

# UNOFFICIAL COPY



STATE OF ILLINOIS)  
  ) ss.  
COUNTY OF COOK )

Doc#: 0326203164  
Eugene "Gene" Moore Fee: \$56.50  
Cook County Recorder of Deeds  
Date: 09/19/2003 04:45 PM Pg: 1 of 42

Urban Home Builders, Inc.

v.

Norman J. Logan,  
Logan Auto Body, and  
The City of Chicago.

## CONTRACTOR'S CLAIM FOR MECHANICS LIEN

Under the Illinois Mechanics Lien Act, 770 ILCS 60.01 *et. seq.*, the claimant Urban Home Builders, Inc., an Illinois Corporation ("the Contractor"), with an address at 424 E. 44<sup>th</sup> Street, Chicago, IL 60653, hereby files its contractors claim for mechanics lien on the real property consisting of Lots 30, 31, 32, 33, and 34 located at 5833-5843 S. Halsted, Chicago, IL 60621, ("the Premises"), (a copy of the legal descriptions and corresponding PIN numbers for the Premises is attached as **Exhibit 1**) against Norman J. Logan ("Logan"), the City of Chicago, and any other person or entity claiming an interest in the Premises, and in support states:

1. On February 7, 2002, Logan was the record owner of the Premises;
2. On February 8, 2002, the City of Chicago gained title to lots 31 and 32 of the Premises pursuant to a Tax Deed/Scavenger Sale, a copy of which is attached as **Exhibit 2**;
3. On February 8, 2002, the City of Chicago gained title to lot 30 of the Premises pursuant to a Tax Deed/Scavenger Sale, a copy of which is attached as **Exhibit 3**;
4. At all times since February 8, 2002, Logan has remained record owner of Lots 33 and 34 of the Premises, as set forth in the May 8, 1998 Quit Claim Deed from Thurman Williams to Logan, attached hereto as **Exhibit 4**.
5. At all times since February 8, 2002, the City of Chicago has remained record owner of Lots 30, 31, and 32 of the Premises. Despite this, on April 12, 2002, August 29, 2002 and September 23, 2003, the City of Chicago filed three suits against Logan as "owner" of the Premises, alleging that the Premises violated certain provisions of the Municipal Code of Chicago ("the Code"), Title 17 Zoning Ordinance, and various other provisions of the Code (copies of these three complaints are attached as **Exhibits 5, 6, and 7**, respectively).

6. The City of Chicago's suits mandated that Logan perform various repairs to the Premises to bring it up to zoning standards;

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7. On August 6, 2002, as a result of the City of Chicago's lawsuits, Logan hired Contractor to perform the services described below as set forth in their written contract, a copy of which is attached as **Exhibit 8**:

- (1) Repair and rebuild defective floor in South building. Remove floor studs and resurface floor approximate 50' x 50' x 6' on grade.
- (2) Remove accumulation of refuse and debris from shop area.
- (3) Provide electrical services where needed in the shop area.
- (4) Provide 6 exit signs.
- (5) Illuminate public hall and stairway with 4 new fixtures.
- (6) Install new fire extinguishers.
- (7) Install new picture window for office area, approximately 48" x 48".
- (8) Install new drywall in ceiling of shop area, approximately 50" x 50".
- (9) Frame and prepare front entrance area for concrete installation. Pack back-fill as to leave in tight condition for concrete pour. Furnish and pour concrete slab for approximate area of 9' x 25' x 6".
- (10) Post name, address and telephone number of business on front elevation of business.
- (11) Remove rear yard excessive junk and debris.
- (12) Remove multiple abandoned cars and junk vehicles.
- (13) Repair and replace defective fence on south rear yard.
- (14) Repair and replace rear east wall with new brick masonry, approximately 50' x 30' x 1'.

8. On January 3, 2003, Logan made one payment in the amount of \$35,500 to the Contractor toward the contract price, a copy of his check is attached as **Exhibit 9**, leaving \$105,000 remaining due on the Contract;

9. On May 20, 2003, Contractor completed all his obligations under the Contract;

10. This Claim is made to the City of Chicago and to Logan to procure payment of the balance of the Contract price, \$105,000, plus 6% interest, for a total due of \$111,300; and

11. There are no other contracts outstanding, and there is nothing due, or to become due, to any person, firm or corporation, for material, fixtures, services, apparatus, machinery or labor, other than as stated herein.

RECAPITULATION:	TOTALS
Contract Amounts:	\$140,500
Paid to Date:	\$ 35,500
Amount Unpaid	\$105,000
6% Interest	\$ 6,300
Total Due	\$111,300

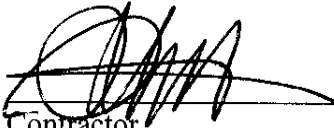
# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 )  
COUNTY OF COOK ) ss.

The Affiant Smith Wiiams being first duly sworn on oath deposes and says that he is President of Urban Home Builders, Inc., that he has read the foregoing notice and Claim for Lien, knows the contents thereof, and that all the statements therein contained are true.

Signed and sealed this:  
\_\_\_\_\_ 18 day of September, 2003



  
\_\_\_\_\_  
Contractor

Subscribed and sworn to me this:  
\_\_\_\_\_ 18 day of September, 2003

Melissa T. Wolfe, Notary Public

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## Legal Descriptions and PIN numbers for 5833-5841 S. Halstead, Chicago, Illinois:

1. PIN no. 20-16-120-007-0000:  
Lots 33 and 34 in Sidwell's addition to Englewood, a Subdivision of the South  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of Lot 39 in the School Trustee's subdivision of Section 16, Township 38 North, Range 14 East of the Third Principal Meridian, County of Cook, State of Illinois.
2. PIN no. 20-16-120-008-0000:  
Lots 31 and 32 in Sidwell's addition to Englewood, a Subdivision of the South  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of Lot 39 in the School Trustee's subdivision of Section 16, Township 38 North, Range 14 East of the Third Principal Meridian, County of Cook, State of Illinois.
3. PIN no. 20-16-120-009-0000:  
Lot 30 in Sidwell's addition to Englewood, a Subdivision of the South  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of Lot 39 in the School Trustee's subdivision of Section 16, Township 38 North, Range 14 East of the Third Principal Meridian, County of Cook, State of Illinois.

Property of Cook County Clerk's Office

PLAINTIFF'S  
EXHIBIT

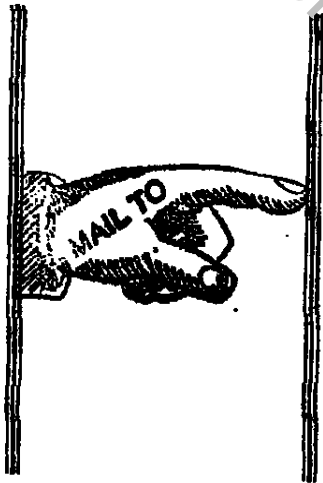
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0020278191

Property of Cook County



Marguerite Quinn  
OTKrefe & Associates Lyons & Ward  
30 North LaSalle Street - Suite 4100  
Chicago, IL 60602

DAVID D. OJA  
County Clerk of Cook County Illinois

TWO YEAR  
DELINQUENT SALES

No. **16513**

D.

Exempt under Real Estate Transfer Tax Act Sec. 4

Par. F & Cook County Ord. 95104 Par. F

Date 3.11.02 Sign [Signature]

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**LEGAL DESCRIPTION**

LOTS 31 AND 32 IN BLOCK 2 IN SIDWELL'S ADDITION TO ENGLEWOOD, SAID ADDITION BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE WEST 1/2 OF OUTLOT 39 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ALSO THAT PART OF THE WEST 1/2 OF THE ALLEY LAID OUT IN SAID BLOCK 2 LYING EAST OF AND CONTIGUOUS TO LOTS 31 AND 32 AFORESAID.

