

# UNOFFICIAL COPY



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Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 01/23/2007 09:33 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.  
  
FELIPE COLORADO, OSCAR COLORADO,  
GUILLERMINA COLORADO, and  
MARIA E. COLORADO,  
  
Defendants.

No. 06 M1 401901  
  
Re: 4601 S. Spaulding Ave.  
  
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 Felipe Colorado, Oscar Colorado, and Guillermina Colorado (collectively "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 4601 South Spaulding Avenue, Chicago, Illinois ("subject property"), and legally described as:

LOT 22 IN KEDZIE GARDENS A SUBDIVISION OF LOT 8 IN MCCAFFERY AND MURPHYS SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,

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ILLINOIS.

Permanent Index Number: 19-02-429-001-0000.

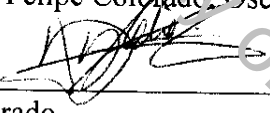
2. The subject property is non-conforming two-story brick residential building with a basement and is located in an RS-3 Residential District.
3. Defendants are the record owners of the subject property, having obtained title by a warranty deed dated October 4, 2002.
4. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about April 12, 2006, and continuing to the present, Defendants have used the subject property to maintain multiple dwelling units without having sufficient lot area for these dwelling units, in violation of Title 17 ("Zoning Ordinance") and various other provisions of the Municipal Code of Chicago.
5. Defendants admit to these allegations and agree to plead liable to all counts alleged in the Complaint. Defendant also agrees to reimburse the City of the City's litigation costs in the amount of \$150.00. Payment of the \$150.00 shall be made by a certified check or money order payable to the "City of Chicago" and delivered to Kimberly Miller at 30 North LaSalle Street, Suite 700, Chicago, Illinois, 60602, no later than February 20, 2007.
6. Defendants further agree to the entry of a permanent injunction enjoining them, their successors, heirs, assignees, agents, and/or other person(s) working in concert with them or under their control, from maintaining a separate dwelling unit in the basement of the subject building.
7. The parties subject to this Agreed Order shall allow City inspectors access to the full interior of the subject building for periodic inspections to be conducted during regular business hours (Monday through Friday) to determine compliance, and continued compliance, with the terms of this Agreed Order and the Municipal Code of Chicago. If City inspectors are unable to gain access to the full interior of the subject building during any inspection, Defendants, or any other party subject to this Order, shall contact the City's attorney to schedule an immediate reinspection.
8. Defendant Maria E. Colorado, having been served by publication notice dated December 1, 2006, with a publication default date of January 3, 2007, is in default and is subject to the injunction stated in paragraph 6 and all potential penalties specified in this order.
9. 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.

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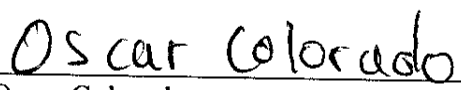
- 10. The parties agree and understand that any violation of this Order's provisions shall result in:
  - a. A fine to the City in the amount of \$500.00 to \$1,000.00 per day of violation; and
  - b. Upon petition by the City, a hearing as to why Defendant, or any other party subject to this Agreed Order, should not be held in contempt of court for violation of this Order.
- 11. All parties to this agreement waive their right to appeal this Order.
- 12. This case is taken off the Court's call.

Agreed to by:

Defendants Felipe Colorado, Oscar Colorado, and Guillermina Colorado:

  
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Felipe Colorado  
 4601 S. Spaulding Ave.  
 Chicago, IL 60632  
 (773) 254-2031

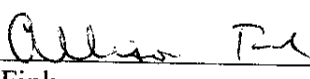
  
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Oscar Colorado  
 4601 S. Spaulding Ave.  
 Chicago, IL 60632  
 (773) 254-2031

  
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Guillermina Colorado  
 4601 S. Spaulding Ave  
 Chicago, IL 60632  
 (773) 254-2031

Plaintiff City of Chicago:  
 Mara S. Georges  
 Corporation Counsel

By:   
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Allison Fink  
 Assistant Corporation Counsel  
 30 N. LaSalle St., Suite 700  
 Chicago, IL 60602  
 (312) 742-0466  
 #90909

ENTERED:

JUDGE DAVID B. ATKINS

JAN 19 2007

Circuit Court - 1879

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge