

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

CCC Investors, LLC, an Illinois limited liability company
Plaintiff/Petitioner

v.

The Village of Homewood, Illinois, a municipal corporation
Defendant/Respondent

No. 2019COAN000001

FILED
7/10/2019 4:41 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019COAN000001
Calendar, 10

COUNTY DIVISION ACTION COVER SHEET

A County Division Action Cover Sheet shall be filed with the complaint in all civil actions. The information contained herein is for administrative purposes only and cannot be introduced into evidence. Please select the appropriate general category and then check the subcategory thereunder, if applicable, that best characterizes your action.

MENTAL HEALTH PROCEEDINGS:

- 0003 Petition for Involuntary Commitment/Treatment under Mental Health & Developmental Disabilities Code
0011 Petition for Writ of Habeas Corpus
0010 Petition to review records of treatment under the Mental Health & Developmental Disabilities Code

ADOPTION PROCEEDINGS:

- Petition for Adoption (750 ILCS 50/1 et seq.)
0001 Petitioner(s) related to adoptee
0006 Petitioner not related to adoptee
0007 Adult adoption
0029 Petition to Establish Putative Father Identification
0002 Petition for Appointment of a Confidential Intermediary
0034 Action brought under the Abandoned New Born Infant Act

REAL ESTATE TAX MATTERS:

- 0031 Actions to Collect Unpaid Tax/Tax Sale Bid
0041 Administrative Review of Decision of the Property Tax Appeal Board
Tax Objection Complaints
0024 Valuation Complaint
0025 Tax Rate Complaint
0033 Action Seeking Payment from the Indemnity Fund
0026 Petition for Tax Deed and Related Proceedings
0027 Petition to Expunge Redemption
0028 Petition for Relief Prior to Filing of Petition for Tax Deed

Hearing Date on Take Notice

Calendar 8, 9:30 a.m.

Actions relating to Collectors Application for Judgment and Order of Sale (35 ILCS 200/21-175)

- 0012 Annual Tax Sale
0013 Scavenger Tax Sale
0045 Certificates of Error
0042 Petition to Vacate Tax Sale
0051 Real Estate Tax Refund
0040 Special Assessment

ELECTION MATTERS:

- 0021 Review of Actions of an Electoral Board
0022 Election Contest as authorized under Article 23 of the Election Code
0023 Petition seeking the appointment of a public member to an electoral board
Other:

OTHER ACTIONS:

- 0014 Action brought under the Emancipation of Minors Act
0015 Petition seeking judicial approval of an underage marriage
0037 Action brought under the Estray and Lost Property Act
0073 Petition to collect Estate Tax
0038 Petition seeking Annexation to a taxing body
0039 Petition seeking Disconnection from a taxing body
0056 Petition seeking commitment/treatment/isolation of persons infected with a contagious disease
0017 Action concerning the operation of Drainage Districts
0018 Action brought under Article 14 of the School Code
0046 Civil Asset Forfeiture
0049 Petition to Change Name
0047 Administrative Filing (Mechanic Lien)
0055 Gestational Surrogacy
0075 Delayed Record of Birth
0074 Child of Assisted Reproduction
Other:

By: Margaret A. Manetti

Atty. No.: 39145 Pro Se 99500

Secondary Email:

Primary Email: litigation@sosinarnold.com

Tertiary Email:

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – COUNTY DIVISION**

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<p>CCC INVESTORS, LLC, an Illinois limited liability company</p> <p style="text-align: center;">PLAINTIFF,</p> <p style="text-align: center;">v.</p> <p>THE VILLAGE OF HOMEWOOD, ILLINOIS, a Municipal Corporation,</p> <p style="text-align: center;">DEFENDANT.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>CASE NO. 2019COAN000001</p>
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PLAINTIFFS’ VERIFIED PETITION FOR DISCONNECTION OF LANDS

Now comes CCC Investors, LLC, an Illinois limited liability company by Joseph Toscano, Manager (“Petitioner”) by and through their attorneys, Sosin, Arnold & Schoenbeck, Ltd., pursuant to 65 ILCS 5/7-3-6, and for their Verified Petition for Disconnection of Lands, states as follows:

1. Defendant, The Village of Homewood, Illinois (“Homewood”), is a Municipal Corporation duly incorporated and existing under Illinois Law and situated in Cook County, Illinois.
2. Pursuant to the Illinois Municipal Code, 65 ILCS 5/7-3-6, the owner or owners of record of any area of land consisting of one or more tracts, lying within the corporate limits of any municipality may have such territory disconnected which:
 - a. contains 20 or more acres;
 - b. is located on the border of the municipality;
 - c. if disconnected, will not result in the isolation of any part of the municipality from the remainder of the municipality;
 - d. if disconnected, the growth prospects and plan and zoning ordinances, if any, of such municipality will not be unreasonably disrupted;

- e. if disconnected, no substantial disruption will result to existing municipal service facilities, such as, but not limited to, sewer systems, street lighting, water mains, garbage collection, and fire protection;
- f. if disconnected, the municipality will not be unduly harmed through loss of tax revenue in the future.

