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Cook County Recorder of Deeds
Date: 12/18/2003 09:01 AM Pg: 1 of 3

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

**CITY OF CHICAGO, a Municipal
Corporation,**

Plaintiff,

v.

**HENRYK KOCHANSKI and BOZENA
KOCHANSKI,**

Defendants.

No. 03 M1-402361

Re: 5447 N. Panama Ave.

Agreed Order of Settlement with Permanent Injunction

This case is before the Court to approve the terms of this Agreed Order of Settlement with Permanent Injunction between the plaintiff City of Chicago ("City"), and Defendants Henryk Kochanski and Bozena Kochanski.

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

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property commonly known as 5447 North Panama Avenue, Chicago, Illinois ("the subject property"), and legally described as:

**LOT 84 IN WITWICKI'S SECOND ADDITION TO GLEN-EDENS ESTATES, A
SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 11 AND PART OF
THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 12, EAST**

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OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 26, 1956 AS DOCUMENT 16562104, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 12-11-212-006-0000.

2. The subject property is located in a R2 Single Family Residence District and contains one-story residential building with an attached garage, and a driveway that is located immediately in front of the garage in the subject property's front yard.
3. Defendants are the record owners of the subject property, having obtained title on or about June 22, 2001.
4. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about March 28, 2002, and January 24, 2003, the driveway at the subject property contained parked motor vehicles, in violation of Municipal Code of Chicago Sections 17-5.7-5(11) and 17-7.12(7) (2002).
5. Defendants neither admit nor deny the counts contained in the Complaint, but stipulate that on the trial date of December 17, 2003, that the City would have presented evidence of the presence of vehicles in the front driveway at the subject property on multiple dates, and agree to pay the City a settlement in the amount of \$200, and reimburse the City of its litigation costs in the amount of \$149.50. Payment of the \$349.50 shall be made by a certified check or money order payable to the "City of Chicago," and hand delivered or mailed to Tina Zvanja at 30 North LaSalle Street, Suite 700, Chicago, Illinois, no later than January 9, 2004.
6. Defendants, along with their successors, heirs, assignees, agents, and/or other person(s) working in concert with them or under their control, shall be permanently enjoined from: parking or allowing the parking of any motor vehicles in the required front yard, which includes the front driveway only, on the subject property.
7. The Court shall retain jurisdiction to enforce the terms of this Agreed Order. The penalty for violating any of this Order's provisions will be:
 - a. A fine to the City in the amount of \$200 per day of violation; and
 - b. Upon petition by the City, a hearing as to why Defendants, or any other party subject to this Agreed Order, should not be held in contempt of court for violation of this Order.
8. Pursuant to Illinois Supreme Court Rule 304(a), this is a final order and the Court finds no just reason for delaying the enforcement of this Order. All parties waive their right to appeal this Order.

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9. This case is taken off the Court's call.

Agreed to by:

OK. Adam Augustynski, Defendant's Attorney
~~Bozena Kochanski~~ Defendants Henryk Kochanski and Bozena Kochanski:

Bozena Kochanski 12-12-03 H. Kochanski 12-12-03
~~Adam Augustynski~~
~~5630 N. West Bryn Mawr Avenue~~ 5447 N. Panama
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#90909

ENTERED:

_____ Date

Ann Houser

Judge Ann Houser

Assoc. Judge ANN HOUSER
DEC 12 2003
Circuit Court - 221