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

CITY OF CHICAGO, a Municipal Corporation,)
)
) **Case No. 04 M1-401402**
) **Plaintiff,**)
) **v.**)
) **Re: 657 W. 117th St.**
) **RAYMOND A. PARKER, et al.,**)
)
) **Defendants.**) **Courtroom: 1111**

ORDER OF DEMOLITION

This cause was heard on April 28, 2005, on the Complaint For Equitable And Other Relief of the plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following defendants:

RAYMOND A. PARKER a/k/a RAY PARKER
PATRICIA WILSON PARKER a/k/a PATRICIA A. PARKER
NICHOLE E. CLAY a/k/a N. CLAY
CHARLES DORTCH
CIT GROUP/CONSUMER FINANCE, INC.
Z FINANCIAL
UNKNOWN OWNERS AND NON-RECORD CLAIMANTS.

There having been an order of default by service of summons against defendant Z Financial, which order was entered on June 24, 2004, and which order has not been challenged; there having been an order of default by publication notice against all unknown owners and non-record claimants, which order was entered on September 9, 2004, and which order has not been challenged; there having been an order dismissing defendant Charles Dortch from this case, which order was entered on October 28, 2004, and which order has not been challenged; defendant CIT Group/Consumer Finance, Inc.

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having filed an appearance in this case through counsel on May 6, 2004; defendants Raymond A. Parker a/k/a Ray Parker and Nichole E. Clay a/k/a N. Clay having each filed a pro se appearance in this case on May 6, 2004, and defendant Patricia Wilson Parker a/k/a Patricia A. Parker having filed a pro se appearance in this case on March 3, 2005; and with Raymond A. Parker a/k/a Ray Parker having appeared in court for trial and having averred that he has no objection to demolition of the building on the subject property, the Court, having heard testimony, having received photographs as City's Group Exhibit #1 and having admitted said photographs into evidence, and being fully advised in the premises, finds that:

1. The Court has jurisdiction of the parties and the subject matter which is the property located at the common address of: 657 West 117th Street, Chicago, Illinois, and legally described as follows:

THE EAST 32 FEET OF LOT 140 IN SHARPSHOOTER'S PARK A SUBDIVISION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 25-21-318-006. Located on the subject property is a two-story, multiple-family residential building of frame construction. During the pendency of this case, the rear porch and stair system of the building was demolished by the City pursuant to authorization from this Court. Also, previously there was a garage on the subject property, which garage was demolished during the pendency of this case. The building is located in a mostly residential area, and is immediately adjacent to occupied residential buildings on both sides. The subject property is located in an area with substantial pedestrian and automobile traffic.

2. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (2002)(Unsafe Buildings) in that:
 - a. The building is vacant and open, and has severe fire and water damage due to a fire that occurred sometime in 2003. As a result of being open to the elements for approximately sixteen months, the building has continued to deteriorate over time from elemental damage.
 - b. The electrical systems are inoperable with damaged, broken or missing fixtures.
 - c. The plumbing systems are inoperable with damaged, broken or missing components.
 - d. The heating systems are inoperable with damaged, broken or missing components.
 - e. The exterior rear wall of the building is severely fire-damaged.
 - f. The exterior rear porch and stair system has been removed.
 - g. The interior walls and partitions have severe fire and water damage, and there is broken and falling plaster.
 - h. The floors are buckled.
 - i. The roof is severely fire-damaged and has missing sheathing, is vented and open in several areas, and roof debris continues to fall off the building and into the properties immediately adjacent to the building.
 - j. Most of the window glazing, sashes and frames are broken or missing.

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- k. The building currently has a **28%** level of deterioration, based upon an assessment of the building's vital systems, including its masonry, floors, walls, sashes, frames, doors, trim, stairs, plaster and glazing.
 - l. There are no permits posted for repair work on the subject property, and there has not been any repair work in progress at the subject property, nor any lawful occupants, since at least December 8, 2003.
3. The Court finds that demolition of the building on the subject property is the least restrictive alternative to abate the violations of the Municipal Code of Chicago which exist at the subject property as of April 28, 2005.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Judgment is entered in favor of plaintiff City of Chicago and against the defendants on Count I of the City's Complaint for Equitable And Other Relief, which seeks demolition of the building on the subject property, and on Count IV, which seeks a finding that the subject property constitutes a statutory public nuisance.
- B. Counts II, III and V of the City's Complaint are voluntarily dismissed without prejudice.
- C. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, the City is authorized to demolish the building on the subject property, and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute. **However, such a lien shall be attached to the subject property only, and shall not be a personal judgment against Raymond A. Parker a/k/a Ray Parker, Patricia Wilson Parker a/k/a Patricia A. Parker or Nichole E. Clay a/k/a N. Clay.**
- D. Defendants shall immediately remove any and all persons occupying the subject property and all personal property from said premises instanter so that said premises will be completely vacant and free of personal property before demolition is commenced. The City's Department of Human Services is authorized to assist in the relocation of any tenants.
- E. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order. The Court finds no just reason for delay in enforcement or appeal of this judgment.
- F. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the costs of demolition and litigation costs for entry of a lien against the defendant(s) and the subject property, as defined by the applicable statutes and ordinances.

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ENTERED:

JUDGE SEBASTIAN T. PATTI
MAY 03 2005
Circuit Court - 1663

Judge Sebastian T. Patti

Date: _____

Atty. #90909

MARA S. GEORGES, Corporation Counsel

By: Daniel E. Fernández

Assistant Corporation Counsel
Building and Land Use Litigation Division
30 N. LaSalle Street, Suite 700
Chicago, Illinois 60602
(312) 744-8791

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