65 ILCS 5/7-3-6.

3. Petitioners, are the lawful owners of record of certain areas of land consisting of a parcel lying within the corporate municipal limits of Homewood and described as follows:

PIN: 29-30-300-005-0000

Owner: CCC Investors, LLC

Legally described as follows:

The Southwest 1/4 of Section 30, Township 36 North, Range 14, East of the Third Principal Meridian (excepting thereof the following):

(A) that part thereof described as follows:

commencing at the Northeast Corner of the Southwest ¼ of Said: Section 30; thence Southerly along the East Line Thereof, a distance of 466.24 feet for a point of beginning; thence continuing Southerly along the last described line extended, a distance of 649.00 feet to a point; thence Westerly along a line forming an angle of 90 degrees to the right of the last described line extended, a distance of 33.0 feet to a point; thence Northwesterly along a line forming an angle of 83 degrees, 34 minutes, 57 seconds to the right of the last described line extended, a distance of 276.77 feet to a point; thence Northerly along a line forming an angle of 06 degrees, 26 minutes, 53 seconds to the right of the last described line extended, a distance of 200.00 feet to a point; thence Northwesterly along a line forming an angle of 35 degrees, 50 minutes, 07 seconds to the left of the last described line extended, a distance of 48.99 feet to a point; thence Easterly along a line forming an angle of 125 degrees, 50 minutes, 07 seconds to the right of the last described line extended, a distance of 36.08 feet to a point; thence North along a line forming an angle of 89 degrees, 47 minutes, 50 seconds to the left of the last described line extended, a distance of 135.00 feet to a point; thence Easterly along a line forming an angle of 89 degrees, 47 minutes, 50 seconds to the right of the last described line extended, a distance of 64.52 feet to the point of beginning;

(B) that part thereof lying Northerly of a line described as follows:

Commencing at Northeast Corner of the Southwest 1/4 of Section 30 aforesaid; thence South along the East Line thereof a distance of 466.24 feet for a point of beginning; thence Westerly along a line forming an angle of 89 degrees, 47 minutes, 50 seconds to the right of the last described line extended, a distance of 64.52 feet to a point; thence South along a line forming an angle of 89 degrees, 47 minutes, 50 seconds to the left of the last described line extended, a distance of 135.00 feet to a point; thence Westerly along a line forming an angle of 89 degrees. 47 minutes, 50 seconds

to the right of the last described line extended, a distance of 36.08 feet to a point; thence Northwesterly along a line forming an angle of 06 degrees, 39 minutes, 29 second to the right of the last described line extended, a distance of 1034.98 feet to a point; thence Westerly along a line forming an angle of 006 degrees, 39 minutes, 29 seconds to the left of the last described line extended, a distance of 231.95 feet to a point; thence Westerly along the circular arc of a curve to the right, having a radius of 2989.79 feet; thence tangent to said curve at the last described point forming an angle of 03 degrees, 42 minutes, 26 seconds to the left of the last described line extended, a distance of 488.92 feet to a point; thence Southerly along a line forming an angle of 90 degrees to the left of a line, tangent to the said curve at the last described point, a distance of 35.0 feet to a point; thence Northwesterly along the circular arc of a curve to the right, having a radius of 3024.79 feet; thence tangent to the last described curve at the last described point forming an angle of 90 degrees to the left of the last described line extended, a distance of 805.46 feet to a point on the West Line of the Southwest $\frac{1}{4}$ of Section 30 aforesaid, being the Terminal Point of the Herein described line and;

