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Doc#: 0904934018 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/18/2009 08:55 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.

GLORIA GONZALEZ,

Defendant.

No. 07 M1 401240

Re: 4418 S. Komensky 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 Defendant Gloria Gonzalez ("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 4418 South Komensky Avenue, Chicago, Illinois ("subject property"), and legally described as:

THE SOUTH 28 FEET OF THE NORTH 56 FEET OF THE SOUTH 83 FEET OF LOT 70 IN F.H. BARTLETT'S 47TH STREET SUBDIVISION OF LOT C IN CIRCUIT COURT PARTITION OF THE SOUTH HALF OF SECTION 3, AND THAT PART OF THE NORTHWEST QUARTER

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LYING SOUTH OF ILLINOIS AND MICHIGAN CANAL OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-03-409-025-0000.

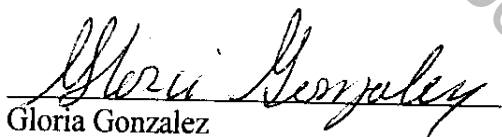
2. The subject property contains a one-story residential building with a basement and an attic and is located in an RS-3 District.
3. Defendant is the record owner of the subject property, having obtained title by warranty deed dated May 10, 2006.
4. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about November 14, 2006, and continuing to the present, Defendant has used the subject property to maintain multiple dwelling units, in violation of Title 17 ("Zoning Ordinance") and various other provisions of the Municipal Code of Chicago.
5. Defendant admits these allegations and agrees to plead liable to all counts alleged in the Complaint. Defendant also agrees to pay the City a fine in the amount of \$500.00 and reimburse the City's litigation costs in the amount of \$81.00. Payment of the \$581.00 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 April 3, 2009.
6. Defendant shall obtain a permit to deconvert the attic dwelling unit at the subject property from the City's Department of Buildings no later than August 3, 2009. Defendant shall deliver a copy of this permit to the City's attorney at the address listed below within 7 days of obtaining the permit.
7. Defendant further agrees to the entry of a permanent injunction enjoining her, her successors, heirs, assignees, agents, and/or other person(s) working in concert with her or under her control, from maintaining more than one dwelling unit (as defined under Municipal Code of Chicago Section 17-17-0248) in the subject building. This prohibits use of the subject building's attic as a separate dwelling unit.
8. 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, Defendant, or any other party subject to this Order, shall contact the City's attorney to schedule an immediate reinspection.

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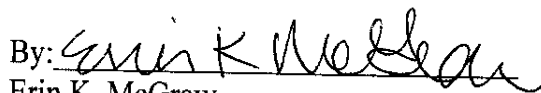
9. The Court shall retain jurisdiction of the injunctive portions of this Agreed Order solely for the purposes of enforcement or modification of the injunctions, upon proper motion. The Court shall retain jurisdiction of all other portions of this Agreed Order solely for the purpose of enforcement of the terms of this Agreed Order.
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:

Defendant Gloria Gonzalez


 Gloria Gonzalez
 4418 S. Komensky Ave.
 Chicago, IL 60632

Plaintiff City of Chicago:
 Mara S. Georges
 Corporation Counsel

By: 
 Erin K. McGraw
 Assistant Corporation Counsel
 30 North LaSalle Street, Suite 700
 Chicago, Illinois 60602
 (312) 744-5526

#90909

ENTERED:

Date

Judge

Assoc. Judge ANN HOUSER

FEB 06 2009

Circuit Court - 277