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Doc#: 0918331020 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 07/02/2009 08:38 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.)

**DONALD MARTIN, SAMUEL MARTIN)
and RED STAR OUTDOOR, LLC,)**

Defendants.)

No. 08 M1 401998

Re: 3512 North Halsted Street

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: Donald Martin, Samuel Martin and Red Star Outdoor, LLC (collectively "Defendants").

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 agreements stated in this Order:

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property commonly known as 3512 North Halsted Street, Chicago, Illinois ("subject property"), and legally described as:

**LOT 68 IN BENTON'S ADDISON STREET ADDITION, A
SUBDIVISION IN THE EAST ½ OF THE SOUTHEAST ¼ OF**

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SECTION 20, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent index number: 14-20-407-033-0000

2. The subject property contains a residential building ("subject building") and is located in a C1-2 Neighborhood Commercial District.
3. Defendants Donald Martin and Samuel Martin are the owners of the subject property, having obtained title by quit-claim deed dated December 20, 2002.
4. Defendant Red Star Outdoor, LLC, is an Illinois Corporation that erected, constructed or altered one or more signs on the subject property.
5. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about March 10, 2008, Defendants erected a sign across the north elevation of the subject building that measured approximately 30 feet high and 15 feet wide without obtaining a permit from the City, in violation of the Municipal Code of Chicago.
6. Defendants admit to these allegations and agree to plead liable to all counts alleged in the City's Complaint. Defendants further agree to pay the City a fine in the amount of \$1000.00 and reimburse the City of the City's litigation costs in the amount of \$108.00. Payment of the \$1108.00 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 July 31, 2009.
7. Defendants along with their successors, heirs, assignees, agents, and/or other person(s) working in concert with them or under their control, are permanently enjoined from erecting or maintaining any sign at the subject property without first obtaining a ^{required} permit from the City.
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 - \$1,000.00 per day of violation; and
 - b. Upon petition by the City, a hearing as to why Defendants, or any other party subject to this Agreed Order, should not be held in contempt of court for violation of this Order.

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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.

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

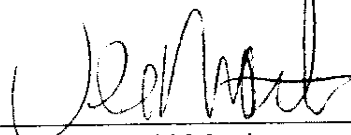
Agreed to by:

Plaintiff City of Chicago:

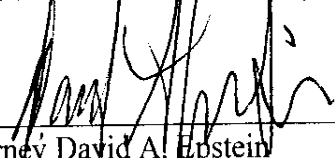
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Corporation Counsel
City of Chicago

By: 
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Defendants Samuel Martin and Donald Martin:


Attorney Donald Martin
161 North Clark Street, Suite 550
Chicago, Illinois 60601
(312) 332-4550

Defendant Red Start Outdoor, L.L.C.:

By: 
Attorney David A. Epstein
111 West Washington Street, Suite 1625
Chicago, Illinois 60602
(312) 553-1479

ENTERED:

Date

Assoc. Judge ANN HOUSEI
JUN 26 2009

Judge Circuit Court 22