Property of Cook County Clerk's Office

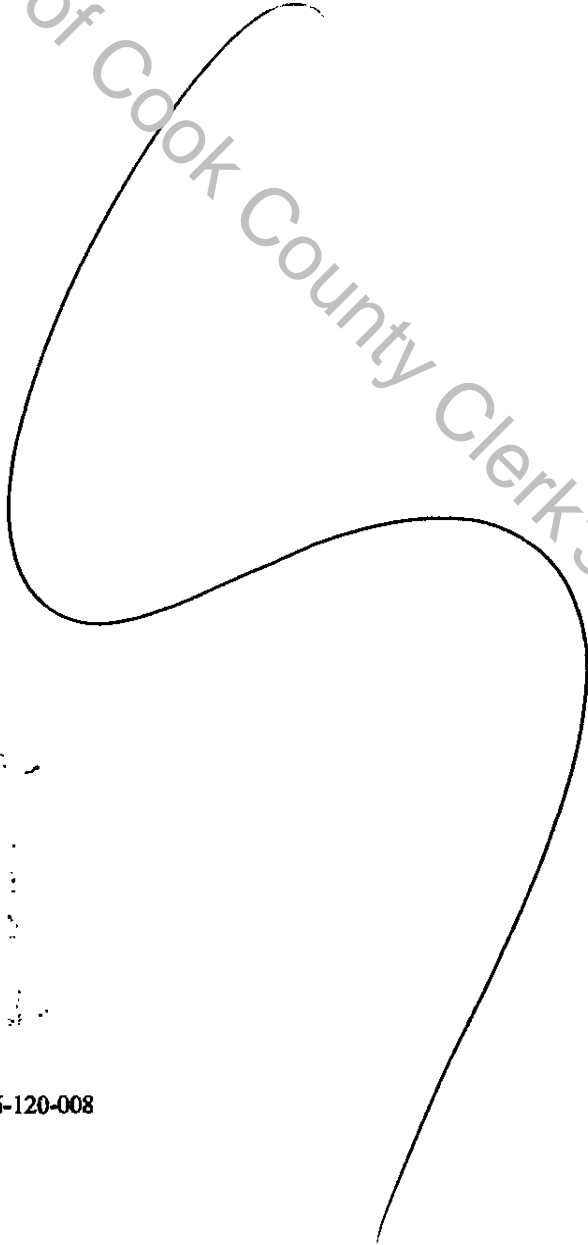


EXHIBIT A - PIN:20-16-120-008

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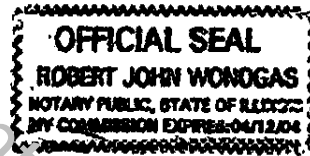
## STATEMENT BY GRANTOR AND GRANTEE

The Grantor or his Agent affirms that, to the best of his knowledge, the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated February 26, 2002 Signature David D. Orr  
Grantor or Agent

Subscribed and sworn to before me by the said DAVID D. ORR this 26 day of February, 2002.

Notary Public [Signature]

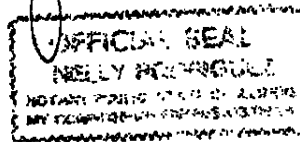


The Grantee or his Agent affirms and verifies that the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated March-11, 2002 Signature: Marguerite Quinn  
Grantee or Agent

Subscribed and sworn to before me by the said Marguerite Quinn this 11th day of March, 2002.

Notary Public [Signature]



NOTE: Any person who knowingly submits a false statement concerning the identity of a Grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)



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2023/0039 90 001 Page 1 of 4  
2002-03-13 10:20:43  
Cook County Recorder 27.50

## TAX DEED-SCAVENGER SALE

STATE OF ILLINOIS )  
) SS.  
COUNTY OF COOK )

No. 16514 D.

At a PUBLIC SALE OF REAL ESTATE for the NON-PAYMENT OF TAXES for two or more years, pursuant to Section 21-260 of the Illinois Property Tax Code, as amended, held in the County of Cook on December 13 1999, the County Collector sold the real estate identified by permanent real estate index number 20-16-120-009 and legally described as follows:

5843 S. HALSTED

See Attached "Exhibit A"

Section 16 Township 38 N. Range 14  
East of the Third Principal Meridian, situated in said Cook County State of Illinois;

And the real estate not having been redeemed from the sale, and it appearing that the holder of the Certificate of Purchase of said real estate has complied with the laws of the State of Illinois, necessary to entitle him to a Deed of said real estate, as found and ordered by the Circuit Court of Cook County;

I, DAVID D. ORR, County Clerk of the County of Cook, Illinois, 118 N. Clark Street, Rm. 434, Chicago, Illinois, in consideration of the premises and by virtue of the statutes of the State of Illinois in such cases provided, grant and convey to City of Chicago residing and having his (her or their) residence and post office address at 30 N. LaSalle, Room 1610, Chicago, Illinois, 60602 his (her or their) heirs and assigns FOREVER, the said Real Estate hereinabove described.

The following provision of the Compiled Statutes of the State of Illinois, being 35 ILCS 200/22-85, is recited, pursuant to law:

"Unless the holder of the certificate purchased at any tax sale under this Code takes out the deed in the time provided by law and records the same within one year from and after the time for redemption expires, the certificate or deed, and the sale on which it is based, shall, after the expiration of the one year period, be absolutely void with no right to reimbursement. If the holder of the certificate is prevented from obtaining a deed by injunction or order of any court, or by the refusal or inability of any court to act upon the application for a tax deed, or by the refusal of the clerk to execute the same deed, the time he or she is so prevented shall be excluded from computation of the one year period."

Given under my hand and seal, this 3rd day of February 2002

David D. Orr  
County Clerk

PLAINTIFF'S  
EXHIBIT  
3

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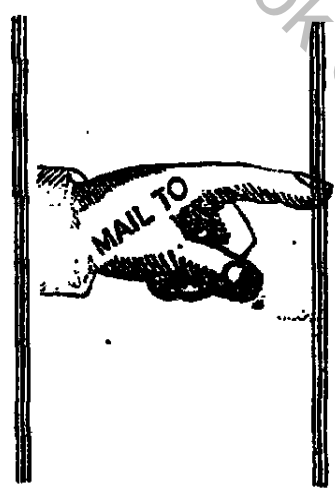
20284877

No. **16514** D.

**TWO YEAR  
DELINQUENT SALE**

**DAVID D. ORR**  
County Clerk of Cook County Illinois

Marguerite Quinn  
O'Keefe & Associates Lyons & Ward  
30 North LaSalle Street - Suite 4100  
Chicago, IL 60602



Exempt under Real Estate Transfer Tax Act Sec. 4  
Par F & Cook County Ord. 95104 Par F  
Date 3.11.02 Sign Janice K. Maxwell

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20284877

LEGAL DESCRIPTION

LOT 30 IN BLOCK 2 IN SIDWELL'S ADDITION TO ENGLEWOOD, SAID ADDITION BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE WEST 1/2 OF OUTLOT 39 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office



EXHIBIT A - PIN:20-16-120-009

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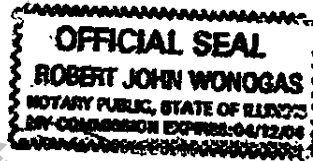
## STATEMENT BY GRANTOR AND GRANTEE

The Grantor or his Agent affirms that, to the best of his knowledge, the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated February 26, 2002 Signature David D. Orr  
Grantor or Agent

Subscribed and sworn to before me by the said DAVID D. ORR this 26 day of February, 2002.

Notary Public Robert John Wonogas



The Grantee or his Agent affirms and verifies that the name of the Grantee shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated March-11, 2002 Signature: Marguerite Quinn  
Grantee or Agent

Subscribed and sworn to before me by the said Marguerite Quinn this 11th day of March, 2002.

