

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DuPAGE COUNTY, WHEATON, ILLINOIS

THE VILLAGE OF WOODRIDGE, ILLINOIS,)
a municipal corporation,)

Plaintiff,)

vs)

NO. 2005 ED 000064

BOARD OF EDUCATION OF COMMUNITY)
HIGH SCHOOL DISTRICT 99, a body politic and)
corporate, COUNTY BOARD OF SCHOOL)
TRUSTEES OF DU PAGE COUNTY, ILLINOIS,)
a body politic and corporate, for the use and benefit)
of School District Number 99, Du Page County,)
Illinois and UNKNOWN OWNERS,)

Defendants.)

FINAL JUDGMENT ORDER

THIS MATTER COMING on to be heard upon the Complaint for Condemnation of the Plaintiff, the Village of Woodridge, Illinois, a body corporate and politic, for the ascertainment of just compensation to be made for the taking of fee simple title to the real property described in said Complaint for Condemnation, the legal description of which is attached hereto and incorporated herein as **Exhibit A** (hereafter the "Subject Property"), for the uses and purposes stated and set forth in said Complaint for Condemnation, and Plaintiff, the Village of Woodridge, Illinois, represented by Schirott & Luetkehans, P.C. and Defendant, Board of Education of Community High School District 99 ("District 99"), a body politic and corporate, represented by DLA Piper US LLP;

It appearing to the Court that all named Defendants have been served with process as provided for and required by statute and have either entered their appearance or been defaulted in accordance with Illinois law;

Defendant District 99 filed its Traverse on September 6, 2006. The Court conducted a bench trial on May 24-25, 2007 and denied defendant District 99's Traverse on May 25, 2007. Defendant District 99 moved to reconsider on September 6, 2007, but the Court denied the motion to reconsider on September 13, 2007. Defendant District 99's Motion to Certify for Interlocutory Appeal was denied on September 27, 2007;

The Court having jurisdiction over all of the parties and the Subject Property, and the Court having otherwise been fully advised in the premises and having ordered that a trial be conducted to ascertain the just compensation due and owing to District 99 for the fee simple taking of the Subject Property;

The trial having been conducted by this Court, a jury having been duly impaneled and having heard the testimony and evidence at said trial and having returned a verdict of just compensation in the amount of \$14,200,000 for the fee simple taking of the Subject Property, said verdict being rendered by the jury on March 24, 2008;

District 99 having advised the Court that it may file post-trial motions and/or a notice of appeal; and

Plaintiff having advised the Court that, notwithstanding the possibility that District 99 may file post-trial motions and/or a notice of appeal, Plaintiff is desirous of depositing the just compensation award as soon as possible so as to toll the statutory interest due and owing to District 99 accruing on said award since March 24, 2008 and to acquire title to the Subject Property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The total just compensation to be paid by Plaintiff to District 99 as just compensation for the fee simple taking of the Subject Property is the sum of \$14,200,000.
2. Plaintiff shall pay and deposit said \$14,200,000, plus any accrued statutory interest on said sum at a rate of six percent (6%) per annum from the date of the jury verdict on March 24, 2008 until the date of deposit, in accordance with 735 ILCS 30/20-5-30 and 735 ILCS 5-2-1303, within sixty (60) days after the entry of this Final Judgment Order, said deposit to be made with the Treasurer of DuPage County, Illinois.
3. Notwithstanding the 60-day time frame in which Plaintiff can make the deposit of said funds, Plaintiff may deposit said funds at any time hereafter in order to toll the accrual of the statutory interest due and owing on the \$14,200,000 just compensation award as set forth herein.
4. Notwithstanding the possibility that District 99 may file various post-trial and appellate court pleadings within the time frame allotted under the Illinois Code of Civil Procedure and Illinois Supreme Court Rules, Plaintiff shall take immediate possession of the Subject Property upon deposit of said just compensation funds and entry of an order vesting title.
5. This case is continued to June 5, 2008 for entry of an order vesting title to the Subject Property in the Plaintiff.

