



Doc#: 0926844012 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 09/25/2009 08:52 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.

No: 09 M1 401384

DEREK SMITH; USAA FEDERAL SAVINGS BANK; FOUR STAR PROPERTIES, LLC; DAVID MORGAN; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS,
Defendants.

Re: 9343 S. Lyon Ave.

ORDER OF DEMOLITION

This cause coming on to be heard on ²³September 23, 2009 on the Plaintiff, City of Chicago, a municipal corporation's ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named defendants:

DEREK SMITH
USAA FEDERAL SAVINGS BANK
FOUR STAR PROPERTIES, LLC
DAVID MORGAN
UNKNOWN OWNERS
NON-RECORD CLAIMANTS

The Court being fully advised in the premises and having heard the evidence after a trial on the merits, finds that:

1. The Court has jurisdiction of the parties and the subject matter, which is the property located at: **9343 S. Lyon Ave.**, Chicago, Illinois, ("subject property"), and legally described as follows:

LOT 14 IN BLOCK 2 IN BURNSIDE, A SUBDIVISION OF THE SOUTHEAST (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 3,

09 M1 401384

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TOWNSHIP 37 NORTH RANGE 14, LYING EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS.

This parcel is commonly known as **9343 S. Lyon Ave.**, Chicago, Cook County Illinois and has Permanent Index Number (PIN) of 25-03-422-015.

2. Located on the subject property is a one-story frame residential building. The last known use of the building was residential.
3. The Court finds that on or about May 5, 2009, and continuing to the present, dangerous and unsafe conditions existed at the subject property, in that:
 - a. The building is vacant.
 - b. There is extreme fire damage to the property.
 - ~~c. The majority of the roof has partially collapsed.~~
 - ~~d. The remainder of the roof is in danger of collapsed.~~
 - ~~e. The adjacent home would be damaged by roof collapse which could cause a wall to blow out.~~
 - f. The interior of the building is fire and water damaged.
 - g. The sashes, frames, doors, and trim are damaged.
 - h. The mechanical systems are damaged.
 - i. The plaster is damaged.
 - j. The glazing is broken and missing.
 - k. The exterior walls are fire damaged with fire damaged studs.
4. 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).
5. Major reconstruction would be necessary to correct the conditions that currently exist at the subject property.
6. 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 ORDERED THAT:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I, III and IV of the City's Complaint for Demolition.
- B. All remaining Counts of the City's Complaint for Demolition were previously voluntarily dismissed without prejudice.
- 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

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costs enumerated by statute, and/or other statutory remedies.

- D. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds no just reason for delaying the enforcement or appeal of this order.
- E. The Court retains jurisdiction of this cause to enforce the terms of this order for the purpose of ascertaining the demolition and litigation costs for entry of a money judgment against the Defendant(s).

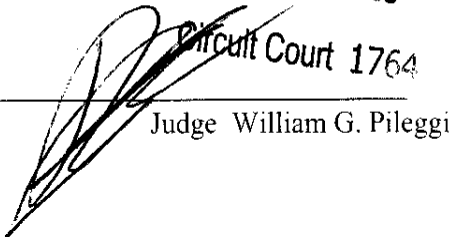
Associate Judge William G. Pileggi

SEP 23 2009

Circuit Court 1764

Duplicate Original

ENTERED



Judge William G. Pileggi

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 City of Chicago Law Dept.
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