(C) that part thereof lying Southerly of a line described as follows:

commencing at a point of the West Line of the Southwest $\frac{1}{4}$ of Section 30 aforesaid, 49.5 feet North of the Southwest corner of Said Southwest $\frac{1}{4}$ of Section 30; thence Easterly along a line which forms an angle of 89 degrees 52 minutes to the right with a prolongation of the last described line for a distance of 2361.2 feet to a point; thence Northwesterly along a curve to the left having a radius of 961.51 feet and tangent to the last described course to its intersection with a line 183 feet West of and parallel with the East Line of the Southwest $\frac{1}{4}$ of Said Section 30; then North along the last described parallel line to a point 253.18 feet North of the South Line of the Southwest $\frac{1}{4}$ of Said Section 30; thence Northeasterly along a straight line passing through a point on the West Line of the East 33 feet of the Southwest $\frac{1}{4}$ of Section 30 aforesaid, 278.43 feet North of the South Line of the Southwest $\frac{1}{4}$ of Section 30 aforesaid, to the East Line of the Southwest $\frac{1}{4}$ of Section 30, (except that part taken from the above tract and described as follows: commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Said Section 30; thence Northerly along the West Line of the said Southwest $\frac{1}{4}$ a distance of 1187.40 feet to the point of beginning; thence continuing Northerly along the said West Line of the Southwest $\frac{1}{4}$ of Section 30 a distance of 255.97 feet to a point; thence Easterly along a line forming an angle of 88 degrees, 31 minutes, 46 seconds to the right of the last described line extended, a distance of 115.67 feet to a point; thence Southwesterly along a line forming an angle of 105 degrees, 14 minutes, 05 seconds to the right of the last described line extended a distance of 136.79 feet to a point; thence Southerly along a line forming an angle of 4 degrees, 22 minutes, 08 seconds to the left of the last described line extended a distance of 88.58 feet to a point; thence Southwesterly along a line forming an angle of 35 degrees, 23 minutes, 12 seconds to the right of the last described line extended a distance of 53.91 feet to a point; thence Westerly along a line forming an angle of 44 degrees, 25 minutes, 53 seconds to the right of the last described line extended a distance of 30.66 feet to the point of beginning, containing .04951 acres), in Cook County, Illinois.

Except that part of the above described land falling within the corporate limits of the Village of Hazel Crest.

4. The area of land making up Petitioner's parcel contains more than 20 acres. Specifically, the area of land making up Petitioner's parcel contains approximately 116.43 acres. Attached hereto as **Exhibit A** is a map of Petitioner's parcel that is sought to be disconnected.

5. The parcel of land is located on the border of the municipality of Homewood. Specifically, permanent index number 29-30-300-005-0000 is located directly on the northern border of the municipality.

6. The disconnection of the parcel of land will not result in the isolation of any part of the municipality of Homewood from the remainder as, after disconnection, there will remain a continuing and connected boundary line.

7. That no remaining parcel within the municipality of Homewood will be physically isolated from any other remaining parcel, but rather the remaining parcels will retain their contiguity, and the municipality will retain a substantial common boundary and a common border of reasonable length.

8. That continuously since adoption of the Comprehensive Plan by Homewood, the property has been designated as a park area.

9. That the disconnection of the parcel of land will not unreasonably disrupt the growth prospects and planning and zoning ordinances of the municipality of Homewood. Upon information and belief, the municipality of Homewood has no approved plans to further develop the parcel sought to be disconnected and the parcel is currently zoned for park use.

10. The disconnection of the parcel will cause no substantial disruption to the existing municipal service facilities, including, but not necessarily limited to, sewer systems, street-lighting, water mains, garbage collection and fire protection. As for Petitioner's respective parcel,

Homewood and the State of Illinois have existing easements for services and no substantial disruption to the existing services will result.

11. The disconnection of the parcel will not unduly harm the municipality of Homewood through future loss of tax revenue. For the 2018 fiscal year, Homewood estimated funds from the parcel is approximately \$271,980.66. Homewood's actual tax receipts for 2017-2018 were approximately \$14,532,433.00. The parcel then represents less than .02% of Homewood's tax revenue funds. Homewood will not be unduly harmed through Petitioners' disconnection.

12. For all these reasons, and pursuant to 65 ILCS 5/7-3-6 of the Illinois Municipal Code, Petitioners request that this Court find that the herein-described parcels of land are entitled to disconnection and order the same disconnected from the Village of Homewood.

Wherefore, Plaintiff/Petitioner, respectfully request that this Court grant Plaintiff's Verified Petition for Disconnection of Lands, enter an Order disconnecting the parcel identified herein from the Village of Homewood, plus enter such other and further relief in favor of Plaintiff as this Court deems just and proper.

CCC INVESTORS, LLC,
an Illinois limited liability company

By: /s/David B. Sosin
David B. Sosin
One of Its Attorneys

Sosin, Arnold & Schoenbeck, Ltd.
Atty. Code 39145
Attorneys for Petitioners
9501 W. 144th Place, Ste. 205
Orland Park, Illinois 60462
708/448-8141

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned JOSEPH TOSCANO, Manager of CCC INVESTORS, LLC, an Illinois limited liability company, certifies that the statements set forth in this Plaintiff's Verified Petition for Disconnection of Lands are true and correct.