Notary Public Nelly Rodriguez



NOTE: Any person who knowingly submits a false statement concerning the identity of a Grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

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2503/0092 35 001 Page 1 of 4  
1998-10-23 14:23:54  
Cook County Recorder 27.50

GEORGE E. COLEO  
LEGAL FORMS

No. 822 REC  
February 1996

### QUIT CLAIM DEED Statutory (Illinois) (Individual to Individual)

CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty of merchantability or fitness for a particular purpose.

Above Space for Recorder's use only

THE GRANTOR(S)

Thurman Williams

of the City Chicago

of Chicago

County of Cook

State of Illinois

for the

consideration of Ten and 00/100 (\$10.00)

DOLLARS, and other good and valuable

considerations

TO NORMAN J. LOGAN

5833 S. Halsted, Chicago, IL 60621

in / and paid, CONVEY(S)

and QUIT CLAIM(S)

all interest in the following described Real Estate, the real estate situated in Cook County, Illinois, commonly known as 5833 S. Halsted & 5837 S. Halsted (st. address) legally described as:

SEE ATTACHED RIDER

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. Permanent Real Estate Index Number(s): 20-16-120-007 & 20-16-120-008

Address(es) of Real Estate: 5833 S. Halsted & 5837 S. Halsted, Chicago, Illinois 60621

DATED this: 8th day of May, 1998

Please print or type name(s) below signature(s)

Thurman Williams (SEAL)

CRYSTAL C. JOHNSON  
Notary Public, State of Illinois  
My Commission Expires 07-31-2000

State of Illinois, County of \_\_\_\_\_ as 1, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that

IMPRESS SEAL HERE

personally known to me to be the same person \_\_\_\_\_ whose name \_\_\_\_\_ subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that \_\_\_\_\_ signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

PLAINTIFF'S EXHIBIT

4

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**Quit Claim Deed**  
INDIVIDUAL TO INDIVIDUAL

Thurman Williams

TO

Norman Logan

GEORGE E. COLE  
LEGAL FORMS

Property of Cook County Clerk's Office

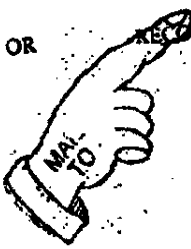
Given under my hand and official seal, this 8<sup>th</sup> day of May 1998  
Commission expires \_\_\_\_\_ 19\_\_\_\_  
*Crystal Johnson*  
NOTARY PUBLIC

This instrument was prepared by \_\_\_\_\_  
(Name and Address) **CRYSTAL JOHNSON**  
Notary Public of Illinois  
My Commission Expires 04-2000

MAIL TO: **Norman Logan**  
(Name)  
**5833 S. Halsted**  
(Address)  
**Chicago, IL 60621**  
(City, State and Zip)

SEND SUBSEQUENT TAX BILLS TO:  
**Norman Logan**  
(Name)  
**5833 S. Halsted**  
(Address)  
**Chicago, IL 60621**  
(City, State and Zip)

OR RECORDER'S OFFICE BOX NO. \_\_\_\_\_





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Lots 13, 14, 15, 16, 31, 32, 33 and 34 in Block 2 in Sidwell's Addition to Englewood, a Subdivision of the South 1/2 of the West 1/2 of Lot 39 in the School Trustees' Subdivision of Section 16, Township 38 North, Range 14 East of the Third Principal Meridian;

ALSO  
That part of the alley laid out in said Block 2 lying West of and contiguous to Lots 14, 15 and 16 and East of and contiguous to Lots 32, 33 and 34 aforesaid, and the West 1/2 of that part of said alley lying East of and contiguous to Lot 31 aforesaid and the East 1/2 of that part of said alley lying West of and contiguous to Lot 13 aforesaid and the North 18.6 feet of Lot 17 aforesaid;

ALSO  
That part of Lot 17 aforesaid lying Northwesterly of the following described line. Commencing at a point on the North line of Lot 17, 103 feet West of the North East corner of Lot 17, thence Southwesterly 23 feet to a point 5 feet North of the South line of Lot 17, thence West on a line 5 feet North of and parallel to the South line of Lot 17, 2.60 feet to the West line of Lot 17 in Block 2 in Sidwell's Addition to Englewood, a Subdivision of the South 1/2 of the West 1/2 of Lot 39 in School Trustees' Subdivision of Section 16, Township 38 North, Range 14 East of the Third Principal Meridian;

ALSO  
Lot 30 in Block 2 in Sidwell's Addition to Englewood a Subdivision of the South 1/2 of the West 1/2 of Lot 39 in School Trustees' Subdivision of Section 16, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

RIDER

21763451

RIDER ATTACHED TO AND MADE A PART OF QUIT CLAIM DEED DATED MAY 8, 1998 FROM THURMAN WENTING TO NORMAN J. LOGAN.

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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. )  
 )  
 NORMAN J. LOGAN, NORMAN J. LOGAN )  
 d/b/a LOGAN'S AUTO BODY GENERAL )  
 REPAIR, and CLARA CLARK, )  
 )  
 Defendants. )

No.

0326203164-001765  
Re: 5833-41 S. Halsted St.

### SUMMONS

**SERVE:** Norman J. Logan, doing business as Logan's Auto Body General Repair  
5833-41 S. Halsted St.  
Chicago, IL 60621

TO EACH DEFENDANT:

YOU ARE HEREBY SUMMONED and required to file an appearance and answer to the Complaint, a copy of which is attached. If you fail to answer or appear, a judgment by default may be entered against you for the relief sought in the complaint. This cause will be heard in Courtroom 1107 of the Richard J. Daley Center on May 17, 2002, at 9:30 a.m.

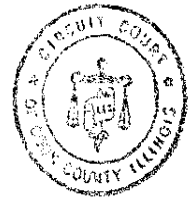
TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service, and not less than 3 days before the day of appearance. If service cannot be made, this summons shall be returned so endorsed.

Date summons issued: APR 12 2002

Dorothy Brown  
Clerk of Court  
By: \_\_\_\_\_  
Deputy Clerk

Mara S. Georges #90909  
Corporation Counsel, City of Chicago  
Attorney for Plaintiff  
30 N. LaSalle St. Room 700  
Chicago, Illinois 60602  
(312) 742-0344



PLAINTIFF'S  
EXHIBIT  
5



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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. )  
 )  
 NORMAN J. LOGAN, NORMAN J. LOGAN )  
 d/b/a LOGAN'S AUTO BODY GENERAL )  
 REPAIR, and CLARA CLARK, )  
 )  
 Defendants. )

No. 0241-401785  
 Re: 5833-41 S. Halsted St.

### **PLAINTIFF CITY OF CHICAGO'S COMPLAINT FOR EQUITABLE AND OTHER RELIEF**

Plaintiff City of Chicago ("City"), by its attorney, Mara S. Georges, Corporation Counsel, complains of defendants Norman J. Logan, Norman J. Logan, doing business as Logan's Auto Body General Repair, and Clara Clark ("Defendants") as follows:

### **GENERAL ALLEGATIONS**

#### **Nature of the Case**

1. The City brings this action because Defendants have been maintaining a junkyard and parking motor vehicles without providing the necessary paving, designated parking spaces, access aisles, and landscaping, at the property located at the commonly known address of 5833-41 South Halsted Street, Chicago, Illinois, in violation of the Municipal Code of Chicago, Title 17 ("the Zoning Ordinance"), and various other provisions of the Municipal Code.
2. The City brings this action pursuant to its police power as a home rule unit under Article VII of the Illinois Constitution, which includes "the power to regulate for the protection of the public health, safety, morals and welfare." Ill. Const. Art. VII §6(a). As a further grant of

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authority, the City brings this action pursuant to 65 ILCS 5/11-13-15, as amended, which expressly authorizes the City to maintain an action for injunctive relief to restrain, correct or abate a violation of the City's zoning laws. By bringing this action, the City seeks, among other relief, a declaration that Defendants' activities are illegal and an injunction requiring Defendants to cease their illegal activities immediately.

