

# UNOFFICIAL COPY

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

US BANK NATIONAL ASSOCIATION, )  
Trustee for Lehman Brother Structured )  
Asset Investment Loan Trust Sail - )  
2006 BnCI, )

Plaintiff, )

v. )

CITY OF CHICAGO, a Municipal )  
Corporation, )

Defendant. )

Case #: 08 M1 450255

RE: 4949 S. Loomis Ave.

CITY OF CHICAGO, a Municipal )  
Corporation, )

Counter-Plaintiff, )

v. )

FLOR DE MARIE CRUZ aka FLOR )  
DE CRUZ, US BANK NATIONAL )  
ASSOCIATION, Trustee for Lehman )  
Brother Structured )  
Asset investment Loan Trust )  
Sail - 2006 BNCI, UNKNOWN )  
OWNERS AND NON-RECORD )  
CLAIMANTS, )

Counter-Defendants. )



Doc#: 0920429057 Fee: \$40.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 07/23/2009 03:40 PM Pg: 1 of 3

### ORDER OF DEMOLITION

This cause coming to be heard on July 23, 2009, on the Counter-Complaint of the Counter-Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel, against the following named Counter-Defendants:

FLOR DE MARIE CRUZ aka FLOR DE CRUZ  
US BANK NATIONAL ASSOCIATION, Trustee for Lehman Brothers Structured Asset  
investment Loan Trust Sail - 2006 BNCI  
UNKNOWN OWNERS  
NON-RECORD CLAIMANTS

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The Court having heard the evidence at trial and being fully advised in the premises finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the building located at the common address of 4949 S. Loomis Ave., Chicago, Illinois, and legally described as follows:

**LOT 7 IN FOREMAN'S SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

P.I.N. No. 20-08-122-007. The property contains a one-story frame residential building ("the subject building").

2. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (2004)(Unsafe Buildings), in that:
  1. The subject building is vacant.
  2. All the mechanical systems are defective and have fire and water damage.
  3. The roof is breached.
  4. The rafters have fire damage.
  5. The siding has fire damage.
  6. The floors are fire and water damaged.
  7. The stair and porch systems are broken and missing with loose and fire damaged members.
  8. The sashes, frames, doors, and trim are broken, missing and fire damaged.
  9. The plaster is broken, missing, loose, and has fire and water damage.
  10. The window glazing is broken at all elevations.
3. The Court finds that the building is a public nuisance is dangerous and hazardous to the community and that demolition of the building on the subject property is the least restrictive alternative as of July 23, 2009.

## WHEREFORE, IT IS HEREBY ORDERED:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City's Complaint seeking demolition.
- B. Counts II, III, V, VI, and VII of the City's Complaint are voluntarily dismissed.

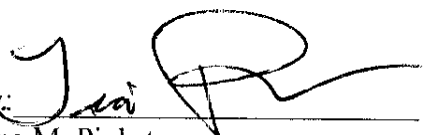
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- C. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, the City is granted authorization to demolish the building on the subject property, and is entitled to a lien for the costs of demolition, court costs, and other costs enumerated by statute, and/or other statutory remedies. .
- D. Defendants shall immediately remove any and all persons occupying the subject property and all personal property from said premises instanter so that said premises will be completely vacant and free of personal property before demolition is commenced.
- E. Pursuant to the Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds that there is no just reason for delaying the enforcement or appeal of this Order.
- F. Defendant, US Bank N.A., Trustee for Lehman Brothers Structured Assets Investments Loan Trust Sale - 2006 BNCL, shall reimburse the City's Litigation costs in the amount of \$453.00 by ~~8/25/09~~ **8-23-09**.
- G. The Court reserves jurisdiction of this cause to enforce the terms of this Order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.

ENTERED:

Judge W. **MEGGI**

Date: \_\_\_\_\_

By:   
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