

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

THE VILLAGE OF WOODRIDGE, ILLINOIS
a municipal corporation,

2005ED000064

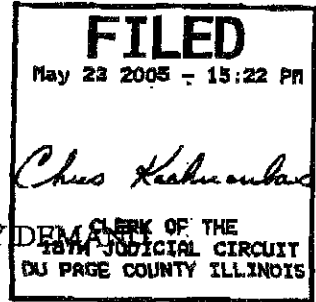
Plaintiff,

Status Date: 08/22/05

Mgmt Date: 11/08/05

Assigned To: 201NO.

vs



JURY DEMAND

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.)

COMPLAINT FOR CONDEMNATION

NOW COMES the Plaintiff, VILLAGE OF WOODRIDGE, ILLINOIS, a municipal corporation, by and through its attorneys, SCHIROTT & LUETKEHANS, P.C., and for its Complaint for Condemnation, states as follows:

1. Plaintiff is a municipal corporation located within the Counties of DuPage, Will and Cook in the State of Illinois.
2. Plaintiff is authorized and empowered by 65 ILCS 5/11-61-1, *et seq.* to exercise the right of eminent domain by condemnation proceedings for the acquisition of property useful, advantageous or desirable for municipal purposes.
3. By Ordinances duly and regularly passed by the Plaintiff's Mayor and Board of Trustees on April 21, 2005 and May 19, 2005 (copies of which Ordinances are attached hereto as Exhibits A and B, respectively, and by this reference are made a part hereof), Plaintiff designated the parcel of land hereinafter described as being necessary and desirable for its lawful purpose of, *inter alia*, parks and public grounds (hereinafter the "Subject Property"). The Subject Property is necessary to be acquired for such purposes, Plaintiff having determined

that the public access, use and enjoyment will be served by the acquisition of the Subject Property.

4. Plaintiff has ascertained the names of all persons known to be interested in the Subject Property as owners or otherwise and has negotiated in good faith or attempted to negotiate with the owners of the Subject Property for the purpose of attempting to agree as to the amount of compensation to be paid for the Subject Property, but, notwithstanding the negotiations and attempt to agree as aforesaid, the parties have been unable to agree upon just compensation for the Subject Property.

5. By virtue of the aforementioned statutes of the State of Illinois and Ordinances of its Mayor and Board of Trustees, Plaintiff has been, and is, authorized to acquire title to the Subject Property and to hold the same for the purposes aforesaid.

6. The description of the Subject Property sought to be acquired and the owners of record and persons otherwise interested in the Subject Property are as follows:

A. Legal description: the Subject Property is described on Exhibit C attached hereto and incorporated herein by this reference.

B. Owners of Record: Board of Education of Community High School District 99, a body politic and corporate; and 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.

C. Other Interested Parties: None.

7. Upon information and belief, title to a portion of the property was previously held by the 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, DuPage County, Illinois, but

title transferred to the Board of Education of Community High School District 99 by operation of law. 105 ILCS 5/7-28 (West 2003).

8. In addition to persons designated by name herein, there may be other persons who are interested in this action and who have or claim some right, title, interest or lien in, to or upon the Subject Property, or some parts thereof, in this Complaint described whose names are unknown, and all such persons are, therefore, made parties defendant to this action by the name and description UNKNOWN OWNERS.

9. Plaintiff now seeks to acquire, for the uses and purposes aforesaid, fee simple title in and to the Subject Property legally described on Exhibit C hereto.

WHEREFORE, the Plaintiff, VILLAGE OF WOODRIDGE, ILLINOIS, prays that this Honorable Court will order summons issued herein so that just compensation may be ascertained and made according to the law to the owners and parties interested in the parcel of land herein described which is being taken in fee simple for the purposes and use of Plaintiff and provide that such other and further proceedings may be had and taken herein as are presented by statute in regard hereto.



ROBERT W. FUNK, One of the Attorneys for
the Plaintiff, VILLAGE OF WOODRIDGE,
ILLINOIS

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