By: Joseph A. Toscano
Joseph Toscano

SUBSCRIBED and SWORN to
Before me this 10th day of July, 2019.

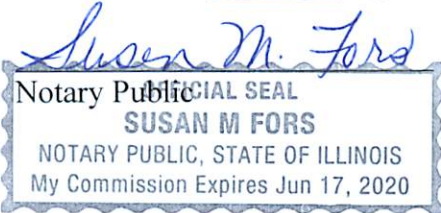
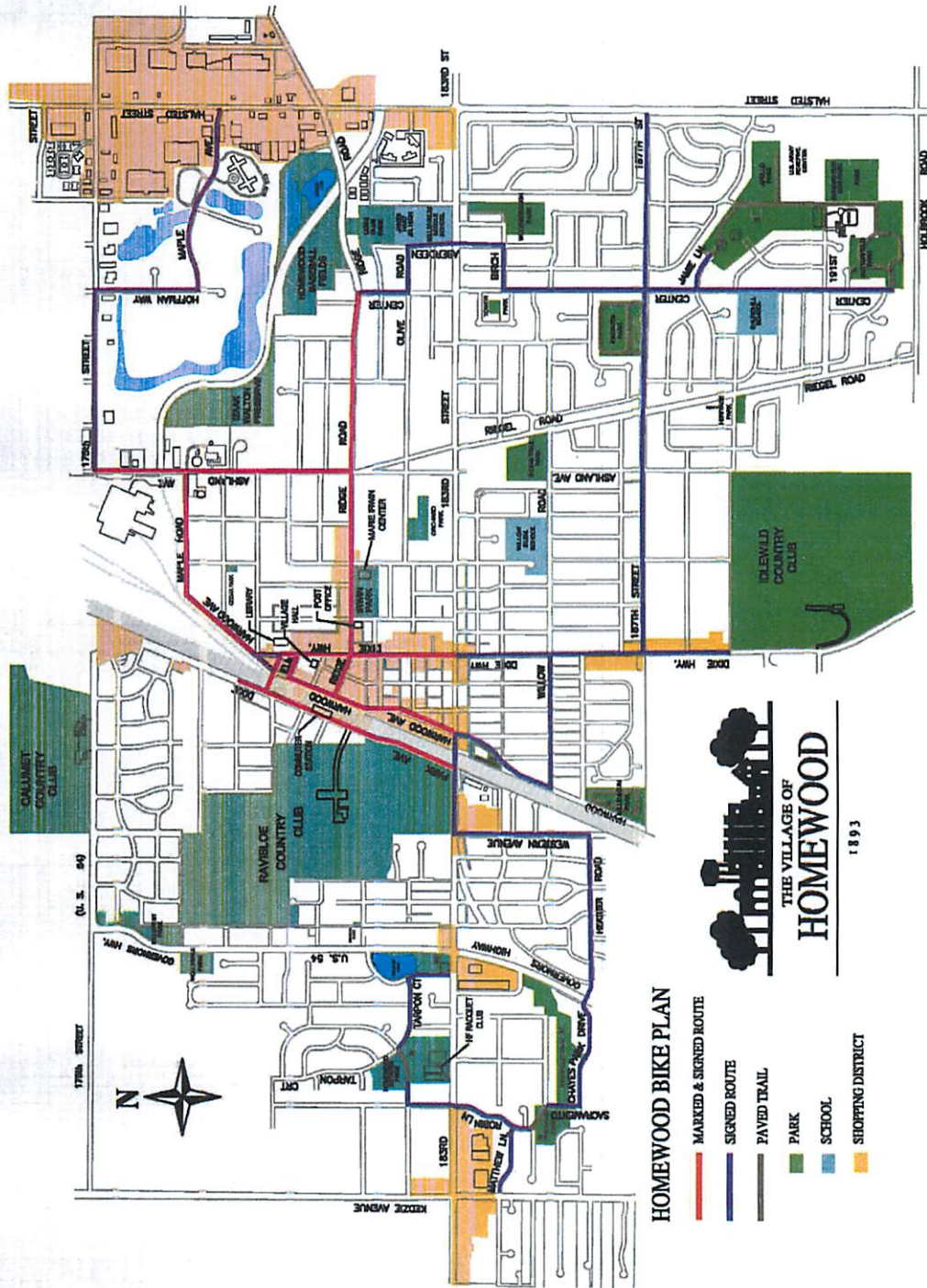


EXHIBIT A



Village of Homewood

Homewood, IL - Commuting, Parking, and Biking

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