

UNOFFICIAL COPY



Doc#: 0910316046 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 04/13/2009 02:58 PM Pg: 1 of 3

Space reserved for the Recorder's Office

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

CITY OF CHICAGO, a Municipal
Corporation,)

Plaintiff,)

v.)

GREGORIO CRUZ; DEUTSCHE BANK)
NATIONAL TRUST CO., AS TRUSTEE)
FOR LONG BEACH MORTGAGE)
LOAN TRUST 2006-2; JUSTIN GIVOT)
D/B/A PRIME FINANCIAL CORP.;)
UNKNOWN OWNERS AND)
NON-RECORD CLAIMANTS.)

Defendants.)

No. 09 M1 450217

Re: 3013 S. Springfield Ave.

EMERGENCY ORDER OF DEMOLITION

This cause coming on to be heard on April 13, 2009, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), emergency motion and accompanying complaint seeking immediate demolition authorization, by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named defendants:

GREGORIO CRUZ;
DEUTSCHE BANK NATIONAL TRUST CO., as TRUSTEE FOR LONG BEACH MORTGAGE
LOAN TRUST 2006-2;
JUSTIN GIVOT d/b/a PRIME FINANCIAL CORP.;
UNKNOWN OWNERS and
NON-RECORD CLAIMANTS

The Court being fully advised of the premises of this proceeding, having heard the evidence at hearing, finds that:

UNOFFICIAL COPY

1. The Court has jurisdiction of the subject matter, which is the premises located at the following address: 3013 S. Springfield Ave., Chicago, Illinois, and legally described as follows:

LOT 45 IN BLOCK 15 IN CALVIN F. TAYLOR'S SUBDIVISION OF BLOCKS 11, 12, 14, AND 15 IN GOODWIN, BALESTIER AND PHILLIPS' SUBDIVISION OF THE WEST ½ OF THE SOUTH WEST ¼ OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-26-326-005.

2. Located on the subject property is a two-story brick construction building and rear frame garage. The last known use of the buildings was residential.
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 and open and the front and at the rear.
- b. The building is fire damaged.
- c. The building's electrical meter and service panel is fire damaged.
- d. The building's kitchen and bathroom plumbing fixtures are fire damaged.
- e. The building's heating unit at the first floor level is fire damaged and covered in debris.
- f. The building's roof system is collapsing.
- g. A majority of the building's roof shingles, sheathing, and rafters have collapsed onto the second floor from fire damage.
- h. The second floor joists are fire damaged, and the entire second floor is exposed to the elements.
- i. The second floor system is collapsing at the center, and a portion of the walls have separated from the floor.
- j. The building's door and window frames are fire damaged.
- k. The building's plaster is fire damaged, water damaged, or missing.

Rear Garage

- l. The rear garage is open and accessible at the service door.
- m. The garage's siding is deteriorating at three elevations.
- n. The garage's soffit and fascia are deteriorating.
- o. The garage's window frames are deteriorating.
- p. The service door is missing.
- q. The garage contains propane tanks.

UNOFFICIAL COPY

4. The building located thereon is structurally unsound, in danger of imminent collapse, and poses an immediate dangerous and hazardous threat to public health, safety and welfare, and must therefore be demolished immediately.

WHEREFORE, IT IS HEREBY ORDERED that:

- A. The City is authorized to immediately demolish the building located on the subject property on an emergency basis.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against defendants on Count I of its original complaint. Judgment on the remaining counts of the City's complaint, II through VII, is deferred until the next court date.
- C. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, and Section 13-12-130 of the Municipal Code of Chicago, the City is authorized to immediately demolish the building situated on the subject property on an emergency basis and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute.
- D. Defendants shall immediately remove any and all persons occupying the subject property and all personal property from said premises instantler 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.
- E. Pursuant to Illinois Supreme Court Rule 304(a), as to the emergency order of demolition, this is a final and appealable order and judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment.
- F. This cause is continued to 6/3/09, at 9:30 a.m. in Room 1111 for completion of this Court's jurisdiction.

ENTERED: 

JUDGE SEBASTIAN T. PATIS

APR 13 2009

Circuit Court - 1663

By: Rachel Ann Kuchar
 Assistant Corporation Counsel
 City of Chicago Law Dept.
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 (312) 744-3326