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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 03/14/2006 12:15 PM Pg: 1 of 4

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

THE CITY OF CHICAGO,)
a municipal corporation,)
Plaintiff,)
v.)
Lawndale Restoration, LLC, et al.)
Defendants.)

No: 05 M1 400216
Re: 3211-13 W. Douglas

AGREED ORDER JOINING ADDITIONAL PARTIES DEFENDANT, WAIVING SERVICE OF SUMMONS, FOR ENTRY OF PERMANENT INJUNCTION AND ORDER OF DISMISSAL

THIS CAUSE COMING TO BE HEARD on the set call and upon an agreed motion of Plaintiff, City of Chicago, and certain Party Defendants, the Court having jurisdiction over the parties and subject matter and being fully advised in the premises:

This Court Hereby Finds As Follows:

That the subject property has been deeded to a development company or individual, specifically selected by the Chicago Department of Housing, pursuant to a review process and certain "deed recipient selection criteria" established in consultation with the U. S. Department of Housing and approved by Act of the Chicago City Council;

That the newly-selected deed recipient of record has agreed to accept certain terms and conditions in consideration

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for receipt of the deed;

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That the terms of acceptance of title includes, among other conditions, that the subject buildings situated on the property be rehabilitated within a specific time frame;

That the requisite rehabilitation of the subject property will ultimately result in the completion of specific repairs that will remedy the outstanding municipal code violations alleged in Plaintiff City of Chicago's complaint;

That City of Chicago, the current Defendants are desirous of ending their litigation and reaching an accord that will best serve the tenants and Lawndale Community at large;

That the new owners of the subject property are in agreement with a resolution of the matter, are willing and able to waive service of summons, submit to the jurisdiction of the Court and enter into an agreed mandatory injunctive order that shall "run with the land," in accordance with the terms specified herein.

WHEREFORE, BY AGREEMENT, IT IS HEREBY ORDERED THAT:

- 1.) The selected title-recipient of the property, OTWG-LLC LLC, is hereby joined instanter as a party defendant, summons having been waived and with said defendant submitting to the in personam jurisdiction of this Honorable Court.
- 2.) A mandatory injunctive order is hereby entered against the aforesaid title-recipient, joined instanter as a party defendant, ordering said defendant to remedy, correct and repair any dangerous and hazardous conditions previously identified in the ongoing litigation by the Chicago Building Inspector, **if any such conditions exist**, within ninety (90) days from the entry of this order.
- 3.) A mandatory injunctive order is hereby entered against the aforesaid title-recipient, joined instanter as a party defendant, ordering said defendant to remedy, correct and repair any and all remaining violations cited in Plaintiff City of Chicago's complaint within twelve (12) months from date of entry of this order.
- 4.) This injunctive order shall "run with the land" and be binding upon the selected title-recipient, his/her/their agents, heirs, successor or assigns who shall be permanently enjoined and commanded to complete the repairs of the outstanding code violations within the specified time periods proscribed above. Specifically excluded from any obligation to comply with the aforesaid injunction are the prior defendants who are being dismissed, instanter, with prejudice.
- 5.) That in the event that the newly joined defendant fails to comply with the terms and conditions of repair specified above, City of Chicago shall retain the right to reinstate this action and seek the remedies specified within its complaint against the newly joined defendants, as well as seek such further relief as may be necessary to compel compliance with the terms and conditions of this agreement.

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6.) That, in the event of a subsequent sale of the subject property, the newly joined defendants shall immediately file a motion to reinstate the case, advise the Court of the new owner's identity and seek to modify the injunctive orders. City shall retain its right to seek such further relief as the Court shall deem appropriate.

7.) That upon the successful completion of the required repairs, the newly joined defendants shall immediately contact the Chicago Building Department to arrange for a full inspection of the premises in order to verify the satisfactory completion of the Building Code violation repairs. Providing the City of Chicago's Building Inspectors verify compliance with the relevant building codes, Plaintiff shall join the newly joined Defendants in the entry of an agreed order dissolving this permanent injunction and dismissing this matter, with prejudice.

8.) That, in consideration for their surrender of title and interests in the subject property, any and all other previously named defendants are hereby dismissed as parties defendant to this action, with prejudice, and with each party bearing their costs of litigation.

9.) The court reserves jurisdiction of this matter for the purposes of modification, enforcement or termination of this permanent injunction and retains the right to reinstate the matter in the event of non-compliance against the newly joined defendants.

10.) This order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.

HEARING DATE: 3/8/06

Assoc. Judge ANN HOUSEF
MAR 08 2006
Circuit Court - 27

ENTERED: _____
Judge Presiding
Courtroom 1107

City of Chicago
By: [Signature]
Assistant Corporation Counsel
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791

Lawn Dale Restoration LLC
By: [Signature]

Defendant/Title Recipient: TWB - LCDL LLC
By: [Signature]

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

* * * LEGAL DESCRIPTION * * * FRONT

Address: 3211 3213 W DOUGLAS BV
PI# 16-23-221-037

FRONT

LOTS 5 TO 11 SHERMAN AND WALTER'S SUBDIVISION OF BLOCK 7 IN CIRCUIT COURT
PARTITION OF THE EAST 1/2 OF THE NORTHEAST 1/4 AND THAT PART OF THE EAST
1/2 OF THE SOUTHEAST 1/4 LYING NORTH OF THE CENTER LINE OF OGDEN AVENUE
IN SECTION 23, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.
LYING EAST OF THE 3RD PRINCIPAL MERIDIAN
IN COOK COUNTY ILLINOIS

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