

NOT AN OFFICIAL DOCUMENT

PLACITA JUDGMENT

7 2 3 1 0 7 (18-84) CCDCH-6

UNITED STATES OF AMERICA

STATE OF ILLINOIS,
COUNTY OF COOK ss.

ROBERT L. SKLODOWSKI 87231072

PLEAS, before the Honorable
one of the Judges of the Circuit Court of Cook County, in the State of Illinois, holding a branch Court of said
Court, at the Court House in said County, and State, on
April 20,
87
in the year of our Lord, one thousand nine hundred and and of the Independence
eleventh
of the United States of America, the two hundredth and

ROBERT L. SKLODOWSKI

PRESENT: - The Honorable
Judge of the Circuit Court of Cook County.

RICHARD M. DALEY, State's Attorney
JAMES E. O'GRADY,
RICHARD D. FERRO, Sheriff

Attest: **MORGAN M. FINLEY**, Clerk.

Property of Cook County Recorder of Deeds

87231072

NOT AN OFFICIAL DOCUMENT

07231072

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

HIDDEN LAKE ESTATES CONDOMINIUM)
ASSOCIATION, INC., an Illinois)
not-for-profit corporation,)

Plaintiff,)

vs.)

No. 84 CH 10362

PALOS BANK AND TRUST COMPANY,)
individually and as trustee under)
Trust Agreement dated December 1,)
1979 and known as Trust No. 1-1504;)
PALOS BANK AND TRUST COMPANY,)
as trustee under Trust Agreement)
dated July 17, 1979 and known)
as Trust No. 1-1504, Ronald R.)
Coco and Ann Crockett,)

Defendants.)

JUDGMENT FOR SPECIFIC PERFORMANCE

THIS MATTER coming on to be heard upon the Amended Complaint for Specific Performance filed herein by the Plaintiff, HIDDEN LAKE ESTATES CONDOMINIUM ASSOCIATION, INC. ("Association") and upon the Motion for Summary Judgment filed by the Association, the Court having reviewed the Motion for Summary Judgment, the Memorandum in Support thereof, the Answer and Response filed by the Defendant, PALOS BANK AND TRUST COMPANY, individually ("Palos Bank"), the Answer and Response filed by the Defendants, PALOS BANK AND TRUST COMPANY, as trustee under Trust Agreement dated July 17, 1979 and known as Trust No. 1-1504 ("Palos Trust 1-1504"), PALOS BANK AND TRUST COMPANY, as trustee under Trust Agreement dated December 1, 1979 and known as Trust No. 1-1574 ("Palos Trust 1-1574"), and RONALD R. COCO ("Coco"), and the

87231072

NOT AN OFFICIAL DOCUMENT

07231072

Replies filed by the Association, the Court having heard argument from counsel, and being fully advised in the premises:

THE COURT DOETH FIND:

1. This Court has jurisdiction over the parties hereto and the subject matter hereof.
2. Defendant, Ann Crockett ("Crockett") has been properly served with summons herein and has been duly defaulted, and the Amended Complaint filed herein by the Association is confessed by and against Crockett.
3. Palos Bank, Palos Trust 1-1504, Palos Trust 1-1574 and Coco have filed their Answers herein, there is no genuine issue as to any material fact alleged in the Amended Complaint, and the Association is entitled to a Judgment for Specific Performance in its favor as a matter of law as to Counts I, II and III of the Amended Complaint.
4. At all times relevant hereto prior to April 29, 1980, Palos Trust 1-1504 and Palos Trust 1-1574 were the owners and holders of legal title to the parcel of real estate comprising the proposed development area of the Hidden Lake Estates Condominium, located at 111th Street and Lucas Drive, Palos Hills, Illinois ("Development Area"), and legally described as follows:

That part of the West half of the Northwest Quarter of Section 23, Township 37 North, Range 12, East of the Third Principal Meridian lying Northwesterly of the North Reserve Line of the Calumet Feeder Canal and lying Westerly of a 50.00 feet wide strip dedicated for Highway purposes by Document No. 18627365, (excepting from the foregoing described parcel of Real

87231072

NOT AN OFFICIAL DOCUMENT

Estate, the North 450.00 feet of the West 600.00 feet thereof).

and

That part of the East half of the Northeast Quarter (except the West 925.01 feet thereof and except the East 224.87 feet of the North 503.00 feet thereof) of Section 22, Township 37 North, Range 12, East of the Third Principal Meridian, lying North of the North Reserve Line of the Calumet Feeder Canal, all in Cook County, Illinois.

Permanent Index No. 23-22-200-042, -049, -050
23-23-100-020

5. Palos Bank and Coco are the sole beneficiaries of Palos Trust 1-1504 and Palos Trust 1-1574, with full power of direction therein.

6. On April 11, 1980, Palos Trust No. 1-1504 and Palos Trust No. 1-1574, executed a Grant of Easement to and for the benefit of the Association over, along and through a thirty (30) foot wide strip of land paved and improved with a road commonly known as Lucas Drive, Palos Hills, Illinois as constructed and presently existing in the Development Area, and as delineated on the Plat attached to the Grant of Easement recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 30, 1980 as Document No. 25441437 ("Lucas Drive"), which is legally described as follows:

A thirty (30) foot wide strip of land over, across and through the following described parcels of real estate:

That part of the West half of the Northwest Quarter of Section 23, Township 37 North, Range 12, East of the Third Principal Meridian lying Northwesterly of the north Reserve Line of the Calumet Feeder Canal and lying Westerly of a 50.00 foot wide strip dedicated for Highway purposes by Document No. 18627365, (excepting from the foregoing described parcel of Real

NOT AN OFFICIAL DOCUMENT

07231072

Estate, the North 450.00 feet of the West 600.00 feet thereof).

and

That part of the East half of the Northeast Quarter (except the West 925.01 feet thereof and except the East 224.87 feet of the North 503.00 feet thereof) of Section 22, Township 37 North, Range 12, East of the Third Principal Meridian, lying North of the North Reserve Line of the Calumet Feeder Canal, all in Cook County, Illinois;

as delineated on the survey attached as Exhibit "B" to the Grant of Easement recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 30, 1980 as Document No. 25441437.

Permanent Index No. 23-22-200-042, -049, -050
23-23-100-020

7. By the Declaration of Condominium Ownership (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 29, 1980 as Document No. 25439399, Palos Trust 1-1574 submitted that portion of the Development Area therein legally described to the provisions of the Condominium Property Act of the State of Illinois (the "Act") as part of the Hidden Lake Estates Condominium (the "Condominium").

8. By the First Amendment to the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 25925710, Palos Trust 1-1574 submitted certain additional portions of the Development Area therein legally described to the provisions of the Act as part of the Hidden Lake Estates Condominium.

9. By the Second Amendment to the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 26486473, certain additional portions of the

NOT AN OFFICIAL DOCUMENT

Development Area therein legally described were submitted to the provisions of the Act as part of the Hidden Lake Estates Condominium.

10. The remaining portions of the Development Area ("Additional Land") hereinafter legally described have not been submitted to the provisions of the Act as part of the Condominium:

That part of the West half of the Northwest Quarter of Section 23, Township 37 North, Range 12, East of the Third Principal Meridian lying Northwesterly of the North Reserve line of the Calumet Feeder Canal and lying Westerly of a 50.00 feet wide strip dedicated for Highway purposes by Document No. 18627365, (excepting from the foregoing described parcel of Real Estate, the North 450.00 feet of the West 600.00 feet thereof).

and

That part of the East half of the Northeast Quarter (except the West 925.01 feet thereof and except the East 224.87 feet of the North 503.00 feet thereof) of Section, Township 37 North, Range 12, East of the Third Principal Meridian, lying North of the North Reserve Line of the Calumet Feeder Canal, all in Cook County, Illinois.

(Except that part of the foregoing parcel heretofore submitted to the provisions of the Condominium Property Act of the State of Illinois as part of the Hidden Lake Estates Condominium by the Declaration of Condominium Ownership recorded as Document No. 25439399, as amended by the First Amendment recorded as Document No. 25925710, and the Second Amendment recorded as Document No. 26486473).

Permanent Index No. 23-22-200-042, -049, -050
23-23-100-020

11. Approximately 4.8 acres of the Development Area is covered by the waters of a Lake ("Lake"), and the property underlying the Lake is legally described as follows:

That part of the following described parcels of real estate lying northwesterly of the south-

NOT AN OFFICIAL DOCUMENT

1 7 2 3 1 0 7 2
easterly shore line of Hidden Lake and lying southeasterly of the northwesterly shore line of the artificial lake known as Hidden Lake:

That part of the West half of the Northwest Quarter of Section 23, township 37 North, Range 12, East of the Third Principal Meridian lying Northwesterly of the North Reserve Line of the Calumet Feeder Canal and lying Westerly of a 50.00 feet wide strip dedicated for Highway purposes by Document No. 18627365, (excepting from the foregoing described parcel of Real Estate, the North 450.00 feet of the West 600.00 feet thereof).

and

That part of the East half of the Northeast Quarter (except the West 925.01 feet thereof and except the East 224.87 feet of the North 503.00 feet thereof) of Section 22, Township 37 North, Range 12, East of the Third Principal Meridian, lying North of the North Reserve Line of the Calumet Feeder Canal, all in Cook County, Illinois.

12. That Palos Bank, Palos Trust 1-1504, Palos Trust 1-1574, Coco and Crockett have an immediate obligation to convey or cause to be conveyed to the Association, the Lake and Lucas Drive, and have, at all relevant times, had the obligation to repair, maintain and replace Lucas Drive, in accordance with certain standards promulgated by the Village of Palos Hills, Illinois for roads to be dedicated for a public purpose.

