

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

TERESA GRODSKY, TRUSTEE OF THE
BETTY F. KEMNITZ TRUST,

Plaintiff,

v.

PARK RIDGE RECREATION AND PARK
DISTRICT; PARK RIDGE SENIOR
SERVICES, INC.; LISA MADIGAN AS
ATTORNEY GENERAL OF THE STATE OF
ILLINOIS,

Defendant.

No. 12 CH 02032

PETITION TO INTERVENE AS A MATTER OF RIGHT

NOW COMES the Intervenor, Park Ridge Senior Center ("Senior Center"), by and through its attorneys, McCarthy Duffy LLP, and pursuant to 735 ILCS 5/2-408 of the Illinois Code of Civil Procedure, hereby requests leave to intervene in the above-entitled cause as a matter of right. In support hereof, Senior Center states as follows:

1. Senior Center is an unincorporated association of senior citizens having approximately 800 to 1,000 members. Senior Center is a recognized legal entity under Illinois law (735 ILCS 5/2-209.1) that can sue and be sued in its own name, and may complain and defend in all actions.

2. The policies and procedures of Senior Center are determined and established by 18 voting senators and 6 voting officers (the "Senior Senate"). According to the by-laws of Senior Center, the Senior Senate is to "have final authority on legislative, judicial, financial and

7. For approximately the last thirty (30) years, Senior Center has occupied the Field House pursuant to a written agreement entitled "Senior Center Agreement" between the Park Ridge Park District and Senior Services.

8. The above-entitled action seeks a judicial construction of the Betty F. Kemnitz Declaration of Trust, Second Amendment thereto, which involves the distribution of hundreds of thousands of dollars that have been bequeathed to and for the benefit of the Intervenor by Betty F. Kemnitz, who was a member of Senior Center. The Park Ridge Park District has contested the distribution of the bequest to Intervenor and Senior Services and has asserted a competing claim to said funds.

8. The outcome of the above-designated litigation will affect the rights of Intervenor in and to the hundreds of thousands of dollars bequeathed under the Betty F. Kemnitz Declaration of Trust; and therefore, Intervenor should be permitted to intervene as a matter of right pursuant to Section 5/2-408(a)(3) of the Illinois Code of Civil Procedure.

9. Intervenor has presented this Petition to Intervene in a timely fashion in order to assert and protect its rights in this action. Accompanying this petition is a copy of the Answer which Intervenor proposes to file in this case.

WHEREFORE, the Intervenor, Park Ridge Senior Center, hereby requests leave to intervene in the above-entitled cause as a defendant, and be given leave to file the attached Answer in Response to the Complaint for Declaratory Judgment and Injunctive Relief filed in this cause.

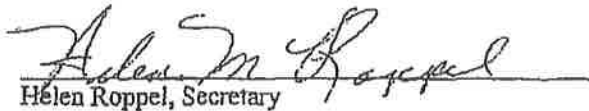
PARK RIDGE SENIOR CENTER, an
unincorporated association

By 
One of Its Attorneys

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VERIFICATION

I, Helen Roppel, Secretary for the Park Ridge Senior Center, under penalties provided by law pursuant to Section 1-109 of the Code of Civil Procedures, certify that the statements set forth in this instrument are true and correct, except as to matters therein that it is alleged that I do not have knowledge or information sufficient to form a belief about and as to matters therein stated to be on information and belief, and as to such matters I certify as aforesaid that I verily believe the same to be true.


Helen Roppel, Secretary