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Doc#: 0904934017 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/18/2009 08:54 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.)

MARLENE FIERRO,)

Defendant.)

No. 09 M1 400172

Re: 3133 N. Newcastle Ave.

Courtroom 1107

AGREED ORDER OF SETTLEMENT WITH PERMANENT INJUNCTION

This case coming before the Court to approve the terms of this Agreed Order of Settlement with Permanent Injunction between the Plaintiff City of Chicago ("City") and Defendant Marlene Fierro ("Defendant").

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 Defendant to comply with each of the terms stated in this Order:

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property commonly known as 3133 N. Newcastle Avenue, Chicago, Illinois ("the subject property"), and legally described as:

THE NORTH HALF OF THE NORTH HALF OF LOT 38 IN MONT CLARE
SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION

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30, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN
IN COOK COUNTY, ILLINOIS.

Permanent index number: 13-30-108-030-0000.

2. The subject property contains a single-family residence and is located in an RS3 Residential District.
3. Defendant is the record owner of the subject property, having obtained title by warranty deed dated May 2, 2006.
4. The City alleges in its Complaint for Equitable and Other Relief that Defendant erected a sign at the subject building without obtaining a permit from the City, in violation of the Municipal Code of Chicago.
5. Defendant admits to these allegations and agrees to plead liable to all counts alleged in the City's Complaint. Defendant further agrees to pay the City a fine in the amount of \$300.00 and reimburse the City of the City's litigation costs in the amount of \$228.00. Payment of the \$528.00 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 March 5, 2009.
6. Defendant along with her successors, heirs, assignees, agents, and/or other person(s) working in concert with her or under her control, is permanently enjoined from erecting or maintaining any sign at the subject property without first obtaining a permit from the City.
7. Defendant agrees to remove all signs at the subject property within 24 hours.
8. 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.
9. Each violation of any 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.
10. This is a final order and the Court finds no just reason for delaying enforcement. All parties waive their right to appeal this Order.

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11 This case is taken off the Court's call.

Agreed to by:

Defendant Marlene Fierro:

By: [Signature]

Marlene Fierro

3133 North Newcastle Ave.

Chicago, IL 60634

773-237-5023

Plaintiff City of Chicago:

Mara S. George, Corporation Counsel

City of Chicago

By: [Signature]

Allison Fink

Assistant Corporation Counsel

30 N. LaSalle St., Suite 700

Chicago, Illinois 60602

(312) 742-0466 (Phone)

(312) 742-0088 (Fax)

Attorney No. 90909

ENTERED:

Date

Judge

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