

UNOFFICIAL COPY

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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

SYLVESTER DONLEY, et al.,

Defendant(s)

DEPT-01 RECORDING \$29.00
TRAN 3195 12/30/93 12:36:00
*03-080745
COOK COUNTY RECORDER

Case No. 92M1402147

Address: 1619 S. Avers

ORDER OF ABANDONMENT

This cause coming on to be heard on the City of Chicago's Petition for Declaration of Abandonment for premises described in said petition pursuant to section 5/11-31-1 (d) of chapter 65 of the Illinois Compiled Statutes (1992), the court having jurisdiction of the subject matter and having heard evidence and argument and being fully advised in the premises, **FINDS:**

1. Petitioner is a municipal corporation, authorized by section 5/11-31-1 (d) of chapter 65 of the Illinois Compiled Statutes (1992) to petition for a declaration of abandonment of property within its jurisdiction.

2. The premises described below are located within the City of Chicago, County of Cook:

Legal Description See Exhibit A

Commonly known as 1619 S. Avers

Property Index No. 16-23-303-007

3. Certain of the respondents are owners of the premises.

4. Petitioner filed this suit against respondents alleging unhealthy and/or unsafe building conditions, to wit: that the building(s) at the premises was vacant and open and badly deteriorated.

5. These unsafe and/or unhealthy building conditions pose an imminent threat of irreparable harm to the public health, safety and welfare.

WILL CALL

DONLEY.G-5
CAPP

29.0
tr

03060745

UNOFFICIAL COPY

6. Petitioner notified respondents of these unhealthy and/or unsafe building conditions at the premises in the following manner:

- Sylvester Donley, was served with a summons and complaint by substitute service on his son on May 8, 1992 and was sent copies of the petitions for declaration of abandonment and to board-up the premises by Registered Mail September 14, 1993. A service affidavit dated July 3, 1992 states that Mr. Donley is deceased;
 - Gertrude Donley, was served with a summons and complaint by substitute service on her son on May 8, 1992 and was sent copies of the petitions for declaration of abandonment and to board-up the premises by Registered Mail September 14, 1993. A service affidavit dated July 3, 1992 states that Ms. Donley is deceased;
 - Continental Illinois National Bank and Trust n/k/a Continental Bank was served with a summons and complaint May 8, 1992 and was sent copies of the petitions for declaration of abandonment and to board-up the premises by U.S. Mail September 14, 1993;
 - G & R Investments was served with a summons and complaint December 6, 1992 and was sent copies of the petitions for declaration of abandonment and to board-up the premises by U.S. Mail September 14, 1993;
 - Easy Life Real Estate Management Co., was serve with a summons and complaint December 2, 1992 and was sent copies of the petitions for declaration of abandonment and to Board-up the premises by Registered Mail September 14, 1993;
 - Avenue Heating and Air Conditioning was served by publication in the Chicago Daily Law Bulletin October 13, 20, 27, 1993;
 - Unknown Heirs and Legatees of Sylvester Donley were served by publication in the Chicago Daily Law Bulletin October 13, 20, 27, 1993;
- Unknown Heirs and Legatees of Gertrude Donley were served by publication in the Chicago Daily Law Bulletin October 13, 20, 27, 1993;
- The Unknown Spouse of Gertrude Donley was served by publication in the Chicago Daily Law Bulletin October 13, 20, 27, 1993;

03060745

UNOFFICIAL COPY

Property of Cook County Clerk's Office

03050743

UNOFFICIAL COPY

- Unknown Owners and Nonrecord Claimants were served by publication in the Chicago Daily Law Bulletin October 13, 20, 27, 1993;

7. Respondent owner did not appear at the hearing on this petition.

8. Respondents have failed to correct, after due notice, these unsafe and/or unhealthy building conditions at the premises.

9. On January 28, 1993 the court found that the building(s) at the premises had deteriorated to such an extent that it entered an order authorizing the City of Chicago to demolish the building(s) at the premises.

10. The building(s) at the premises continues to represent a danger to the health, safety and welfare of the general public.

11. The premises have delinquent taxes for the following years: 1986 through 1991

12. The premises have unpaid water bills for the following years: the bill has been delinquent since April 3, 1989.

13. The premises are:

- ☒ unoccupied
- ☐ unoccupied by persons legally in possession

14. Notice of this petition was given the respondent owner and other parties in interest in accordance with Supreme Court Rules 11, 12, 104 and 105 and section 2.1 of the Rules of the Circuit Court of Cook County.

Wherefore the court orders as follows:

A. The premises described in paragraph 2 of this order are hereby declared abandoned under the provisions of section 5/11-31-1 (d) of chapter 65 of the Illinois Compiled Statutes (1992).

B. The Court shall enter an order awarding the City of Chicago a judicial deed in the event this proceeding complies with the requirements provided by law.

C. The petitioner is directed to send notice of this order as required by section 5/11-31-1 (d) of chapter 65 of the Illinois Compiled Statutes (1992).

UNOFFICIAL COPY

D. This cause is continued to February 1
1994, at 11:00 a.m. ~~1:00~~ in Room 1107.

JUDGE D. E. JOYCE

DEC 14 1993

Circuit Court-133

Susan S. Sher, #90909
Corporation Counsel

By: Ruth Sosniak
Ruth Sosniak
Assistant Corporation Counsel
30 North LaSalle Street
7th Floor
Chicago, Illinois 60602
(312) 744-8791

D. E. Joyce 133
Judge

Property of Cook County Clerk's Office

03050733

UNOFFICIAL COPY

EXHIBIT A

LEGAL DESCRIPTION

92M1402147

Case Number

1619 S. Avers

Property Address

LOT 306 IN DOWNING'S SUBDIVISION OF LOTS 7 TO 14 INCLUSIVE IN J. H. KEDZIE'S SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 13 EST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT STREETS HERETOFORE DEDICATED), IN COOK COUNTY, ILLINOIS.

Property Index Number(s): 16-23-303-007

03060743