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#90909 (Zoning)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a Municipal Corporation,)

Plaintiff,)

v.)

LOULEE, INC.,)

Defendant.)

No. 02 M1 401408

Re: 7640-46 West Addison

Courtroom 1107

Agreed Order of Settlement with a Permanent Injunction

This case is before the Court to approve the terms of this Agreed Order of Settlement between the plaintiff City of Chicago ("City"), and defendant, Loulee, Inc. ("Defendant").

The parties wish to resolve this case without a trial, and have read and agreed to the terms of this Order. The Court makes the following findings of fact and law, and orders Defendant to comply with each of the agreements listed in this Agreed Order:

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property located at 7640-46 West Addison, Chicago, Illinois, ("subject property") which is legally described as:

LOTS 27, 28, 29 AND 30 IN BLOCK 5 IN VOLK BROTHERS MAHLER ESTATES BEING A SUBDIVISION IN THE NORTHWEST 1/4 NORTH AND SOUTH OF INDIAN BOUNDARY LINE OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers: 12-24-107-059-0000, 12-24-107-060-0000, 12-24-107-061-0000 and 12-24-107-062-0000.

2. The subject property is located in a B4-1 Restricted Service District.
3. Defendant Loulee, Inc. is the owner of the subject property.
4. Located on the subject property is an abandoned motor vehicle repair shop that is partially surrounded by an unimproved lot.
5. The City alleges in its Complaint for Equitable and Other Relief ("complaint") that Defendant has been storing inoperable motor vehicles and motor vehicles without license plates, selling motor vehicles, and parking motor vehicles on the unimproved lot at the subject property, beginning on December 17, 2001, and continuing to June 21, 2002, in violation of the Municipal Code of Chicago, §§ 17-8.3-4, 17-8.11 and 7-28-060 (2001).
6. The Court accepts Defendant's plea of liable on Counts I, II, III and V of the City's complaint and judgment is entered in favor of the City on these counts. Count IV of the City's complaint is voluntarily dismissed with prejudice.
7. The City agrees not to seek civil penalties for Defendant's violations of the Code, but Defendant shall reimburse the City for its litigation costs in the amount of \$118, no later than August 26, 2002. Payment shall be made by certified check or money order in the amount of \$118, payable to the City of Chicago, delivered in person or by mail to Tina Zvanja, at 30 North LaSalle Street, Suite 700, Chicago, Illinois 60602.
8. Defendant will install a chain link fence at least five feet in height to completely enclose the entire unimproved lot at the subject property no later than September 16, 2002. Before erecting the chain link fence, Defendant will obtain the proper permit from the City of Chicago Department of Buildings to erect the fence. Defendant will maintain the fence until such time as the subject property is being used in compliance with the City of Chicago Zoning Ordinance.
9. Defendant, its successors, heirs, assignees, agents, and/or other person(s) working in concert with it or under its control are permanently enjoined from storing inoperable motor vehicles and motor vehicles without license plates, selling motor vehicles, and parking motor vehicles on the unimproved lot at the subject property in violation of Municipal Code of Chicago,

§§ 17-8.3-4, 17-8.11 and 7-28-060 (2001).

10. All parties waive their right to appeal this Order.

11. This case is taken off the Court's call with the Court retaining jurisdiction to enforce the terms of this Agreed Order with a Permanent Injunction.

Agreed to by:

Attorney for defendant Loulee, Inc.

Jess E. Forrest

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#90909

ENTERED:

Judge

Date

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1603

JUDGE SEBASTIAN PATTI

JUL 26 2002

Circuit Court