and final satisfaction of the taking, damages, fees, costs, and any other claims of the

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defendant(s) arising out of or resulting from the plaintiff's complaint and acquisition and use of the subject property, including statutory interest which is waived by the defendants;  
SOUTHWEST BEER DISTRIBUTORS, INC.

WHEREFORE IT IS FURTHER ORDERED AND ADJUDGED by the Court that the plaintiff, within One Hundred Twenty (120) days from the entry of this Order, shall pay to the Treasurer of Cook County, Illinois, Ten Thousand and Ninety-Nine Dollars (\$10,099.00) for the benefit of the owner or owners or other parties of interest, said sum representing full compensation for the uses of the property as set forth in plaintiff's Complaint For Condemnation.

WHEREFORE IT IS FURTHER ORDERED AND ADJUDGED by the Court that upon payment as set forth above, the plaintiff shall be vested with fee simple absolute title to said property as described in Exhibit A, and thereupon the plaintiff, COUNTY OF COOK, shall be authorized and empowered to enter upon and take immediate possession of said property.

WHEREFORE, IT IS FINALLY ORDERED AND ADJUDGED:

- a) That this Court shall retain jurisdiction of this cause for the purpose of enforcing the terms of this Order, including plaintiff's right to peaceful possession of the property rights set forth above;
- b) That there is no just reason for delay in the enforcement or appeal from this Order;
- c) That this matter be, and is hereby, removed from the trial calendar.

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ENTER:

Earl Arkiss

Aug 20 1992

Agreed:

Thomas L. Murphy 8/14/92  
Schreiber, Mack & Postweiler  
Attorney for date  
Southwest Beer Distributors, Inc.

\_\_\_\_\_  
Attorney for

\_\_\_\_\_  
date

JUDGE EARL ARKISS  
AUG 20 1992  
Circuit Court - 598

Keith Butler 08/19/92  
KEITH BUTLER, A.S.A.  
Attorney for County of Cook

JACK O'MALLEY  
State's Attorney of Cook County, Illinois  
500 Richard J. Daley Center  
Chicago, Illinois  
(312) 443-5527  
Firm No. 10295

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Exhibit A

**MIDLOTHIAN TURNPIKE  
TRACT NO. 28-09**

THE NORTH 17 FEET OF LOT 3 (MEASURED AT RIGHT ANGLES TO THE NORTH LINE THEREOF) IN TURNPIKE INDUSTRIAL SUBDIVISION, BEING A RESUBDIVISION OF LOT 13 IN ARTHUR T. MC INTOSH'S BLUE ISLAND FARMS, BEING A SUBDIVISION OF THE EAST 1/4 OF THE SOUTH WEST 1/4 AND THE NORTH 64 ROOFS OF THE SOUTH EAST 1/4 AND THAT PART OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTH EAST 1/4 LYING SOUTH OF THE CENTERLINE OF THE MIDLOTHIAN TURNPIKE, ALL IN SECTION 3, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THEREFROM THE SOUTH 33 FEET OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTH WEST 1/4 CONVEYED TO THE MIDLOTHIAN AND BLUE ISLAND RAILROAD) ALL IN COOK COUNTY, ILLINOIS.

AREA OF PART TAKEN - 1,730 SQ. FT. 0.0397 ACRE  
AREA OF THE REMAINDER - 114,385 SQ. FT. 2.6259 ACRE

LETTER OF COMMITMENT - 71 20 972  
TAX NO. - 28-09-308-052-0000

R/W  
MAY 11, 1990 LMC

PLAT: 875, SHEET 2 OF 4  
SECTION: 88-B802B-03-RP  
PAGE: 10-A

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I HEREBY CERTIFY THE ABOVE TO BE CORRECT.

DATE AUG 20 1992

*Aurelia Kucinski*

CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILL.

THIS ORDER IS THE COMMAND OF THE CIRCUIT  
COURT AND VIOLATION THEREOF IS SUBJECT TO THE  
PENALTY OF THE LAW.