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Doc#: 0926631130 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 09/23/2009 03:34 PM 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,)

vs.) No: 07 M1 400172

FRENOLA SMITH, et al.,) Re: 5111 W. Washington Blvd.

Defendants.)

ORDER OF DEMOLITION

This cause coming to be heard on September 22, 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:

**JP Morgan Chase Bank, National Association, as purchaser of the loans and other assets of Washington Mutual Bank, f/k/a Washington Mutual Bank, FA (th: "Savings Bank");
Unknown Heirs and Legatees of Frenola Smith; and
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: 5111 W. Washington Blvd., Chicago, Illinois, and legally described as follows:

LOT 3 IN THE SUBDIVISION OF BLOCK 69 IN HULL'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-09-425-015.

2. Located on the subject property is a three-story brick building. The last known use of the building was residential.

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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 building is vacant and open
 - b. The building's electrical systems are missing, stripped or inoperable.
 - c. The building's brickwork mortar is washed out or missing.
 - d. The building's heating systems are stripped or inoperable.
 - e. The building's plumbing systems are stripped or inoperable.
 - f. The building's sheathing are rotting or damaged.
 - g. There is water damage to the interior of the building.
 - h. The building's door frames are loose, rotten or missing.
 - i. The building's plaster is broken and loose in the walls and ceilings.
 - j. There is trash and debris throughout the interior of the building.
 - k. The interior of the building has been vandalized.
 - l. The building's window sashes and frames are loose and rotten.
 - m. The building's porch members are rotten, broken or missing.
 - n. The building's siding is rotten or missing.
 - o. There is trash and debris surrounding the exterior of the building,
 - p. The building's exterior has been vandalized.
 - q. The building's 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.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City of Chicago's Complaint for equitable and other relief.
- B. Counts II, III, and V of the City's Complaint are voluntarily dismissed.
- C. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VI of the Illinois Constitution, the City is authorized to demolish the building and is entitled to a lien for the costs of demolition and debris removal, court costs and other costs enumerated by statute and/or other statutory remedies.
- D. Defendants shall remove any and all persons, if any, occupying the subject property and all personal property from said premises immediately so that said premises will be completely vacant and free of personal property before demolition is commenced.
- E. 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.

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F. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition and litigation costs.

ENTERED *Judge James W. McGing*
SEP 23 2009
Circuit Court-1926

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

By: *Rachel Ann Kuchar*

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City of Cook County Clerk's Office