ENTERED:

181 Jack Olson
JUDGE

April 10, 2008
DATED

Phillip A. Luetkehans,
Robert W. Funk
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THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, THE SOUTHWEST QUARTER OF SECTION 24 AND THE NORTHEAST QUARTER OF SECTION 26 LYING NORTHWESTERLY AND SOUTHEASTERLY OF THE INDIAN BOUNDARY LINE IN TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID NORTHWEST QUARTER OF SECTION 25, SAID SOUTHWEST CORNER ALSO BEING THE NORTHWEST CORNER OF THE HIGHLANDS SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 25 ACCORDING TO THE PLAT THEREOF, RECORDED FEBRUARY 26, 1964 AS DOCUMENT NO. R64-006164; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTH HALF, 1,440.60 FEET TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED BY DEED DOCUMENT NO. R71-33292, RECORDED JULY 14, 1971, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF SAID HIGHLANDS SUBDIVISION; THENCE NORTHERLY ALONG THE WEST LINE OF SAID DOCUMENT NO. R71-33292, 450.00 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF WOODRIDGE MUNICIPAL CENTER SUBDIVISION, BEING A SUBDIVISION IN SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 25, ACCORDING TO THE PLAT THEREOF, RECORDED DECEMBER 17, 1984 AS DOCUMENT NO. R84-100655, SAID SOUTHWEST CORNER ALSO BEING THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED BY DEED DOCUMENT NO. R94-198554, RECORDED OCTOBER 3, 1994; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LAND DESCRIBED BY DOCUMENT NO. R94-198554, 282.26 FEET TO THE SOUTHWESTERLY CORNER OF SAID LAND DESCRIBED BY DOCUMENT NO. R94-198554; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LAND DESCRIBED BY DOCUMENT NO. R94-198554, 747.50 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CENTER DRIVE (AKA JANES AVENUE) AS DEDICATED BY DOCUMENT NO. R73-73060 RECORDED NOVEMBER 30, 1973; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 190.53 FEET, TO THE BEGINNING OF A CURVE, SAID CURVE BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF CENTER DRIVE AS DEDICATED BY DOCUMENT NO. R72-64777, RECORDED OCTOBER 23, 1972, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 805.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, AN ARC LENGTH OF 350.39 FEET TO A POINT ON A LINE, 120 FEET NORTHERLY OF, MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24, NORTH OF THE INDIAN BOUNDARY LINE, SAID PARALLEL LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF WOODRIDGE DRIVE AS DEDICATED BY SAID DOCUMENT NO. R72-64777; THENCE WESTERLY ALONG SAID PARALLEL RIGHT-OF-WAY LINE 218.64 FEET; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY AND EASTERLY RIGHT-OF-WAY LINE OF WOODRIDGE

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DRIVE 230.12 FEET, TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,029.88 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVED RIGHT-OF-WAY LINE, AN ARC LENGTH OF 350.64 FEET; THENCE SOUTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF WOODRIDGE DRIVE, 493.73 FEET TO THE NORTHWESTERLY CORNER OF LOT 1 IN THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS SUBDIVISION, BEING A SUBDIVISION IN THAT PART OF SAID NORTHEAST QUARTER OF SECTION 26, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 27, 1980 AS DOCUMENT NO. R80-12235; THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1, 337.48 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 1, SAID NORTHEASTERLY CORNER ALSO BEING A POINT ON THE EASTERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 26 LYING SOUTH OF SAID INDIAN BOUNDARY LINE; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 1, 288.68 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 1; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 1, 378.74 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 1, SAID SOUTHWESTERLY CORNER ALSO BEING A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF WOODRIDGE DRIVE; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE, 721.32 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 640.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVED RIGHT-OF-WAY LINE AN ARC LENGTH OF 10.93 FEET TO THE SOUTHWESTERLY CORNER OF LOT 2 IN LISLE-WOODRIDGE FIRE DISTRICT SUBDIVISION, BEING A SUBDIVISION IN THAT PART OF SAID NORTHEAST QUARTER OF SECTION 26, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 18, 1993 AS DOCUMENT NO. R93-185368; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2, 244.84 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 2, SAID SOUTHEASTERLY CORNER ALSO BEING A POINT ON THE WESTERLY LINE OF SAID HIGHLANDS SUBDIVISION AND THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25, SOUTH OF THE INDIAN BOUNDARY LINE; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2 AND SAID WESTERLY LINE OF HIGHLANDS SUBDIVISION, 504.58 FEET TO THE POINT OF BEGINNING.

COUNTY OF DUPAGE, STATE OF ILLINOIS

PIN NOS. 08-26-201-004; 08-26-202-003; 08-26-202-009; 08-25-101-018