



Doc#: 0619310047 Fee: \$28.50  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 07/12/2008 11:08 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. )  
 )  
 **NOOTAN BHARANI and ANDREW OWENS,** )  
 )  
 **Defendants.** )

**No. 06 M1 401132  
Re: 1655 W. 17<sup>th</sup> St.  
Courtroom 1107**

**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 Plaintiff City of Chicago ("City") and Defendants Nootan Bharani and Andrew Owens (collectively referred to as "Defendants").

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 1655 West 17<sup>th</sup> Street, Chicago, Illinois ("subject property"), and legally described as:

THE SOUTH 38 FEET OF LOT 12 IN BLOCK 8 IN FREDERICK H. BARTLETT'S 8<sup>TH</sup> ADDITION TO BARTLETT'S HIGHLANDS, BEING A SUBDIVISION OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Permanent Index Number: 17-19-407-002-0000.

2. The subject property contains a two-story residential building and a two-car garage in the rear yard, and is located in an RT4 Residential Zoning District.
3. Defendants are the record owner of the subject property.
4. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about November 19, 2005, Defendants have used the subject property, or allowed it to be used, to perform motor vehicle repair work in violation of the Zoning Ordinance.
5. Defendants admit to these violations and agree to plead liable to all counts contained in the City's Complaint. Defendants further agree to pay the City a fine in the amount of \$500, and reimburse the City of the City's litigation costs in the amount of \$150. Payment of the \$650 shall be made by certified check or money order payable to the "City of Chicago" and delivered to Tina Zvanja at 30 North LaSalle Street, Suite 700, Chicago, Illinois, 60602, no later than August 7, 2006.
6. Defendants, along with their successors, heirs, assignees, agents, and/or other person(s) working in concert with them or under their control, are permanently enjoined from using the subject property and the public alley adjacent to the subject property, or allowing the subject property to be used, to perform motor vehicle repair work.
7. The Court shall retain jurisdiction of the injunctive portions of this Agreed Order solely for the purposes of enforcement or modification of the injunctions, upon proper motion. The Court shall retain jurisdiction of all other portions of this Agreed Order solely for the purpose of enforcement of the terms of this Agreed Order.
8. Each violation of any of this Order's provisions shall result in:
  - a. A fine to the City in the amount of \$500 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.
9. This is a final order and the Court finds no just reason for delaying enforcement. All parties waive their right to appeal this Order.
10. This case is taken off the Court's call.

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Agreed to by:

  
\_\_\_\_\_

Alan M. Simon  
Attorney for Defendants Nootan Bharani and Andrew Owens  
70 W. Madison St., Ste. 2100  
Chicago, IL 60602

Plaintiff City of Chicago:

Mara S. Georges  
Corporation Counsel  
City of Chicago

By:   
\_\_\_\_\_

Christopher M. Murray  
Assistant Corporation Counsel  
30 N. LaSalle St., Suite 700  
Chicago, IL 60602  
(312) 744-6648  
#90909

ENTERED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

Property of Cook County Clerk's Office

Assoc. Judge WILLIAM E. FLEGG  
JUL 07 2006  
Circuit Court - 1764