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

CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
TOMAS KAIZNER, et al.,
Defendants.

No. 07 M1 401376
Re: 1012 N. Marshfield
Courtroom: 1111

ORDER OF DEMOLITION EFFECTIVE APRIL 1, 2008

This cause coming to be heard on February 26, 2008, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named Defendants:

Tomas Kaizner
New Century Mortgage Corporation
Wells Fargo Bank, N.A., as Trustee Successor to New Century Mortgage Company
1012 N. Marshfield, Inc.
Martin Limberk
Unknown Owners and Non-record Claimants

The Court being fully advised of the premises of this proceeding, the parties having appeared and desiring to resolve this matter by agreement, and having heard the testimony of the City's inspector, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 1012 N. Marshfield, Chicago, Illinois, and legally described as follows:

THE SOUTH 25 FEET OF LOT 8 IN BLOCK 10 IN JOHNSTON'S SUBDIVISION OF THE EAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 17-06-419-024.



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2. Located on the subject property is a two-story building of brick construction and a three-story coach house.
3. The Court having heard testimony and evidence finds that the building located on the subject property is dangerous, hazardous, unsafe and beyond reasonable repair under the Unsafe Buildings Statute, 65 ILCS 5/11-31-1 (1996) in that:

FRONT BUILDING

- a. The building is vacant.
- b. The electrical systems are stripped or inoperable.
- c. The plumbing systems are stripped or inoperable.
- d. The heating systems are stripped or inoperable.
- e. The masonry in several locations is in a state of collapse and in a dangerous and hazardous condition.
- f. The roofs have holes or leakage.
- g. The floors are warped and buckled.
- h. The joists are rotten and weakened.
- i. The partitions are breached and open.
- j. The window sashes and frames are loose and rotten.
- k. There is water damage to the interior of the building.
- l. The stairs are loose with missing members.
- m. The plaster is broken and loose in walls and ceilings.
- n. The window glazing is broken or missing.

REAR COACH HOUSE

- a. The building is vacant, open and has been gutted by fire.
 - b. The electrical systems are stripped or inoperable.
 - c. The plumbing systems are stripped or inoperable.
 - d. The heating systems are stripped or inoperable.
 - e. The roof is breached and open.
 - f. The floors are burnt thru with joists that are compromised and in a dangerous and hazardous condition.
 - g. The partitions are broken and burnt.
 - h. The interior floors are buckled and loose.
 - i. The window sashes and trim are broken and burnt.
 - j. The missing stairs are burnt and gone and have collapsed.
 - k. The porch members are in a dangerous & hazardous condition and need to be replaced.
 - l. The plaster has foiled.
 - m. The glazing is missing.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

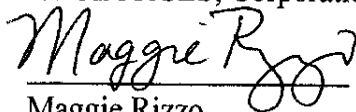
UNOFFICIAL COPY**WHEREFORE, IT IS HEREBY ORDERED THAT:**

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City of Chicago's complaint for demolition.
- B. Demolition is to become effective 4/1/08 on the condition that the plaster be removed from the south side elevation by the date of 3/4/08. Should the plaster not be removed by the date of 3/4/08, demolition of the subject property shall become effective 3/5/08.
- C. Counts II, III, and V of the City's complaint for demolition are voluntarily dismissed.
- D. 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 and is entitled to a lien for the costs of demolition and debris removal, court costs and other costs enumerated by statute.
- E. Wells Fargo Bank is ordered to keep the property secure until it is demolished.
- D. Defendants shall remove any and all persons, if any, occupying the subject property and all personal property from said premises no later than the effective date so that said premises will be completely vacant and free of personal property before demolition is commenced.
- 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 the enforcement or appeal of this order.
- F. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition and litigation costs.

 ENTERED Judge

PLAINTIFF, CITY OF CHICAGO
 MARA S. GEORGES, Corporation Counsel

By:



Maggie Rizzo

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 ATTY NO. 90909

JUDGE SEBASTIAN T. PATTI

FEB 27 2008

Circuit Court - 1663