## The Parties and the Property at Issue

3. The City is a municipal corporation and a home rule unit organized and existing pursuant to the laws of the State of Illinois.

4. Within the county of Cook and the corporate limits of the City there is a parcel of real estate legally described as:

LOTS 31 TO 34 IN BLOCK 2 IN SIDWELL'S ADDITION TO ENGLEWOOD, BEING A SUBDIVISION OF THE SOUTH ½ OF THE WEST ½ OF OUTLOT 39 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ALSO THAT PART OF THE WEST ½ OF THE ALLEY LAID OUT IN SAID BLOCK 2 LYING EAST OF AND CONTIGUOUS TO LOTS 31 TO 34 IN SECTION 16, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The property is commonly known as 5833-41 South Halsted Street, Chicago, Illinois ("the subject property"), and has permanent index numbers of 20-16-120-007-0000 and 008-0000.

5. Located on the subject property is a one story motor vehicle repair shop with a large side and rear yard. The subject property is bordered by Halsted Street to the west.

6. At all times relevant to this complaint, the subject property was located in an M1-2 Restricted Manufacturing District.

7. At all times relevant to this complaint, Defendants owned, maintained, operated,

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controlled, managed, collected rents from, or had a legal or equitable interest in the subject property.

More specifically,

- a. Defendant Norman J. Logan is an out-of-chain owner of the subject property, having obtained title on or about May 8, 1998.
- b. Defendant Norman J. Logan, doing business as Logan's Auto Body General Repair, is a motor vehicle repair business located at the subject property.
- c. Defendant Clara Clark is the record owner of the subject property, having obtained title on or about November 30, 1992, by way of a tax deed.

## Activities in Violation of the Zoning Ordinance

8. Beginning on or about January 15, 2002, and continuing to the present, Defendants have been maintaining a junkyard and parking motor vehicles without providing the necessary paving, designated parking spaces, access aisles, screening, and landscaping, at the subject property, in violation of the Zoning Ordinance and various other provisions of the Municipal Code of Chicago.

9. On or about January 15, 2002, the subject property's exterior contained a large number of junked motor vehicles, motor vehicle parts, and parked motor vehicles that were placed in several rows, with approximately 1 to 3 feet separating each row. The subject property's off-street parking area had no landscaping, and its surface was made mostly of gravel.

## COUNT I

### Non-Permitted Use - Operating a Junk Yard in an M1-2 District - Civil Penalties

10. The City realleges paragraphs 1-9 of the General Allegations and incorporates them in this Count as if fully set forth herein.

11. Section 10.3-1 of the Zoning Ordinance designates the permitted uses in an M1-2 Restricted Manufacturing District. See Municipal Code of Chicago §17-10.3-1 (2001). Operating

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a junk yard is not a permitted use in an M1-2 Restricted Manufacturing District. See id.

12. Beginning on or about January 15, 2002, and continuing to the present, Defendants have violated Section 10.3-1 of the Zoning Ordinance by operating a junk yard at the subject property.

13. The penalty for violating Section 10.3-1 of the Zoning Ordinance is a fine “not less than \$200.00 nor more than \$500.00. Each day such a violation or failure to comply is permitted to exist after notification thereof shall constitute a separate offense.” Municipal Code of Chicago §17-11.13 (2001).

WHEREFORE, the City requests that this Court grant the following relief:

- A. A fine against Defendants in the amount of \$500 for each day this violation existed, pursuant to Section 11.13 of the Zoning Ordinance; and
- B. Any other relief that this Court deems appropriate.

## COUNT II

### Off Street Parking Violations / Civil Penalties

14. The City realleges paragraphs 1-9 of the General Allegations and incorporates them in this Count as if fully set forth herein.

15. Section 10.16 of the Zoning Ordinance regulates the off-street parking of motor vehicles in Manufacturing Districts, and requires that: a) all off-street parking areas must be surfaced with asphaltic concrete or some comparable all-weather dustless material (*See* Municipal Code of Chicago §17-10.16(6)(a) (2001)); b) every required off-street parking space must be clearly designated and at least 8 feet wide and 19 feet in length, and must open directly upon an aisle or driveway of such width and design as to provide a safe and efficient means of vehicular access to

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each parking space (*See* Municipal Code of Chicago §17-10.16(4)-(5) (2001)); and 3) all off-street parking areas must comply with the landscaping requirements set forth in this section (*See* Municipal Code of Chicago §17-10.16(6)b(ii)(c) (2001)).

16. Beginning on or about January 15, 2002, and continuing to the present, Defendants have violated Section 10.16 of the Zoning Ordinance by parking motor vehicles on the subject property without providing the necessary paving, designated parking spaces, access aisles, and landscaping.

17. The penalty for violating Section 10.16 of the Zoning Ordinance is a fine “not less than \$200.00 nor more than \$500.00. Each day such a violation or failure to comply is permitted to exist after notification thereof shall constitute a separate offense.” Municipal Code of Chicago §17-11.13 (2001).

WHEREFORE, the City requests that this Court grant the following relief:

- A. A fine against Defendants in the amount of \$500 for each day this violation existed, pursuant to Section 11.13 of the Zoning Ordinance; and
- B. Any other relief that this Court deems appropriate.

## COUNT III

### Public Nuisance - Equitable Relief

18. The City realleges paragraphs 1-17 of this Complaint and incorporates them in this Count as if fully set forth herein.

19. Because Defendants’ violations of the Municipal Code of Chicago are deemed a public nuisance under the Public Nuisance Ordinance, Municipal Code of Chicago §7-28-0000 (2001), they may be enjoined without the traditional showing for obtaining such relief.

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20. In the alternative, Defendants' violations constitute a continuing and ongoing injury to the public health, safety, and welfare of the residents of the City because Defendants' use and maintenance of the subject property:

- a) threaten the character, stability, and beneficial enjoyment of the area, which the ordinances of the City have been enacted to protect;
- b) are incompatible with the character of development of the area, and thus are an unlawful interference with the use and enjoyment of the surrounding properties, which are protected by law;
- c) have an adverse and deleterious effect upon the adjacent area and contribute to the blighting and downgrading of the area; and
- d) constitute a deliberate and willful disregard for the lawfully enacted ordinances of the City, enacted to protect the public health, safety, and welfare.

21. Defendants' illegal use of the subject property constitutes immediate and irreparable damage to the public health, safety, and welfare in that Defendants continue to ignore the ordinances of the City and interfere with the enjoyment of property by surrounding property owners.

22. There is no adequate remedy at law in that prosecuting and fining Defendants for violating the Municipal Code of Chicago will not adequately remedy Defendants' continuous intrusions upon the rights of residents of the City.

23. A permanent injunction is necessary to stop Defendants' continuing violations of the Municipal Code of Chicago.

WHEREFORE, the City requests that this Court grant the following relief:

- A) A finding that Defendants have created and maintained a statutory public nuisance as alleged herein;
- B) A mandatory injunction requiring Defendants to correct and abate the above violations of the Municipal Code of Chicago;

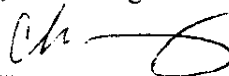
# UNOFFICIAL COPY

- C) A permanent injunction enjoining Defendants, their agents, employees, successors, assignees, and other persons acting in concert with them, or under their control, from engaging in or maintaining the statutory public nuisance alleged herein; and
- D) Any other relief that this Court deems appropriate.

Respectfully submitted,

MARA S. GEORGES  
Corporation Counsel for the  
City of Chicago

By:



Christopher M. Murray  
Assistant Corporation Counsel

NILDA M. SOLER  
Deputy Corporation Counsel  
STEPHANIE L. UHLARIK  
Chief Assistant Corporation Counsel  
CHRISTOPHER M. MURRAY  
Assistant Corporation Counsel  
Building and Land Use Litigation Division  
30 North LaSalle St., Suite 700  
Chicago, Illinois 60602  
(312) 742-0344  
#90909

Property of Cook County Clerk's Office

(312) 744-8791

# UNOFFICIAL COPY

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

CITY OF CHICAGO, a municipal  
corporation,  
Plaintiff,  
v.

