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

CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
JOSEPH MAENZA, et al.,
Defendants.

No. 04 M1 450135

Re: 3115-19 W. Roosevelt

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on September 8, 2009, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named Defendants:

- Joseph Maenza
- Kathleen Maenza
- St. Paul Baptist Church
- James L. Frazier
- Bertha Frazier
- Young Bo Kim
- Moung Hee Kim
- BSK Enterprises, L.L.C.
- Unknown Owners and Non-record Claimants

The Court being fully advised of the premises of this proceeding and having heard the testimony of the City's inspector, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 3115-19 W. Roosevelt, Chicago, Illinois, and legally described as follows:

LOTS 41, 42 AND 43 IN THE SUBDIVISION OF BLOCKS 1, 2, 3 AND 4 IN BALESTIER'S DOUGLAS PARK ADDITION TO CHICAGO IN THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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This parcel has a Permanent Index Number of 16-24-101-003 and 16-24-101-004.

2. Located on the subject property are three attached single-story brick commercial buildings.
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:
 - a. The buildings are vacant.
 - b. The electrical system is damaged, missing, or inoperable.
 - c. The exterior masonry is damaged.
 - d. The roof is damaged.
 - e. The floors are damaged.
 - f. The sash and doors are damaged or missing.
 - g. The window glazing is broken or missing.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

UNOFFICIAL COPY**WHEREFORE, IT IS HEREBY ORDERED THAT :**

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I, II, and IV of the City of Chicago's complaint for demolition.
- B. The remaining counts of the City's complaint for demolition are voluntarily dismissed.
- 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. The authority granted in Paragraph C. above shall become effective immediately.
- E. BSK Enterprises, L.L.C. is ordered to keep the property secure until it is demolished.
- F. Young Bo Kim is ordered to pay a fine of \$88,800 to the City with execution to issue; Moungh Hee Kim is ordered to pay a fine of \$55,200 to the City with execution to issue; BSK Enterprises, L.L.C. is ordered to pay a fine of \$41,400 to the City with execution to issue in order to fully settle Count II of the City's complaint. Payment must be by certified check, business check, or money order, made payable to the City of Chicago. Payment must be delivered to 30 N. LaSalle Street, Suite 700, Chicago, IL, 60602, Attn: Kristina Mokrzycki. Payment must include the case number on its face, and be accompanied by a copy of this court order.
- G. Defendants shall remove any and all persons, if any, occupying the subject property and all personal property from said premises no later than the effective date so that said premises will be completely vacant and free of personal property before demolition is commenced.
- H. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order. The Court finds no just reason for delay in the enforcement or appeal of this order.
- I. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining and approving the demolition and litigation costs.

Judge James M. McGinnis
Judge

SEP 10 2009

Circuit Court-1926

PLAINTIFF, CITY OF CHICAGO
MARA S. GEORGES, Corporation Counsel

By:

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