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Doc#: 0826922051 Fee: \$44.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 09/25/2008 11:31 AM Pg: 1 of 5

Property of Cook County Clerk's Office

THIS AREA FOR RECORDER'S USE ONLY

ORDER APPOINTING LIMITED UTILITY RECEIVER

**Property Address: 11111-21 S. VERNON / 432-42 W 111TH ST. CHICAGO, 1L
60628**

**Legal Description: LOTS 10, 11, 12, 13 AND LOT 14 (EXCEPT THE EAST 20.00
FEET THEREOF) IN BLOCK 1 IN FOOT'S FIRST ADDITION TO PULLMAN,
A SUBDIVISION OF THE WEST 332.00 FEET AND THE NORTH 29.500 FEET
OF THE EAST 280.00 FEET OF THE WEST 612.00 FEET OF THE ORIGINAL
BLOCK I IN PULLMAN PARK ADDITION TO PULLMAN IN SECTION 22,
TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.**

PIN #: 25-22-202-008-0000

AFTER RECORDING RETURN TO:

**COMMUNITY INITIATIVES, INC.
ATTN: PETER O' BRIEN
222 SOUTH RIVERSIDE PLAZA, SUITE 2200
CHICAGO, ILLINOIS 60606 -- (312) 258-0070**

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~~HEAT~~

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

CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
North Shore Community Rwrk, et. al.)
Trust et al Defendant(s))

Case No: 06 M1 401342
Address: 11111 - 11127 S Verwood /
432 - 42 East 111th Plu
Courtroom: 1105
Richard J. Daley Center
Limited Utility

ORDER APPOINTING A TEMPORARY HEAT RECEIVER

This cause come on to be heard on complaint and petition of plaintiff, the City of Chicago ("City") for the appointment of a ^{limited utility} temporary heat receiver, pursuant to Sections 5\11-13-15, 5\11-31-2 et seq. of Chapter 65 of the Illinois Compiled Statutes and the Municipal Code of the City of Chicago ("Municipal Code") and the court having jurisdiction and having heard evidence and argument and being fully advised in the premises, finds:

1. Plaintiff is a municipal corporation, authorized by Section 5\11-31-2 et seq. of Chapter 65 of the Illinois Compiled Statutes to seek appointment of a receiver to correct conditions that fail to conform to minimum standards of health and safety;
2. Certain of the defendants are owners of or possess and control the premises located as legally described in plaintiff's Verified Complaint ("the premises");
3. The premises are located within the City of Chicago, County of Cook.
4. The premises fail comply with minimum heating standard required by Section 13-196-400 and related sections of the Municipal Code. ^{+ water}
5. Lack of heat ^{twate} at the present time of year is a condition that causes the premises to fail to conform to minimum standards of health and safety.
6. Lack of heat ^{water} at the present time of year threatens imminent irreparable harm to the life and health of the tenants and occupants of the premises.
7. Lack of heat ^{water} at the present time of year constitutes an extraordinary emergency necessitating immediate court action;
8. The city has notified or attempted to notify defendants of this court hearing by methods reasonably calculated to give actual notice;
9. Defendant(S) who possess and control the premises have failed to restore heat and/or hot water; ^{+ water}
10. Remedies at law are inadequate because lack of heat and/or hot

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- with
water threatens imminent irreparable harm to the tenant and occupants of the premises.

11. Equitable remedies others than appointments of a ^{limited utility} ~~temporary~~ heat receiver are inadequate because this court will be unable to order of to enforce orders that defendants restore heat in time to avert irreparable harm to the tenant and occupants, and the tenants and occupants likely will be unable to vacate the premises in time to avoid irreparable harm.