0245-704014

Case No:  
Address: 5833 5841 S HALSTED ST

NORMAN J LOGAN (O)  
5833 S HALSTED  
CHGO IL 60621

Courtroom: 1105  
Richard J. Daley Center  
Amount Claimed \$8,000.00

SERVE NORMAN J LOGAN (O)  
5833 S HALSTED  
CHGO IL 60621

Defendant(s)

## S U M M O N S

TO EACH DEFENDANT:

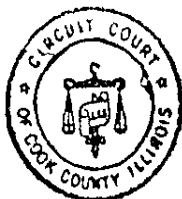
YOU ARE HEREBY SUMMONED and required to file an appearance and answer to the Complaint, a copy of which is attached. If you fail to answer or appear, a judgement by default may be entered against you for the relief sought in the complaint. This cause will be heard in Courtroom 1105 of the Richard J. Daley Center on [REDACTED] at 09:30 AM

OCT 25 2002

TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service, and not less than 3 days before the day of appearance. If service cannot be made, this summons shall be returned so endorsed.

Date summons issued: DOROTHY BROWN AUG 29 2002



Dorothy Brown  
Clerk of Court

By: /s/ Rosalind McClennon  
Deputy Clerk

MARA S. GEORGES Atty. #90909  
Corporation Counsel  
Attorney for Plaintiff  
30 N. LaSalle St. 7th floor  
Chicago, Illinois 60602





# UNOFFICIAL COPY

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

THE CITY OF CHICAGO, a municipal  
corporation,  
Plaintiff

02MI-404014  
CASE NO.

v.

AMOUNT CLAIMED \$8,000.0

NORMAN J LOGAN (O) ET AL  
5833 S HALSTED  
CHGO IL 60621

DEFENDANT(S)

\*\*\* REFER TO ATTACHED ADDENDUM OF DEFENDANTS \*\*\*

### COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Mara S. Georges, Corporation Counsel states as follows:

Count 1

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

\*\*\* REFER TO ATTACHED ADDENDUM \*\*\*

Commonly known as 5833 5841 S HALSTED ST  
Property index no 20-16-120-007

and that located thereon is A 1 STORY(S) BUILDING  
BASEMENT NO/ ATTIC NO /DWELLING UNITS= 0 CACT 6803

2. That at all times pertinent thereto the following named defendants

NORMAN J LOGAN (O) ET AL

\*\*\* REFER TO ATTACHED ADDENDUM OF DEFENDANTS \*\*\*

owned, maintained, operated, collected rents for, or had an interest in the said property on the date(s) hereinafter set forth.

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Address: 5833 5841 S HALSTED ST

BUR:109 CONSERV-CN INSP#:075  
MULTIPLE BLDGS

3. That on 04/30/02 and on each succeeding day thereafter until the date of filing of this complaint, and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of the City of Chicago regarding:

1 061014 NOT COMPLIED

Failure to repair exterior wall. (13-196-010, 13-196-530 B)  
ALL ELEVATIONS, BRICKWORK IN SEVERE STATE OD DECAY DUE TO WATER DAMAGE  
SEVERE SPALLING OF BRICKWORK CAUSED BY WATER ABSORPTION FROM DELAMINATED  
BRICKWORK PORTIONS OF THIS BUILDING SHOW SIGNS OF POTENTIAL COLLAPSE OF  
BRICK WORK UNSAFE CONDITION

2 067014 NOT COMPLIED

Failure to repair or replace defective roof. (13-196-530)  
SEVERE ROOF LEAK, MULTIPLE LOCATIONS FLOOR UNEVEN WITH LOOSE, BOARDS-TRIP  
HAZARD

3 103015 NOT COMPLIED

Failure to repair or rebuild defective floor. (13-196-540 A, B)  
UNSAFE CONDITION

4 138056 NOT COMPLIED

Failure to remove accumulation of refuse and debris and keep  
premises clean. (13-196-580, 13-196-630)  
INTERIOR EXCESSIVE JUNK AND DEBRIS

5 107035 NOT COMPLIED

Failure to repair and maintain exit signs and illuminate when  
building occupied. (13-196-090, 13-160-700 thru 13-160-770)  
NO ILLUMINATED EXIT LIGHTS

6 107015 NOT COMPLIED

Failure to provide and maintain adequate illumination for public  
hall and stairwell. (13-196-080, 13-160-660, 13-160-670)  
NO INTERIOR EXIT ILLUMINATION

7 031013 NOT COMPLIED

Failure to install approved fire extinguisher. (15-16-160)  
NO FIRE EXTINGUISHERS ON PREMISES FLAMMABLE HEATERS IN USE UNSAFE  
CONDITION

8 104015 NOT COMPLIED

Failure to replace broken, missing or defective window panes.  
(13-196-550 A)  
FRONT WINDOWS LOOSE ROTTED PLYWOOD BOARDED WINDOWS

VIOLATION LISTING CONTINUED ON NEXT PAGE

PAGE 1

**UNOFFICIAL COPY**

Address: 5833 5841 S HALSTED ST MULTIPLE BLDGS

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Failure to repair exterior wall. (13-196-010, 13-196-530 B)  
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UNSTABLE THERE IS A PRONOUNCED BULGE IN THE WELL RESULTING IN MULTIPLE  
FRACTURES IN THE BONDING MORTAR THE BRICK WORK HAS BECOME SHIFTED AND  
DISPLACED THE CONDITION OF THIS WALL HAS BECOME DANGEROUS AND HAZARDOUS  
ALSO AT THE REAR (EAST) PORTION OF THIS LOT THERE REMAINS A 2 STORY  
BRICK WALL (FREE STANDING ) FROM A PREVIOUS DEMOLITION OF A BRICK  
BUILDING ON THIS LOT THIS BRICK WALL REMANANT SPANS THE ENTIRE 100 FOOT  
WIDTH OF THIS LOT THE BRICK MORTAR HAS SUBSTANTIALLY WASHED AWAY SINCE  
THEIR NO CONNECTING WALLS ATHE STRUCTURAL INTEGRITY OF THIS FREE  
STANDING WALLS IS CALLED INTO QUESTION

10 061024 NOT COMPLIED

Failure to submit 2 copies of structural engineering report  
prepared, signed, and sealed by licensed architect or registered  
structural engineer. (13-196-030)  
FOR WEST FACADE OF NORTH OFFIC BUILDING AND FOR EAST (2 STORY) WALL  
REMINANT

11 196029 NOT COMPLIED

Failure to post name, address, and telephone of owner, owner's agent  
for managing, controlling or collecting rents, and any other person  
managing or controlling building conspicuously where accessible or  
visible to public way. (13-12-030)  
POST OWNER AGENT INFORMATION

12 138106 NOT COMPLIED

Failure to remove and stop nuisance (7-28-060)  
REAR YARD MULTIPLE ABANDONED JUNK VEHICLE

13 138056 NOT COMPLIED

Failure to remove accumulation of refuse and debris and keep  
premises clean. (13-196-580, 13-196-630)  
REAR YARD EXCESSIVE JUNK AND DEBRIS

14 077014 NOT COMPLIED

Failure to repair, replace, or remove defective fence creating  
dangerous condition. (7-28-060, 13-96-120)  
PERIMETER FENCE (SOUTH) DILAPIDATED UNPROFESSIONALLY INSTALLED SHEET  
METAL AND WOOD FENCE UPRIGHT AND FENCE PANELS DAMAGED BENT DETACHED  
UNSIGHTLY AND UNSAFE STATE OF COLLAPSE DANGEROUS AND HAZARDOUS

