

# UNOFFICIAL COPY

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 THE )  
STATE OF ILLINOIS, )

Condemnation Parcel  
No. OAQ0024 & TE

Plaintiff, )

Job No. R-90-001-91

v. )

Case No. 94 L 50530

DENNY'S REALTY, INC., )  
a Delaware corporation; )  
CHICAGO TITLE AND TRUST CO. )  
MORTGAGE DOCUMENT )  
90369357; STATE STREET BANK )  
AND TRUST CO. MORTGAGE )  
DOCUMENT 9036957; )  
CITIBANK, N.A.; ILLINOIS )  
DEPARTMENT OF REVENUE )  
STATE TAX LIEN DOCUMENT )  
88594515, and UNKNOWN )  
OWNERS GENERALLY, )

Defendants. )

98355182

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1998-04-30 15:42:28  
Cook County Recorder 57.50

## AGREED FINAL JUDGMENT ORDER

THIS CAUSE COMING TO BE HEARD on the Complaint for  
Condemnation of the Department of Transportation of the State of Illinois ("IDOT")  
for and on behalf of the People of the State of Illinois for the taking of property for

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public purposes, and upon the determination and payment of just compensation for such property, IDOT having appeared by James Ryan, Attorney General of the State of Illinois, and William G. Sullivan, Special Assistant Attorney General and Defendant, Denny's Realty, Inc., by its attorney, Richard A. Nelson:

1. On May 27, 1994, IDOT filed its Complaint for Condemnation relating to certain property, to wit: Parcel Nos. OAQ0024 and OAQ0024TE, said parcels being described in Exhibits A and B attached hereto.

2. On July 8, 1994, pursuant to IDOT's Motion for Immediate Vesting of Title, this Court made a preliminary finding of determination, in a "Quick-Take" Proceeding to statute, that just compensation for the taking of defendant's property was \$149,159. Pursuant to that Order, IDOT deposited \$149,159 with the Treasurer of Cook County, and this Court ordered that IDOT be vested with fee simple title to parcel no. OAQ0024 and a temporary easement as to parcel no. OAQ0024TE.

3. Denny's Realty, Inc. and the plaintiff 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. This cause of action is, by virtue of the Stipulation and entry of this Agreed Final Judgment

Order, fully compromised and settled.

*Plaintiff and Defendant  
Denny's Realty, Inc. have waived their respective  
rights to a jury trial. D*

*RAN*

4. Unknown owners and nonrecord claimants having been defaulted by Order of even date.

WHEREFORE, THE COURT FINDS AS FOLLOWS BASED UPON *PMW*  
STIPULATIONS OF THE PARTIES (1)

All defendants to this proceeding having been served with process as provided by statute or having entered their appearances, this Court having jurisdiction of the subject matter of the proceeding and all parties named herein, Defendant, Denny's Realty, Inc., a Delaware corporation, has represented and warranted that no other party has a compensable interest in the property, and has so represented to induce this settlement.

IT IS HEREBY ORDERED that the sum of \$149,159 is determined to be just compensation in full for fee simple title to parcel nos. OAQ0024 and for the temporary easement to parcel no. OAQ0024 to be paid by the plaintiff, the legal descriptions of which are attached as Exhibits A and B hereto, and incorporated by reference. Such amount is the entire value for the total and final compensation and taking of the defendant's property and for any damage to the remainder of defendant's property and for the temporary easement.

5. IDOT is hereby vested with fee simple title to parcel no. OAQ0024.

6. Denny's Realty, Inc., having previously withdrawn \$149,159 deposited by the Department of Transportation with the Treasurer of Cook County, there shall be nothing due and owing from the Department of Transportation.

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7. Default judgment is hereby entered against unknown owners and nonrecord claimants.

8. The entry of this Order shall terminate this action.

ENTER:

*Randy A. Kogan*

JUDGE RANDYE A. KOGAN  
APR 29 1998  
Circuit Court - 1509

Date: \_\_\_\_\_

APPROVED:

THE DEPARTMENT OF  
TRANSPORTATION OF  
THE STATE OF ILLINOIS

BY: JAMES RYAN  
ATTORNEY GENERAL

*James Ryan*

William G. Sullivan  
321 South Plymouth Court  
10th Floor  
Chicago, IL 60604  
(312) 360-5000

Defendant, DENNY'S REALTY, INC.

By *Richard A. Nelson*

Richard A. Nelson  
Richard A. Nelson & Assoc. P.C.  
11 South Dunton Avenue  
Arlington Heights, IL 60007  
(847) 788-0055

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PARCEL NO. OAA0024

That part of Lot 1 in Carl M. Teutsch Subdivision, being a subdivision of part of the East Half of Section 16, Township 41 North, Range 11 East of the Third Principal, according to the plat thereof recorded August 29, 1977 as document 24080754, in Cook County, Illinois, described as follows:

Beginning at the Northwest corner of said Lot 1; thence on an assumed bearing of South 59 degrees 11 minutes 45 seconds East along the northerly line of said Lot 1 a distance of 133.25 feet (133.36 feet, recorded) to an angle point on the northerly line of said Lot 1; thence South 63 degrees 24 minutes 45 seconds East along the northerly line of said Lot 1 a distance of 84.23 feet (83.99 feet, recorded) to the easterly line of said Lot 1; thence South 7 degrees 5 minutes 52 seconds West along the said easterly line of Lot 1 a distance of 136 feet; thence North 63 degrees 24 minutes 45 seconds West 214.92 feet to the westerly line of said Lot 1; thence North 10 degrees 40 minutes 00 seconds East along the said westerly line of said Lot 1 a distance of 20.59 feet to the point of beginning.

Said parcel containing 0.064 acre, more or less.

PIN No: 08-16-400-030

Address: 17 West Algonquin Road  
Arlington Heights, IL 60005

EXHIBIT "A"



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PARCEL NO. 04000247E  
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That part of Lot 1 in Carl M. Teutsch Subdivision, being a subdivision of part of the East Half of Section 15, Township 41 North, Range 11 East of the Third Principal, according to the plat thereof recorded August 29, 1977 as document 24080754, in Cook County, Illinois, described as follows:

Commencing at the Northwest corner of said Lot 1; thence on an assumed bearing of South 10 degrees 40 minutes 00 seconds West along the westerly line of said Lot 1 a distance of 20.59 feet to the point of beginning; thence South 63 degrees 24 minutes 45 seconds East 18.72 feet to a point 18.00 feet normally distant Easterly of the westerly line of said Lot 1; thence South 10 degrees 40 minutes 00 seconds West along a line 18.00 feet normally Easterly and parallel with the westerly line of said Lot 1 a distance of 15.60 feet; thence North 79 degrees 20 minutes 00 seconds West 18.00 feet to the westerly line of said Lot 1; thence North 10 degrees 40 minutes 00 seconds East along the said westerly line of said Lot 1 a distance of 20.74 feet to the point of beginning.

Said temporary easement containing 0.009 acre, more or less, or 327 square feet, more or less.

PIN No. 08 - 16 - 400 - 030

Address: 17 West Algonquin Road  
Arlington Heights, IL 60005

EXHIBIT "B"

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HEREBY CERTIFY THE ABOVE TO BE CORRECT

DATE APR 29 1983

*Angela Pucunski*

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.