12. Appointments of a heat receiver is appropriate because the heat receiver has available unique resources to restore heat;

13. The City's recommended receiver, ^{C11 Comments Director Doc.} ~~David Fuller~~ is especially qualified for the appointment because of his extensive real estate management and receivership experience;

14. Receiver's bond should be excused pursuant to Section 5/11-32-2.3 Of Chapter 65 of Illinois Compiled Statutes.

The court now orders:

- A. ^{C11} ~~David Fuller~~ is appointed ^{limited} ~~temporary heat~~ receiver of the premises located as described in plaintiff verified complaint, for the purpose of and with powers necessary and appropriate to restore and maintain heat until further order of the court;
- B. The heat receiver shall immediately contract with the appropriate utility company (ies) to restore heat and/or related utility service (s) to the premises;
- C. The ^{water} ~~heat~~ receiver shall make repairs to the heating facilities not to exceed \$ 1000, if the ~~heat~~ receiver finds that the lack of heat is due in part or whole to heating facilities defects, if the ~~heat~~ receiver in good faith believes that repairs in that amount of less safely restore heat, and if the heat receiver secures loan funding in the amount of the repairs. If repairs are made, the heat receiver shall so report to the court as soon as feasible. ^{limited} ~~Repairs may also be made for hot water services.~~
- D. The ^{limited} ~~heat~~ receiver shall immediately report to the court any heating facilities defects not repaired pursuant to paragraph C herein, together with the estimated cost of such repairs, a proposed source of loan funding, if available, and a recommendation as to whether ~~no~~ repairs should be made;
- E. The ^{limited} ~~heat~~ receiver is authorized to employ agents to assist in the performance of his receivership duties;
- F. The ~~heat~~ receiver shall enter into possession of the premises to the extent necessary and appropriate to perform the duties recited herein and to that extent only;

~~including in particular collecting rents,~~
~~excluding in particular collecting rents,~~

and excluding disbursing money other than as enumerated herein or

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hereinafter ordered by the court;

- G. Defendants are rejoined and restrained from interfering with or obstructing the heat receiver's performance of his receivership duties;
- H. Receiver's bond and applicant's bond are excused;
- I. The heat receiver is authorized to issue a receiver's certificate for the cost and expenses of the receivership.
- J. This matter is continued to 10/20/08 at ^{9:30 am}~~1:00 pm~~ in Room 1101

Hearing date:

10/20/08

Mara S. Georges No. 90909
Corporation Counsel
Attorney for the Plaintiff

by:

[Signature]
Assistant Corporation Counsel
30 N. LaSalle Street, Suite 700
Chicago, Illinois 60602
(312) 744-8791

Entered:

SEP 17 2008

CLERK OF COURT

Judge Room 1105

[Signature]

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H E A T

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

North Shore Comm. & Bldg Trust Co et al
Defendant(s)

Case No: *06 MI 401342*

Address: *1111-11127 South Vesuvius 432-44 East 111th St*

Courtroom: *1105*
Richard J. Daley Center

RECEIVER'S ORDER FORCIBLE ENTRY

This case having come to be heard on status. The court being fully advised in the premises and having jurisdiction of the parties and the subject matter finds that Comm. Director Du (C1) duly appointed the receiver for the subject property by order of this court, and People's Gas, Light and Coke Company have been unable to gain access to the interior of said premises.

and Dept of water Mgt

The court hereby orders:

Dept of water Management

A. The receiver and People's Gas, Light and Coke Company, and their agents are herewith empowered to forcibly effect entry to the basement and/or boiler room of the premises;

and other area where the utilities might represent

B. All persons having an interest in the premises are commanded to allow the receiver and his agent's access to the premises and to do no act which would impede, obstruct or prevent the receiver or his agents from effectuating entry; and

C. All law enforcement officers to whom this order is shown shall assist the receiver and his agents as necessary to effectuate the provisions of this order.

D. This order effective if A does not assist in entry or is unavailable or unresponsive.

Hearing date: *9/17/08*

SEP 17 2008
Entered: *2503*

Mara S. Georges No. 90909
Corporation Counsel
Attorney for the Plaintiff

Judge *McG...*

by: *[Signature]*
Assistant Corporation Counsel
30 N. LaSalle Street, Suite 700
Chicago, Illinois 60602
(312) 744-8791