15 068014 NOT COMPLIED

Failure to repair roof structure. (13-196-530)  
ROOF BETWEEN 2 BUILDINGS THE ROOF JOISTS ARE ROTTED AND SPLINTERED  
ROOF JOISTS ARE SAGGING ENTIRE ROOF SAGGING UNSAFE CONDITION

16 061064 NOT COMPLIED

Failure to make repairs to building rapidly becoming dangerous, and  
to bring and maintain in good and safe condition, or wreck part that  
endangers life and property. (13-12-130, 13-8-100)  
THIS AUTO WRECKING YARD IS A PROFOUND EYESORE PUBLIC NUSAINCE AND PUBLIC  
HAZARD YARD IS PROFIDINY HARBORAGE FOR RATS BRICKWORK AT PUBLIC SIDEWALK

# UNOFFICIAL COPY

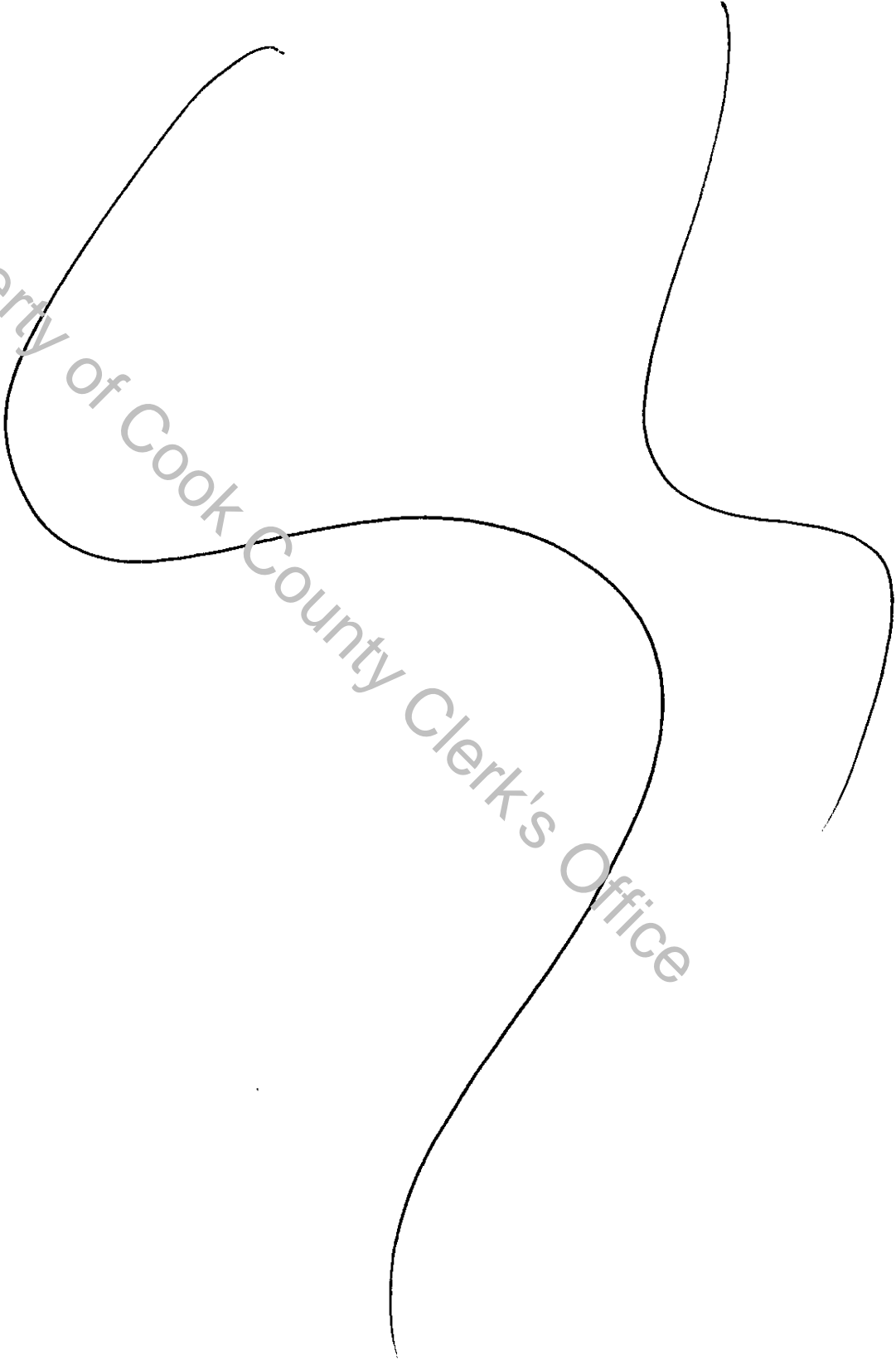
Address: 5833 5841 S HALSTED ST MULTIPLE BLDGS

IS DANGEROUS AND HAZARDOUS AS WELLAS SOUTH PERIMETER FENCE THIS PROPERTY  
ADJOINS RESIDENTIAL STREET.

End of Violations

PAGE 3

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4. That John A. Roberson is the Commissioner of the Department of Buildings of the City of Chicago, and as such and through reports of inspectors of the Department of Buildings of said City of Chicago, she or the undersigned has knowledge of the facts stated in this complaint.

5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and of Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-1 of the Illinois Compiled Statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, other than the defendants whose only interest in the property is by virtue of security interests or liens therein, in the amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, except as to violations of Section 13-12-040 of the Municipal Code of Chicago, for which violations plaintiff prays for a fine against all defendants.

## COUNT II

As a second and further cause of action the plaintiff, City of Chicago, a Municipal Corporation:

1-5 Realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy for the abatement of a nuisance, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed to bring the subject property into compliance with the Municipal Code of Chicago.

7. That John A. Roberson, the Commissioner of the Department of Buildings, City of Chicago, has determined said building to be dangerous and unsafe, uncompleted and abandoned.

### WHEREFORE, PLAINTIFF PRAYS:

- a. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently.
- b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgement against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 of Chapter 65 of the Illinois Compiled Statutes, as amended, or for an order for plaintiff to demolish, repair, enclose or clean up said premises under the police power to protect the public health and safety.
- d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting the City of Chicago a judicial deed to the property if declared abandoned.



# UNOFFICIAL COPY

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

Address: 5833 5841 S HALSTED ST

NORMAN J LOGAN (0)  
5833 S HALSTED  
CHGO IL 60621

CLARA CLARK (0)  
5833 S HALSTED  
CHGO IL 60621

LUCAS BINSWANGER (X)  
6258 N ARTESIAN  
CHGO IL 60659

NORMAN J LOGAN (0)  
5833 S HALSTED  
CHGO IL 60621

CLARA CLARK (0)  
5833 S HALSTED  
CHGO IL 60621

LUCAS BINSWANGER (X)  
3258 N ARTESIAN  
CHGO IL 60659

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

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

\* \* \* LEGAL DESCRIPTION \* \* \*          MULTIPLE BLDGS

Address: 5833 5841 S HALSTED ST  
PI# 20-16-120-007

MULTIPLE BLDGS

LOTS 33 & 34 IN BLOCK 2 IN SIDWELL'S ADDITION TO ENGLEWOOD, BEING A  
SUBDIVISION OF THE SOUTH 1/2 OF THE WEST 1/2 OF OUTLOT 39 OF SCHOOL  
TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 14,  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,  
ALSO THAT PART OF THE WEST 1/2 OF THE ALLEY LAID OUT IN SAID BLOCK 2  
LYING EAST OF AND CONTIGUOUS TO LOTS 33 & 34 IN SECTION 16, TOWNSHIP 38  
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,  
LYING EAST OF THE 3RD PRINCIPAL MERIDIAN  
IN COOK COUNTY ILLINOIS

Property of Cook County Clerk's Office



(312) 744-8791

# UNOFFICIAL COPY

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

CITY OF CHICAGO, a municipal  
corporation,  
  
Plaintiff,  
  
v.