13. That the beneficiaries of Palos Trust 1-1504 and Palos Trust 1-1574, Palos Bank, Coco and Crockett have, at all relevant times, had an obligation to maintain the Additional Land and to submit the Additional Land to the Act as part of the Hidden Lake Estates Condominium.

IT IS THEREFORE ORDERED that Summary Judgment be and is hereby entered in favor of the Association and against Palos Bank,

87221072

NOT AN OFFICIAL DOCUMENT

as trustee under Palos Trust 1-1504, Palos Trust 1-1574, and the beneficiaries of said Trusts, Palos Bank, Coco and Crockett as to Counts I, II and III of the Amended Complaint for Specific Performance filed herein; and

IT IS FURTHER ORDERED that Defendants, PALOS BANK as trustee under PALOS TRUST 1-1504 and PALOS TRUST 1-1574, and the beneficiaries of said Trusts, PALOS BANK, COCO and CROCKETT, shall convey or cause to be conveyed Lucas Drive, as exists and as described in the Easement Agreement, to the Association, and shall repair, maintain and replace Lucas Drive in accordance with the standards prescribed by the City of Palos Hills, Illinois for roads to be dedicated for public purpose, and said Defendants shall pay all costs for such repair, replacement and maintenance, and shall commence construction and performance thereof on or before July 15, 1987; and

IT IS FURTHER ORDERED, with regard to the Additional Land, as follows:

1. That an equitable servitude exists and has existed since April 29, 1980 whereby the entire Development Area, including the Additional Land, has been, is and shall be part of the Hidden Lake Estates and any such Additional Land which is developed or will be developed shall be submitted to the Act as part of the Condominium;
2. That all improvements hereafter constructed in any part of the Additional Land shall be substantially similar to the existing completed structures and improvements in the Development Area;

NOT AN OFFICIAL DOCUMENT

- 3 7 2 3 1 7 2
3. That Palos Bank as trustee under Palos Trust 1-1504 and Palos Trust 1-1574, and the beneficiaries thereof, Palos Bank, Coco and Crockett, and their respective successors, grantees and assigns, shall maintain and pay all costs for the maintenance of the Additional Land until such time as construction of units in the Additional Land shall be completed, at which time the obligation to pay assessments to the Association shall commence, and the obligation to pay assessments shall commence and arise concurrently with the termination of the obligation to maintain; and

IT IS FURTHER ORDERED that this Judgment, and the rights and obligations granted and imposed hereby, shall accrue to the benefit of the Association, and each member of the Association, and shall be binding upon Palos Bank as trustee under Palos Trust 1-1504 and Palos Trust 1-1574, and its beneficiaries, Palos Bank, Coco and Crockett, and their respective successors, grantees and assigns; and IT IS FURTHER ORDERED that this Judgment shall relate back to April 20, 1987, and shall be and is hereby entered nunc pro tunc; and

IT IS FURTHER ORDERED that there is no just reason to delay enforcement of an appeal from this Judgment, provided that this Court shall retain jurisdiction for the purpose of enforcing the terms and provisions herein contained.

87231072

NOT AN OFFICIAL DOCUMENT

07231072

ENTER:

Richard C. Jones, Jr.
DARDECK & DENLOW
737 North Michigan Avenue
Suite 1250
Chicago, Illinois 60611
(312) 944-7900
Attorney No. 21808

JUDGE
ENTERED
APR 11 1987
ROBERT L. SKLODOWSKI

of Cook County Recorder of Deeds

87231072

NOT AN OFFICIAL DOCUMENT

07231072

Property of Cook County Recorder of Deeds

STATE OF ILLINOIS
COUNTY OF COOK

ss.

I, MORGAN M. FINLEY, Clerk of the Circuit Court of Cook County, in and for the State of Illinois, and the keeper of the records, files and seal thereof, do hereby certify the above and foregoing to be true, perfect and complete

COPY OF A CERTAIN JUDGMENT MADE AND ENTERED OF RECORD IN SAID COURT:

DEPT-91 RECORDING
154 00
RECALL FROM SECT 04/28/87 11:53:00
8705 812-07-01
COOK COUNTY RECORDER

87231072

in a certain cause lately pending in said Court, between
HIDDEN LAKE ESTATES CONDOMINIUM ASSOC, INC., ETC. plaintiff/petitioner
and PALOS BK & TRUST CO., ETC., ET AL defendant/respondent.

87231072

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the seal of said Court, in said County, this 30th

day of April, 1987
Morgan M. Finley Clerk

24 MAIL
(10-84) CDDCL-8
140

NOT AN OFFICIAL DOCUMENT

Property of Cook County Recorder of Deeds

COOK COUNTY, ILL. STATE
ADVISORY BOARD



COOK COUNTY, ILL. STATE
ADVISORY BOARD
1971-1972 TERM
1971-1972 TERM
1971-1972 TERM

Mail To:
Richard C. Jones Jr.
Dredick to Denton
737 N. Michigan Ave.
Chicago, Ill. 60611



1971-1972 TERM
1971-1972 TERM