

STATE OF ILLINOIS  
 IN THE CIRCUIT COURT OF THE 17TH JUDICIAL  
 COUNTY OF WINNEBAGO

**FILED**  
*June 13 1997*  
*Phald Kotle*  
 Clerk of the Circuit Court  
 Deputy  
 Winnebago County, IL

THE DEPARTMENT OF TRANSPORTATION, )  
 STATE OF ILLINOIS, BY ILLINOIS )  
 ATTORNEY GENERAL JAMES E. RYAN, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 MOLLY SCHWARTZ TARBERT, LUANN )  
 SCHWARTZ DESMOND, AUDREY SCHWARTZ )  
 KELLY, KIM SCHWARTZ, JON SCHWARTZ, )  
 all heirs at law of OLGA SCHWARTZ, )  
 deceased; CLARENCE L. VANCE; HARRIET P. )  
 VANCE; HARRIET P. VANCE as Trustee )  
 under a Declaration of Trust dated )  
 October 22, 1993, known as the Thousand )  
 Hills Trust No. 1; STATE BANK OF DAVIS; )  
 GENERAL CASUALTY; and ROBERT CLAIR, )  
 )  
 Defendants. )

CASE NO. 97-ED-1

ORDER OF DEFAULT  
JUDGMENT AGAINST  
DEFENDANT STATE  
BANK OF DAVIS

THIS CAUSE coming on for hearing this 13th day of June, 1997, upon the Plaintiff's Motion for Default Judgment Against Defendant State Bank of Davis, with due notice having been given to all defendants, and with the Court being duly advised in the premises, **THE COURT FINDS:**

1. The complaint in the above-captioned cause was filed by the Plaintiff on or about January 29, 1997, and Summons issued.
2. Jurisdiction was obtained over the defendant, State Bank of Davis, via personal service of Summons in this suit on or about February 20, 1997, on an employee, ~~Leo Bonin~~ *Ron Ericson*, as evidenced by the original return of service executed by personnel from the Winnebago County Sheriff's Department contained in the court file.
3. No appearance has been entered by or on behalf of the defendant, State Bank of Davis, and no pleading has been filed on

behalf of said defendant.

Accordingly, said defendant has failed to answer or otherwise plead within thirty (30) days after service of the Summons, and thus the time during which it was required by the laws of the State of Illinois and the rules and order of this Court to respond or otherwise plead to the complaint filed herein has expired.

**IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:**

1. Defendant, State Bank of Davis, shall be and hereby is defaulted for failure to answer or otherwise plead within the requisite time period as provided by law.

2. Judgment shall be and hereby is entered in favor of the Plaintiff and against defendant, State Bank of Davis, for the relief sought in the Complaint for Condemnation previously filed on or about January 29, 1997.

ENTERED: 6-13-97

BY: *Donald K. Kamey*  
J U D G E

**APPROVAL AS TO FORM:**

*Robert Clark* for General Counsel - Robert Clark  
*Thurmond Bell Grant, Harold P. Vance, Justice*  
*Clarence J. Vance*

**PREPARED BY:**

Attorney Mary J. Gaziano - #281  
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Attorney for Plaintiff

