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COOK COUNTY RECORDER

Tollway #2

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

THE ILLINOIS STATE TOLL HIGHWAY)
AUTHORITY, an instrumentality and)
administrative agency of the State of Illinois,)

Plaintiff,)

v.)

GARFIELD RIDGE TRUST AND)
SAVINGS BANK, as Trustee under)
Trust Agreement dated July 24, 1978 and)
known as Trust No. 78-7-12, UNKNOWN)
OWNERS and NON-RECORD CLAIMANTS,)

Defendants.)

No. 92 L 50164

CONDEMNATION

Parcels: TW-3A-168.2
TW-3A-168.2F
TW-3A-168.2A and
TW-3A-168.2B

P.I.N. 18-55-102-035

97482707

FINAL JUDGMENT ORDER

The attached Final Judgment Order was prepared by the attorneys identified below and should be returned to same.

Michael J. Devine, Esq.
Stephen A. Viz, Esq.
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225 W. Washington Street
Suite 1700
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Phone: (312) 346-1460

4/5/50
[Handwritten initials]

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Tollway # 2

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

THE ILLINOIS STATE TOLL
HIGHWAY AUTHORITY, an
Instrumentality and administrative
agency of the State of Illinois,

Plaintiff,

No. 92 L 50164

GARFIELD RIDGE TRUST AND
SAVINGS BANK, as Trustee under
Trust Agreement dated July 24, 1978 and
known as Trust No. 78-7-12, UNKNOWN
OWNERS and NON-RECORD
CLAIMANTS,

PARCEL TW-3A-168.2,
TW-3A-168.2T,
TW-3A-168.2A and
TW-3A-168.2B

FINAL JUDGMENT ORDER

THIS CAUSE coming on to be heard upon the Condemnation Complaint of THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY (the "Authority"), for the ascertainment of just compensation to be paid by the Authority for the taking, uses and purposes stated and set forth therein. The Court being advised that the parties have settled their claims as set forth herein.

And the Authority appearing by Michael J. Devine, Special Assistant Attorney General, and Defendant Garfield Ridge Trust and Savings Bank, as Trustee under Trust Agreement dated July 24, 1978 and known as Trust No. 78-7-12 (the "Trust") as well as Ann Gasparas ("Gasparas"), the beneficiary of the Trust, appearing by Michael D. Fabing of the law firm of Warsawsky & Fabing, being before this Court, subject to the in personam jurisdiction

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thereof and agreeing to the entry of the Final Judgment Order;

And the Court having jurisdiction over the parties hereto and the cause hereof, and the parties interested herein and such parties being before the Court and having waived a jury, and this Court having considered the Stipulation entered into between the Authority, the Trust and Gasparas;

And it being represented to the Court by the Trust and Gasparas that all party Defendants herein other than Unknown Owners and Non-Record Claimants have been served with process in the manner provided by statute or have duly entered their appearances;

And it being represented to the Court by the Trust and Gasparas that no other person or entity has a compensable interest in the subject parcels;

And Unknown Owners and Non-Record Claimants have been served by publication as provided by statute;

And an Order of Default having been entered by this Court on 2/26, 1997 against Defendants Unknown Owners and Non-Record Claimants, as a consequence of the failure of such parties to file an appearance herein;

And it appearing to the Court from the record of this cause that a Motion was heretofore brought by the Authority for the immediate vesting in the Authority of title to Parcels TW-3A-168.2 and TW-3A-168.2T, pursuant to the statutes of the State of Illinois and, by virtue thereof, on March 4, 1992, this Court found, adjudged and decreed the amount of preliminary just compensation for the taking of fee simple title to Parcel TW-3A-168.2 and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T to be SEVEN THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$7,200.00); that on March 11, 1992, the Authority

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deposited said sum with the Treasurer of Cook County, Illinois; that on March 18, 1992, pursuant to motion, an Order was entered vesting in the Authority fee simple title to Parcel TW-3A-168.2 and a temporary easement in, to and over Parcel TW-3A-168.2T; that on April 16, 1992, pursuant to the Trust's motion, the Court entered an Order for the withdrawal of the sum of SEVEN THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$7,200.00) so found to be preliminary just compensation and so deposited with the Treasurer of Cook County, Illinois;

Subsequent thereto, on September 17, 1992, with leave of Court, the Authority filed an Amended Complaint for Condemnation in which the Authority sought the acquisition of fee simple title to another parcel, namely, Parcel TW-3A-168.2A (in addition to the fee simple title to Parcel TW-3A-168.2 and the temporary easement in, to and over Parcel TW-3A-168.2T previously acquired). Thereafter, on September 15, 1995, with leave of Court, the Authority filed a Second Amended Complaint for Condemnation in which the Authority sought the acquisition of fee simple title to another parcel, namely, Parcel TW-3A-168.2B (in addition to the acquisitions of Parcels TW-3A-168.2, TW-3A-168.2T and TW-3A-168.2A previously acquired). Furthermore, on September 15, 1995, the Court entered an Agreed Supplemental Order Vesting Title by which fee simple title was vested in the Authority to Parcels TW-3A-168.2A and TW-3A-168.2B, without a "Quick-Take" hearing and without the deposit of additional funds.

And it further being represented to the Court that the Authority, the Trust and Gasparas have entered into a Stipulation providing for the entry of this Final Judgment Order, premised upon their mutual waiver of a jury trial and their agreement that the sum of NINE THOUSAND SEVEN HUNDRED THIRTY-TWO AND 00/100 DOLLARS (\$9,732.00) constitutes full, final and just compensation for the taking of fee simple title to Parcels TW-3A-168.2, TW-3A-168.2A

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and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T (The Trust, Gasparas and all parties interested in such Parcels waiving any claim of interest upon such amount).

And said Parcels TW-3A-168.2, TW-3A-168.2T, TW-3A-168.2A and TW-3A-168.2B being legally described in Exhibits "A", "B", "C" and "D", respectively, appended hereto and made a part hereof;

And now being fully advised in the premises, the Court finds that the amount to be paid by the Authority as just compensation to the owner or owners of and party or parties interested in the property described in Exhibits "A", "B", "C" and "D" hereto (i.e. Parcels TW-3A-168.2, TW-3A-168.2T, TW-3A-168.2A and TW-3A-168.2B) in which the Authority has acquired the aforementioned interests, is as follows; based upon the Stipulation of the parties;

To the owner or owners of and party or parties interested in Parcels TW-3A-168.2, TW-3A-168.2T, TW-3A-168.2A and TW-3A-168.2B for the taking of fee simple title to TW-3A-168.2, TW-3A-168.2A and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T being legally described in Exhibits "A", "B", "C" and "D", respectively, to this Final Judgment Order, as full and final compensation therefor to the owner or owners of and party or parties interested therein, the sum of NINE THOUSAND SEVEN HUNDRED THIRTY-TWO AND 00/100 DOLLARS (\$9,732.00).

The Court further finds that the parties have agreed that such compensation is inclusive of damage, if any, to any remainder or adjacent real estate, as a consequence of the subject takings of fee simple title to Parcels TW-3A-168.2, TW-3A-168.2A and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T;

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The Court further finds that the payment of said amounts to the owner or owners of and party or parties interested in said real property will fully compensate said owner or owners of, and party or parties interested in, said property for the taking by the Authority of fee simple title to Parcels TW-3A-168.2, TW-3A-168.2A and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T;

And the Court being fully advised in the premises, Orders and Adjudges that the sums of money herein awarded by the Court to the owner or owners of and party or parties interested in said real property described herein is agreed among the parties as full and final just compensation to the owner or owners thereof and party or parties interested therein for the taking of the said fee simple title to Parcels TW-3A-168.2, TW-3A-168.2A and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T;

This is an award of final compensation for the taking of fee simple title to Parcels TW-3A-168.2, TW-3A-168.2A and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T; and not an award of preliminary just compensation relative to the taking thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Authority deposit with the Treasurer of Cook County, Illinois for the benefit of the Trust, Gasparis, and any other parties interested in the subject parcels, the sum of TWO THOUSAND FIVE HUNDRED THIRTY-TWO AND 00/100 DOLLARS (\$2,532.00) representing the difference between the sum of SEVEN THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$7,200.00) heretofore deposited by the Authority with the Treasurer of Cook County, Illinois as preliminary just compensation for the taking of the subject parcels, and the amount of NINE THOUSAND

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SEVEN HUNDRED THIRTY-TWO AND 00/100 DOLLARS (\$9,732.00) representing the amount of final just compensation, as per the Stipulation of the Authority, the Trust and Gasparas, for the taking of fee simple title to Parcels TW-3A-168.2, TW-3A-168.2A and TW-3A-168.2B and for the taking of a temporary easement in, to and over Parcel TW-3A-168.2T, without interest upon any portion of such sum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Order of the Court of March 18, 1992, vesting the Authority with fee simple title to Parcel TW-3A-168.2 and with a temporary easement in, to and over Parcel TW-3A-168.2T and that the Order of the Court of September 15, 1995, vesting the Authority with fee simple title to Parcels TW-3A-168.2A and TW-3A-168.2B are both hereby confirmed in all respects.

JUDGE ALEXANDER P. WHITE
FEB 26 1997
CIRCUIT COURT - 241

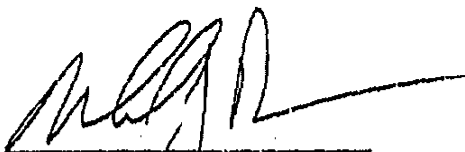
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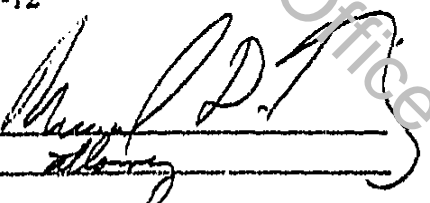
DATED: _____

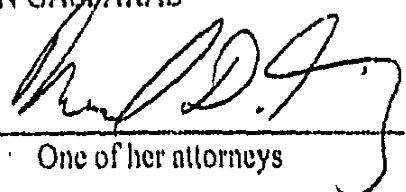
JUDGE

Approved as to form and content:
THE ILLINOIS STATE TOLL
HIGHWAY AUTHORITY

GARFIELD RIDGE TRUST AND SAVINGS
BANK, as Trustee under Trust Agreement
dated July 24, 1978 and known as Trust No.
78-7-12