0211-404141

Case No:  
Address: 5833 5841 S HALSTED ST

NORMAN J LOGAN (0)  
5833 S HALSTED  
CHGO IL 60621

Courtroom: 1105  
Richard J. Daley Center  
Amount Claimed \$8,000.00

SERVE CLARA CLARK (0)  
5833 S HALSTED  
CHGO IL 60621

Defendant(s)

## S U M M O N S

TO EACH DEFENDANT:

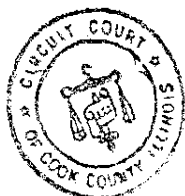
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NOV 1 2002

TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service, and not less than 3 days before the day of appearance. If service cannot be made, this summons shall be returned so endorsed.

Date summons issued: 11 03 2002



Dorothy Brown  
Clerk of Court

By: /s/ Rosalind McClennon  
Deputy Clerk

MARA S. GEORGES Atty. #90909  
Corporation Counsel  
Attorney for Plaintiff  
30 N. LaSalle St. 7th floor  
Chicago, Illinois 60602

PLAINTIFF'S  
EXHIBIT

7

# UNOFFICIAL COPY

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

THE CITY OF CHICAGO, a municipal  
corporation,

Plaintiff

0221 - 404141

CASE NO.

v.

AMOUNT CLAIMED \$8,000.0

NORMAN J LOGAN (0) ET AL  
5833 S HALSTED  
CHICAGO IL 60621

DEFENDANT(S)

\* \* \* REFER TO ATTACHED ADDENDUM OF DEFENDANTS \* \* \*

### COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Mara S. Georges, Corporation Counsel states as follows:

#### Count 1

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

\* \* \* REFER TO ATTACHED ADDENDUM \* \* \*

Commonly known as 5833 5841 S HALSTED ST  
Property index no 20-16-120-007

and that located thereon is A 1 STORY(S) BUILDING  
BASEMENT NO/ ATTIC NO /DWELLING UNITS= 0 LACT 6803

2. That at all times pertinent thereto the following named defendants

NORMAN J LOGAN (0) ET AL

\* \* \* REFER TO ATTACHED ADDENDUM OF DEFENDANTS \* \* \*

owned, maintained, operated, collected rents for, or had an interest in the said property on the date(s) hereinafter set forth.

**UNOFFICIAL COPY**

Address: 5833 5841 S HALSTED ST

BUR:109 CONSERV-CN INSP#:075  
MULTIPLE BLDGS

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HAZARD

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(13-196-550 A)  
FRONT WINDOWS LOOSE ROTTED PLYWOOD BOARDED WINDOWS

VIOLATION LISTING CONTINUED ON NEXT PAGE

PAGE 1

**UNOFFICIAL COPY**

Address: 5833 5841 S HALSTED ST MULTIPLE BLDGS

- 9 061014 NOT COMPLIED  
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BUILDING ON THIS LOT THIS BRICK WALL REMANANT SPANS THE ENTIRE 100 FOOT  
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THEIR NO CONNECTING WALLS ATHE STRUCTURAL INTEGRITY OF THIS FREE  
STANDING WALLS IS CALLED INTO QUESTION
- 10 061024 NOT COMPLIED  
Failure to submit 2 copies of structural engineering report  
prepared, signed, and sealed by licensed architect or registered  
structural engineer. (13-196-030)  
FOR WEST FACADE OF NORTH OFFIC BUILDING AND FOR EAST (2 STORY) WALL  
REMINANT
- 11 196029 NOT COMPLIED  
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ROOF JOISTS ARE SAGGING ENTIRE ROOF SAGGING UNSAFE CONDITION
- 16 061064 NOT COMPLIED  
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THIS AUTO WRECKING YARD IS A PROFOUND EYESORE PUBLIC NUSAINCE AND PUBLIC  
HAZARD YARD IS PROFIDINY HARBORAGE FOR RATS BRICKWORK AT PUBLIC SIDEWALK

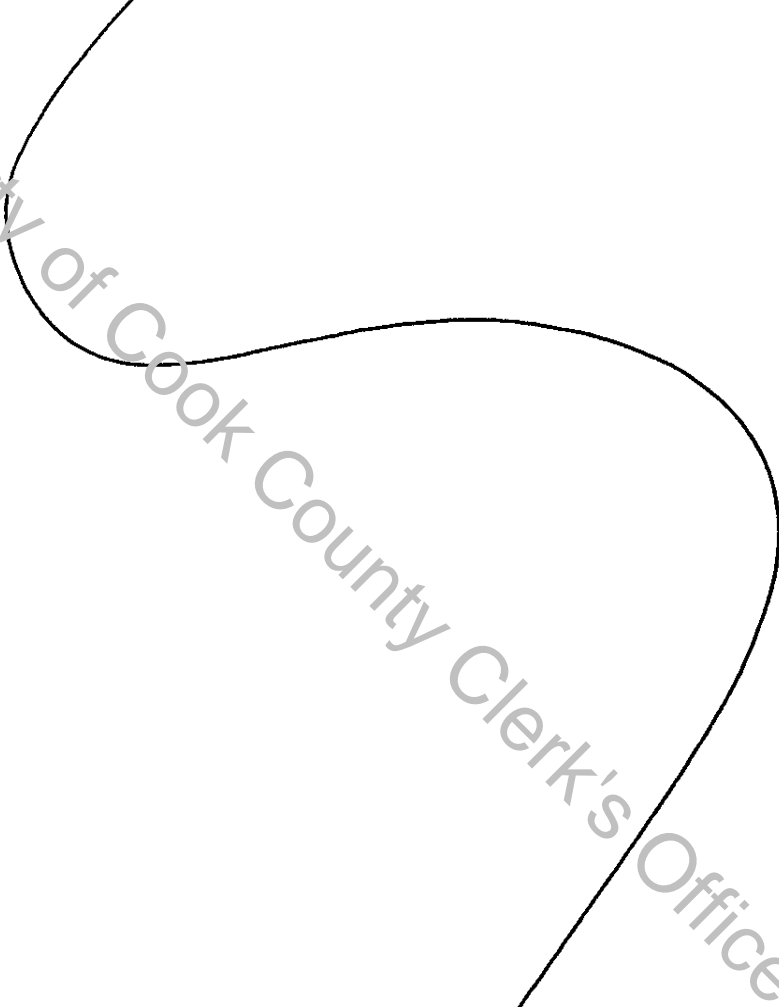
# UNOFFICIAL COPY

Address: 5833 5841 S HALSTED ST MULTIPLE BLDGS

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End of Violations

PAGE 3



Property of Cook County Clerk's Office

# UNOFFICIAL COPY

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Wherefore, plaintiff prays for a fine against the defendants, other than the defendants whose only interest in the property is by virtue of security interests or liens therein, in the amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, except as to violations of Section 13-12-040 of the Municipal Code of Chicago, for which violations plaintiff prays for a fine against all defendants.

## COUNT II

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1-5 Realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy for the abatement of a nuisance, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed to bring the subject property into compliance with the Municipal Code of Chicago.

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### WHEREFORE, PLAINTIFF PRAYS:

a. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently.

b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.

c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgement against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 of Chapter 65 of the Illinois Compiled Statutes, as amended, or for an order for plaintiff to demolish, repair, enclose or clean up said premises under the police power to protect the public health and safety.

d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting the City of Chicago a judicial deed to the property if declared abandoned.

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- e. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- f. For reasonable attorneys fees and litigation and court costs.
- g. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

CITY OF CHICAGO, a Municipal Corporatio

BY: \_\_\_\_\_  
ASSISTANT CORPORATION COUNSEL

### VERIFICATION

The undersigned, being first duly sworn on oath, deposes and says that he/she is the duly authorized agent of the plaintiff for the purpose of making this affidavit; that he/she has read the above and foregoing complaint, and has knowledge of the contents thereof, and that matters set out therein are true in substance and in fact, and as to matters alleged on information and belief that he/she believes them to be true.

