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

CITY OF CHICAGO, a municipal corporation,)
)
Plaintiff,) No. 07 M1 401043
)
v.)
) Re: 4200 S. Pulaski Road
BARTLETT MAC CARTIN, et al.,)
)
Defendants.) Courtroom: 1111

AGREED ORDER OF DEMOLITION
DEFENDANT, 4200 PULASKI, LLC, TO DEMOLISH
SUBJECT PROPERTY BY MAY 23, 2008

This cause coming to be heard on April 23, 2008, on the Plaintiff, City of Chicago's First Amended Complaint for Equitable and Other Relief, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named Defendants:

PULASKI 4200, LLC
M & R WRECKING, LTD.
MARCHRIS ENGINEERING, LTD
IWEMA EXCAVATING & CONTRACTING CO.
PIRTANO CONSTRUCTION COMPANY, INC.
ENVIRONMENTAL RESTORATIONS SYSTEMS, INC.
JOHN AVELAR d/b/a 24-7, INC.
CALUMET FLEXICORE CORPORATION
ROGER M. KEATON
UNKNOWN OWNER AND NON-RECORD CLAIMANTS



Doc#: 0811639029 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 04/25/2008 01:07 PM Pg: 1 of 4

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: **4200 S. Pulaski Road**, Chicago, Illinois, and legally described as follows:

THE SOUTH 520 FEET OF LOT "B" (LYING EAST OF KARLOVE AVENUE AND WEST OF PULASKI ROAD) IN THE SUBDIVISION BY THE CIRCUIT COURT COMMISSIONERS IN PARTITION OF THAT PART OF THE NORTHEAST 1/4 LYING SOUTH OF ILLINOIS AND MICHIGAN CANAL RESERVE OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 5, 1893 IN BOOK 59 OF PLATS, PAGE 32, AS DOCUMENT NUMBER 1925471, IN COOK COUNTY, ILLINOIS.

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This parcel has a Permanent Index Number of 19-03-201-004.

2. Located on the subject property are multiple brick structures of various heights, seemingly all connected. The last known use of the structures was commercial. The City's complaint encompasses all structures on the subject property.
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:
 - a. The building is vacant and open.
 - b. A section of bow string truss roof has collapsed with the bottom chord of remaining bow string truss roof cracked and/or sagging with great potential for further collapse.
 - c. The walls supporting bow string truss roof is bowed and leaning, this also has great potential for collapse.
 - d. The exterior walls are deteriorated with vertical and step fractures.
 - e. The exterior walls have numerous holes and the remaining bricks are loose or missing.
 - f. The pilaster above the holes that supports the roof is in danger of collapse.
 - g. There are numerous holes or pits in the flooring.
 - h. Portions of the floor have fallen greater than 12 inches, this is extremely dangerous.
 - i. There are holes in the roof and the roof leaks.
 - j. There is broken and missing glazing.
 - k. There are broken and missing doors.
 - l. The electrical, plumbing, and heating systems are non-existent.
 - m. Evidence of juvenile activity is present (i.e. graffiti and paint-ball playing).
 - n. There are dead wild life carcasses rotting within the subject property.
 - o. There are open foundations adjacent to the building with stagnant water with over a 6 foot drop-fall which has caused a drowning hazard.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

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 counterclaim for demolition.
- B. Counts II, III, V, VI, and VII of the City's amended complaint for demolition are voluntarily dismissed.

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- C. Defendant, 4200 Pulaski, LLC, is to demolish all structures located at the subject property, 4200 S. Pulaski Road. All structures are to be demolished, with proper permits and in compliance with the City of Chicago's Municipal Code, by May 23, 2008.
- D. If Defendant, 4200 S. Pulaski, LLC, fails to demolish all structures and property grating the lot by May 23, 2008, the defendant shall be subject to a daily fine in the amount \$500.00 per day for every day in which this order is not complied with.
- E. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, if Defendant fails to demolish all structures located on the subject property by May 23, 2008, 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.
- F. The authority granted in Paragraph E. above shall become effective on May 24, 2008.
- G. Defendants shall keep the property secure at all times.
- H. Defendant 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. The City's Department of Human Services is authorized to assist in the relocation of any tenants.
- I. 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.
- J. Defendant, Pulaski 4200, LLC, is to reimburse the City's litigation costs by May 23, 2008. All civil penalties within the City's complaint are voluntarily dismissed. The only fine provision that shall remain in effective is the fine provision within this order for \$500.00 per day for not demolishing and properly grating and leveling the property by May 23, 2008.
- K. This order is without prejudice to the rights of Andrew Everest and Roger Keaton with respect to the subject matter here of.

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L. 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.

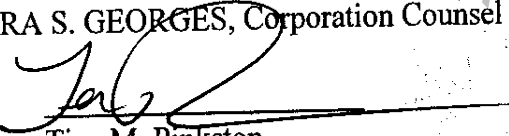
ENTERED ~~Judge~~ Assoc. Judge WILLIAM G. PILEGGI

APR 23 2008

Circuit Court - 1764

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

By:



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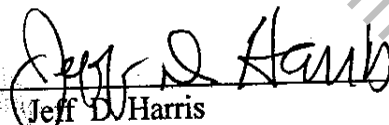
FOR THE DEFENDANT, PULASKI 4200, LLC

By:



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