

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF COOK )

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

The Department of Transportation of the )  
State of Illinois, )

Plaintiff, )

No. 95 L 50534

v. )

Parcel No. 09S-0158

Wheeling Shopping Center, Inc., )  
an Illinois Corporation, Metropolitan )  
Life Insurance Company, a New York )  
Corporation, Two Doves Restaurant, )  
and Unknown Owners, generally, )

Defendants. )

FINAL JUDGMENT ORDER ON SETTLEMENT

THIS CAUSE COMING ON TO BE HEARD on the Complaint for Condemnation of  
the Illinois Department of Transportation ("IDOT"), for the taking of property for public  
purposes, upon the determination and payment of just compensation for such property. All  
defendants to this cause have been served by process as provided by statute or have  
appeared.

*RAK*  
IF BEING  
REPRESENTED  
TO THE COURT  
THAT!

IDOT has appeared by James E. Ryan, Attorney General of the State of Illinois, and  
Vincent D. Pinelli, Special Assistant Attorney General, and defendant Wheeling Shopping  
Center, Inc. has appeared by Burke & Ryan, their counsel.

*03-02-415-028*  
*corner Dundee St & Milwaukee Ave*  
*Wheeling, Ill.*

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This court has jurisdiction over the subject property and all parties who claim or may claim an interest in the subject property.

The subject property is legally described on Exhibit "A" attached to this order.

On August 29, 1995, pursuant to the IDOT's Motion for Immediate Vesting, this Court made a preliminary finding and determination, in a "quick-take" proceeding pursuant to statute, that the just compensation for the taking of defendant's property was \$2,800.00. Pursuant to that order, IDOT deposited \$2,800.00 with the Cook County Treasurer on September 28, 1995. This Court then ordered that IDOT be vested with fee simple title to Parcel 09S-0158 and authorized IDOT to take immediate possession of the subject property.

The parties have now reported to the Court that they have agreed and stipulated to a settlement in this cause which fixes the final amount of just compensation for the taking of defendant's property at \$2,800.00. The Stipulation of Settlement has been filed and made part of the record in this cause. Defendant has waived its right to a jury trial and its right to interest from IDOT on the award, IDOT has waived its right to a jury trial, and both parties have waived their right to appeal.

THE COURT THEREFORE FINDS; *Based upon the stipulations of the parties: RAK*

1. Just compensation for the taking of the subject property is as follows:

To Wheeling Shopping Center, Inc. as the owner of Parcel 09S-0158:

\$ 2,800.00

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Such amount is the entire value for the total and final compensation for the taking of defendant's property and for any damage to the remainder of defendant's property.

2. IDOT has previously deposited the sum of \$2,800.00 with the Cook County Treasurer on September 28, 1995.

IT IS HEREBY ORDERED THAT:

The order of October 17, 1995 vesting IDOT with fee simple title in Parcel 09S-0158 to the subject property, is hereby confirmed in all respects.

ENTER:

*[Signature]*  
JUDGE RANDY A. KORAN  
APR 30 1998  
Circuit Court - 1509  
Date: \_\_\_\_\_

Vincent D. Pinelli, Esq.  
Special Assistant Attorney General  
Attorney for Plaintiff  
The Illinois Department of Transportation  
**BURKE BURNS & PINELLI, LTD**  
Three First National Plaza  
Suite 3910  
Chicago, Illinois 60602  
(312) 541-8600  
CO-3834

HEREBY CERTIFY THE ABOVE TO BE CORRECT  
DATE APR 30 1998

*[Signature]*  
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.

RETURN TO:  
Wheatland Title  
39 Mill Street  
Montgomery, IL 60538



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Parcel No. Q2S-0158

That part of Lot 4 in J. L. McDuffee's Subdivision of parts of Sections 1, 2, 11 and 12, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded March 23, 1882 as Document 383023, in Cook County, Illinois, described as follows:

Beginning at the Northeasterly corner of Lot 4 aforesaid; thence on an assumed bearing of South 63 degrees 51 minutes 58 seconds West along the Northerly line of said Lot 4, a distance of 40.94 feet; thence South 21 degrees 38 minutes 56 seconds East, 26.36 feet; thence South 23 degrees 47 minutes 23 seconds East, 13.40 feet to the Southerly line of said Lot 4; thence North 63 degrees 51 minutes 58 seconds East along said Southerly line, 38.37 feet to the Easterly line of said Lot 4; thence North 18 degrees 41 minutes 54 seconds West along said Easterly line, 40.00 feet to the point of beginning, containing 0.036 acres of land, of which 0.031 acres are already being used for roadway purposes.

**EXHIBIT A**

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