BY: 
James E. Ryan
Attorney General of the State
of Illinois through Michael J. Devine
Special Assistant Attorney General

BY: 
ITS: _____

ANN GASPARAS
BY: 
One of her attorneys

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Michael J. Devine
Stephen A. Viz
Special Assistant Attorneys General
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Chicago, Illinois 60606
(312) 346-1460
Attorney Code 90235

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DATE:

APRIL 5, 1991

OWNER:

GARFIELD RIDGE TRUST AND
SAVINGS BANK AS TRUSTEE
UNDER TRUST AGREEMENT
DATED JULY 24, 1973 AND
KNOWN AS TRUST NUMBER
78-7-12

PARCEL: TW-3A-168.2

FEE TAKING

THE SOUTH 33.00 FEET OF THE DETENTION BASIN IN GASPARAS
SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER
OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE
12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS; SAID PROPERTY CONTAINING 4,290 SQUARE FEET (0.0985
ACRES) MORE OR LESS.

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EXHIBIT

A

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DATE: MAY 7, 1992

OWNER: GASPARAS

PARCEL: TW-3A-168.2A

FEE TAKING

THAT PART OF "86TH COURT AND 83RD STREET" AS DEDICATED PER GASPARAS SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, RECORDED SEPTEMBER 12, 1983 AS DOCUMENT NUMBER 26773759, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE DEDICATED DETENTION BASIN IN SAID GASPARAS SUBDIVISION FOR A POINT OF BEGINNING; THENCE NORTH 88 DEGREES 17 MINUTES 52 SECONDS EAST 130.00 FEET; THENCE SOUTH 01 DEGREES 49 MINUTES 09 SECONDS EAST 33.00 FEET; THENCE SOUTH 88 DEGREES 17 MINUTES 52 SECONDS WEST 163.00 FEET; THENCE NORTH 01 DEGREE 49 MINUTES 09 SECONDS WEST 66.00 FEET; THENCE NORTH 88 DEGREES 17 MINUTES 52 SECONDS EAST 33.00 FEET; THENCE SOUTH 01 DEGREE 49 MINUTES 09 SECONDS EAST 33.00 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 6,468 SQUARE FEET (0.1485 ACRES) MORE OR LESS, ALL OF WHICH HAS BEEN USED OR DEDICATED AS PUBLIC RIGHT OF WAY.

EXHIBIT

B

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Date: August 3, 1995

Owner: Gasparas

PARCEL TW-3A-168.2B

FEE TAKING

THE SOUTH 16¼ FEET OF THAT PART OF 86TH COURT AND 83RD STREET AS DEDICATED PER GASPARAS SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, RECORDED SEPTEMBER 12, 1983 AS DOCUMENT NUMBER 26773759; DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 6 IN SAID GASPARAS SUBDIVISION FOR A POINT OF BEGINNING; THENCE NORTH 01 DEGREE 49 MINUTES 09 SECONDS WEST 33.00 FEET; THENCE NORTH 88 DEGREES 17 MINUTES 52 SECONDS EAST 33.00 FEET; THENCE SOUTH 01 DEGREE 49 MINUTES 09 SECONDS EAST 66.00 FEET; THENCE SOUTH 88 DEGREES 17 MINUTES 52 SECONDS WEST 163.00 FEET; THENCE NORTH 01 DEGREE 49 MINUTES 09 SECONDS WEST 33.00 FEET; THENCE NORTH 88 DEGREES 17 MINUTES 52 SECONDS WEST 130.00 FEET TO THE POINT OF BEGINNING; ALL OF WHICH HAS BEEN USED OR DEDICATED AS RIGHT OF WAY.

EXHIBIT

C

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DATE: APRIL 5, 1991

OWNER: GARFIELD RIDGE TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 24, 1973 AND KNOWN AS TRUST NUMBER 78-7-12

PARCEL: TW-3A-168.2 T

TEMPORARY CONSTRUCTION EASEMENT

THE NORTH 20.00 FEET OF THE SOUTH 53.00 FEET OF THE DETENTION BASIN IN GASPARAS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; SAID PROPERTY CONTAINING 2,600 SQUARE FEET (0.0597 ACRES) MORE OR LESS.

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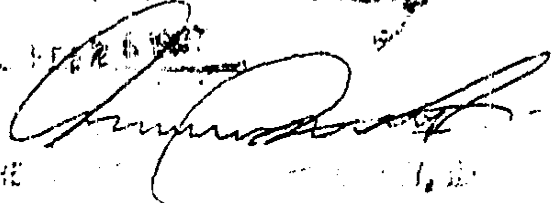
EXHIBIT
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PROPERTY CLERK'S OFFICE

DATE FEB 25 1987



CLERK OF THE COURT

THIS ORDER IS A PART OF THE CIRCUIT COURT

RECORD AND WILL BE FILED WITH THE CLERK OF THE COURT

PERIODICALLY REVIEWED