



Doc#: 0416703123
Eugene "Gene" Moore Fee: \$28.50
Cook County Recorder of Deeds
Date: 06/15/2004 03:14 PM Pg: 1 of 3

This space reserved for Recorder of Deeds

#90909 (Zoning)

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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

LAZARO HERRERA, PASCUALA TRUJILLO, AND MARIANO TRUJILLO,

Defendants.

No. 03 M1 403785

Re: 1635 N. Keeler Avenue

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 Defendants Lazaro Herrera and Pascuala Trujillo ("Defendants").

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 Defendants 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 1635 N. Keeler Avenue, Chicago, Illinois, ("subject property") which has a permanent index number of 13-34-427-009-0000 and is legally described as:

UNOFFICIAL COPY

LOT 9 IN BLOCK 28 IN GARFIELD A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 307 FEET OF NORTH 631.75 FEET AND WEST 333 FEET OF SOUTH 1295 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

2. The subject property contains a two-story frame residential building with an attic and a basement ("the subject building"), and is located in an R3 General Residence District.
3. Defendants are the owners of the subject property.
4. The City alleges in its complaint that beginning on or about April 17, 2003, Defendants maintained two dwelling units, one in the basement and one in the attic, in an R3 Single-Family Residence District in violation of the Municipal Code of Chicago Sections 17-7.3-2 (2002).
5. Defendant admits to these allegations and agrees to plead liable to Counts I and II of the City's complaint. Defendant also agrees to pay the City a fine in the amount of \$200, and reimburse the City of its litigation costs in the amount of \$123.50. Payment of the \$323.50 shall be made by a certified check or money order payable to the "City of Chicago," and hand delivered or mailed to Tina Zaraja at 30 North LaSalle Street, Suite 700, Chicago, Illinois, no later than August 11, 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 maintaining, arranging, designing, or using more than two dwelling unit at the subject property.
7. The Court shall retain jurisdiction to enforce the terms of this Agreed Order. If a violation of any of this Order's provisions exists, the penalty shall be:
 - a. A fine to the City in the amount of \$200.00 per day of violation; and
 - b. Upon petition by the City, a hearing as to why Defendant or any other party subject to this Order should not be held in contempt of court for violation of this Agreed Order.
8. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds no just reason for delaying enforcement.
9. This case is taken off the Court's call.

UNOFFICIAL COPY

Agreed to by:

Lazaro Herrera

Defendant Lazaro Herrera
1635 N. Keeler Ave.
Chicago, IL 60639
(773) 851-6985

Pascuala Trujillo

Defendant Pascuala Trujillo
1635 N. Keeler Ave.
Chicago, IL 60639

Attorney for the City of Chicago
Mara S. Georges, Corporation Counsel, City of Chicago

By: Christopher M. Grunewald

Christopher M. Grunewald
Building and Land Use Litigation Division
30 N. LaSalle Street, Suite 700
Chicago, IL 60602
(312) 744-6648
#90909



ENTERED:

Judge

Date

Assoc. Judge ANN HOUSER
JUN 11 2004
Circuit Court - 227
Cook County Clerk's Office