

TO: Salmon O. Danmole, Acting Bureau Chief, Land Acquisition
FROM: Joseph E. Crowe, Regional Engineer
SUBJECT: Warrant Requisition
Job No. R-94-014-10
Parcel No(s). 4BEB033
DATE: 3/7/14

The following items are attached for subject parcel(s).

EMINENT DOMAIN

- 1. A certified copy of the Quick Take Order fixing the amount of Preliminary Just Compensation.
- 2. One copy of the certified Final Judgment Order.
- 3. One copy of the Trial Report in cases of contested trial or Settlement Report case of non-contested trial.
- 4. One copy of the Stipulation for Final Judgment Order.
- 5. Disclosure Affidavit

This completes the necessary documentation required to process the invoice for payment of the subject parcel.

SUBMITTED BY: Jennifer A. Earleywine
(309) 671-3222

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
PEORIA COUNTY

FILED
ROBERT M. SPEARS

MAR 07 2014

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

DEPARTMENT OF TRANSPORTATION,)
STATE OF ILLINOIS,)

Plaintiff,)

v.)

Case No. 14 ED 1st

COSTAS A. MICHANICOU and PEGGY J.)

MICHANICOU; HEARTLAND BANK AND TRUST)

COMPANY, an Illinois banking corporation;)

EDWARD T. O'CONNOR, III, Peoria County)

Treasurer; and UNKNOWN OWNERS AND)

NONRECORD CLAIMANTS,)

Defendants.)

ORDER FIXING PRELIMINARY JUST COMPENSATION

This cause coming before the Court for hearing on Plaintiff's Motion for Immediate Vesting of Title in accordance with the Court's February 27, 2014 scheduling Order.

The Court FINDS that it has jurisdiction of the subject matter herein and of the parties hereto in that Summons and a copy of the Complaint for Condemnation were properly served upon each of the parties defendant as is indicated below:

<u>Defendant</u>	<u>Date of Service</u>
Costas A. Michanicou	January 30, 2014
Peggy J. Michanicou	January 30, 2014
Heartland Bank and Trust Company	January 30, 2014
Edward T. O'Connor, III	January 27, 2014

Further, the Court FINDS that a Notice has been published as to the Unknown Owners and Nonrecord Claimants, if any, through publication one time each week for three successive weeks in the Peoria Journal Star, beginning January 25, 2014.

The Court FINDS that, in accordance with the Court's aforementioned scheduling Order, Plaintiff's counsel mailed copies of said Order to the named Defendants or their attorney on February 28, 2014, and that said Defendants were thereby given due and proper notice of the hearing on Plaintiff's Motion for Immediate Vesting of Title.

And now the Court, having heard the evidence and arguments related to Plaintiff's Motion for Immediate Vesting of Title, hereby finds the issues for Plaintiff and against all of the Defendants and, more specifically, FINDS:

1. Plaintiff has authority to exercise the right of eminent domain as alleged in the Complaint for Condemnation;
2. The Fee Simple and Temporary Easement Portions of the Property described in Paragraphs 7 and 8, respectively, of the Complaint for Condemnation are subject to the exercise of Plaintiff's right of eminent domain, and such right is being properly exercised by Plaintiff;
3. Reasonable necessity exists for Plaintiff's taking of the Fee Simple and Temporary Easement Portions of the Property in the manner requested in Plaintiff's Motion for Immediate Vesting of Title;
4. Plaintiff has made a bona fide attempt to reach an agreement for the acquisition of the Fee Simple and Temporary Easement Portions of the Property.
5. The amount constituting the preliminary just compensation for the Fee Simple and Temporary Easement Portions of the Property is Two Thousand Two Hundred Seventy-five Dollars (\$2,275.00); and
6. There is no just reason for delaying enforcement or appeal of this Order.

WHEREFORE, IT IS HEREBY ORDERED as follows:

A. Plaintiff's Motion for Immediate Vesting of Title is allowed;

B. Within ninety (90) days, Plaintiff shall deposit the sum of Two Thousand Two Hundred Seventy-five Dollars (\$2,275.00) with the Treasurer of Peoria County, Illinois, as payment of the preliminary just compensation fixed above for the Fee Simple and Temporary Easement Portions of the Property; and

C. Upon Plaintiff thereafter presenting evidence to the Court that such deposit has been made by Plaintiff, this Court will, at the *ex parte* request of Plaintiff's counsel, issue an Order vesting Plaintiff with fee simple title to and a temporary easement in the respective Portions of the Property described in Paragraphs 7 and 8 of the Complaint for Condemnation.

ENTER: March 7, 2014.



JUDGE OF THE TENTH JUDICIAL CIRCUIT

I HEREBY CERTIFY THE ABOVE TO BE CORRECT.

DATED 3-7-14
(Seal of Clerk of Circuit Court)

ROBERT M. SPEARS, CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

BY Cheryl Koehl
(Deputy Clerk)