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 200\_\_\_\_  
By \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CIRCUIT COURT CLERK OR NOTARY PUBLIC

FOR FURTHER INFORMATION CONTACT: DEPARTMENT OF BUILDINGS  
PUBLIC INFORMATION DESK 744-3400

MARA S. GEORGES, Corporation Counsel  
Attorney for Plaintiff  
30 N. LaSalle St. 7th floor  
Chicago, Illinois 60602  
Atty. No. 90909  
(312) 744-8791

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

Address: 5833 5841 S HALSTED ST

NORMAN J LOGAN (O)  
5833 S HALSTED  
CHGO IL 60621

CLARA CLARK (O)  
5833 S HALSTED  
CHGO IL 60621

LUCAS BINSWANGER (X)  
6258 N ARTESIAN  
CHGO IL 60659

NORMAN J LOGAN (O)  
5833 S HALSTED  
CHGO IL 60621

CLARA CLARK (O)  
5833 S HALSTED  
CHGO IL 60621

LUCAS BINSWANGER (X)  
3258 N ARTESIAN  
CHGO IL 60659

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

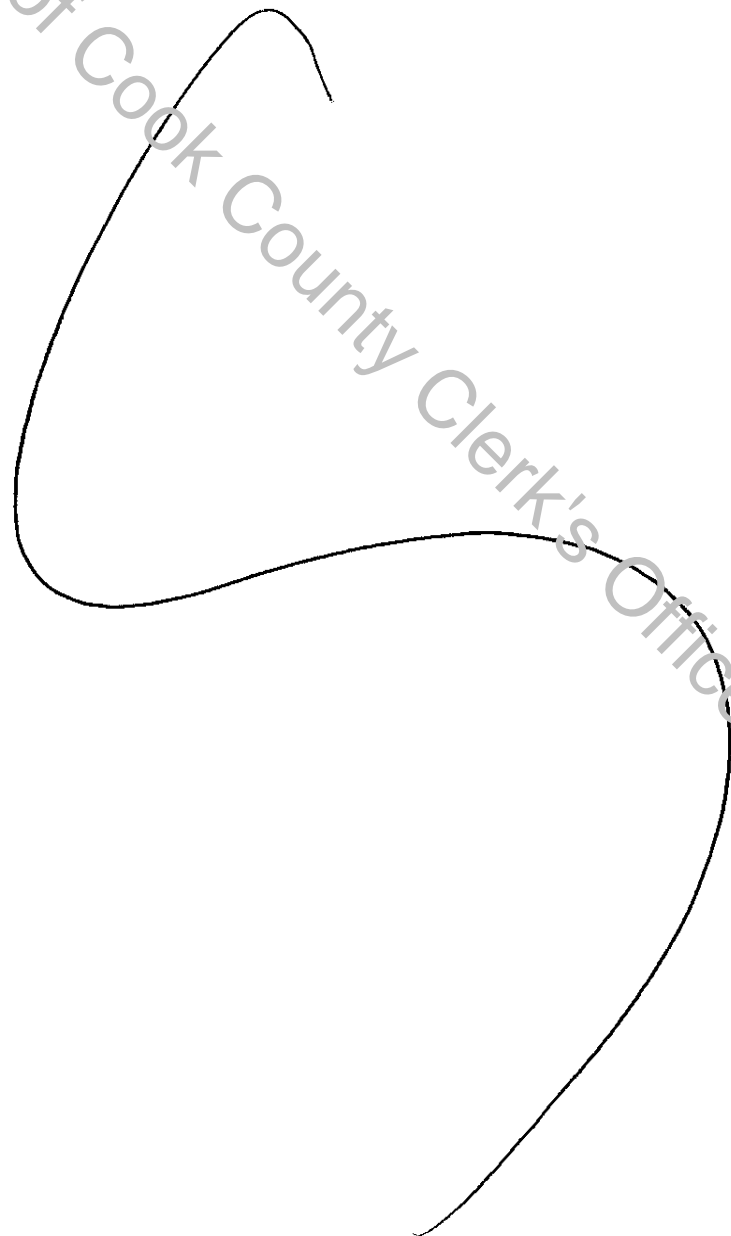
\* \* \* LEGAL DESCRIPTION \* \* \*                      MULTIPLE BLDGS

Address: 5833 5841 S HALSTED ST  
PI# 20-16-120-007

MULTIPLE BLDGS

LOTS 33 & 34 IN BLOCK 2 IN SIDWELL'S ADDITION TO ENGLEWOOD, BEING A  
SUBDIVISION OF THE SOUTH 1/2 OF THE WEST 1/2 OF OUTLOT 39 OF SCHOOL  
TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 14,  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,  
ALSO THAT PART OF THE WEST 1/2 OF THE ALLEY LAID OUT IN SAID BLOCK 2  
LYING EAST OF AND CONTIGUOUS TO LOTS 33 & 34 IN SECTION 16, TOWNSHIP 38  
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,  
LYING EAST OF THE 3RD PRINCIPAL MERIDIAN  
IN COOK COUNTY ILLINOIS

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## Urban Homes Builders Inc.

**Contract:** Norman Logan  
5833 S. Halsted  
Chicago, Illinois 60621

**Date:** 10/15/02  
**Location:** 5833-5841 S. Halsted, Chicago Illinois

I (we), Norman Logan here after called the "owner" jointly and severally does hereby agree with Urban Homes Builders, Inc hereafter called the "Contractor" as follows:

The Contractor agrees to furnish all material and labor necessary for the construction of work on the premises located at 5833 - 5841 S. Halsted in compliance with City of Chicago Cases No. 02M1-401765 and 02M1-404014.

### Phase II Specifications


- G. Repair and rebuild defective floor in south building. Remove floor studs and resurface floor approximate 50' X 50' x 6" on grade.
- H. Remove accumulation of refuse and debris from shop area.
- I. Provide electrical services where needed in the shop area. Provide six exit signs. Illuminate public hall and stairway with 4 new fixtures.
- J. Install new fire extinguishers.
- K. Install new picture window for office area, approximately 48" x 48".
- L. Install new drywall in ceiling of shop area - approximately 50'x50'.
- M. Frame and prepare front entrance area for concrete installation. Pack back-fill as to leave in tight condition for concrete pour. Furnish and pour concrete slab for approximate area of 9'x25'x6".
- N. Post name, address and telephone number of business on front elevation of business.
- O. Remove rear yard excessive junk and debris.
- P. Remove multiple abandoned cars and junk vehicles.
- Q. Repair and replace defective fence on south rear yard.
- R. Repair and replace rear east wall with new brick masonry. Approximately 50'x30'x1'

In consideration the foregoing agreement of completion work for Phase II the amount of \$95,000.00 and the total contract amount of \$140,500.00 by the following manner and upon the following terms:

1. Job Completion: \$75000.00
2. Deposit: \$30000.00
3. Mobilization and equipment rental: \$35,500.00.

This contract shall not be binding on the Contractor unless accepted in writing by an officer of the Contractor. The Owner certifies that he has read this contract and understands the terms and conditions.

 Contractor  
10/15/2002 Date

 Owner  
10/15/2002 Date

424 East 44<sup>th</sup> Street, Chicago, Illinois 60653  
773.373.3333

PLAINTIFF'S  
EXHIBIT

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**LOGAN AUTO BODY SHOP** 07-79  
5833 S. HALSTED  
CHICAGO, IL 60621

22078

2-428/710

DATE 01-03-03

PAY TO THE ORDER OF

URBAN HOMES BUILDERS INC.

\$ 35,500.00

LOGAN 3550 DOLLARS

DOLLARS

**MARQUETTE BANK**

1-888-254-9500

FOR Mobilization, Construction Ser.

*[Handwritten Signature]*

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PLAINTIFF'S EXHIBIT

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