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Doc#: 0927322050 Fee: \$40.00
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Date: 09/30/2009 09:21 AM Pg: 1 of 3

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

PHILIP FIORE,
Plaintiff,

v.

**CITY OF CHICAGO, a Municipal
Corporation,**
Defendant.

Case No.: 07 M1 450676

Re: 6600 S. Wolcott

**CITY OF CHICAGO, a Municipal
Corporation,**
Counter-plaintiff

v.

**PHILIP FIORE; MICHAEL FIORE; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS, INC.,
as NOMINEE FOR PINNACLE FINANCIAL CORP.;
PINNACLE FINANCIAL CORPORATION;
JENNIFER ALEXANDER; and UNKNOWN
OWNERS and NON-RECORD CLAIMANTS.**
Counter-defendants.

EMERGENCY ORDER OF DEMOLITION

This cause coming to be heard on September 29, 2009, on the emergency motion seeking immediate demolition authorization of the Counter-plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel, against the following named Counter-defendants:

**PHILIP FIORE;
MICHAEL FIORE;
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as NOMINEE FOR
PINNACLE FINANCIAL CORPORATION;
FINANCIAL CORPORATION;
HSBC BANK USA, NA; and
UNKNOWN OWNERS AND 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 6600 S. Wolcott, Chicago, Illinois, and legally described as follows:

LOT 1 IN BLOCK 58 IN SOUTH LYNNE, A SUBDIVISION OF THE NORTH 1/2 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

The permanent index number is **20-19-225-023**.

2. Located on the property is a two-story building of frame construction. The last known use of the building was residential ("the subject property").

3. The building on the subject property is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:

- a. The building is vacant and open with extensive fire damage throughout;
- b. The electrical system is defective, inoperable and fire damaged;
- c. The plumbing system is defective, inoperable and fire damaged;
- d. The heating system is defective, inoperable and fire damaged;
- e. The foundation has cracks throughout;
- f. The roof system is open due to fire;
- g. The sheathing and covering are missing throughout;
- h. The rafters are fire and water damaged;
- i. The floors are fire and water damaged;
- j. The walls are fire and water damaged;
- k. The joists and partitions are fire and water damaged;
- l. There are holes in the floor systems, creating a **dangerous and hazardous condition**;
- m. The sashes, frames, doors and trim are broken, missing and/or loose throughout with fire and water damage;
- n. The rear porch system is completely fire damaged, and has missing stairs to the landing, creating a **dangerous and hazardous condition**;
- o. The basement stairs are missing, creating a **dangerous and hazardous condition**;
- p. The plaster and glazing are broken, loose, and/or missing throughout;
- q. There is junk and debris throughout; and
- r. There is evidence of squatter activity.

The subject property is located approximately one-half block from a school.

4. The Court finds that it would take major reconstruction of a responsible owner to bring the building on the subject property into full compliance with the Municipal Code, and that the building is beyond reasonable repair. The Court further finds that demolition of the building on the subject property is the least restrictive alternative as of September 29, 2009.

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WHEREFORE, IT IS HEREBY ORDERED:

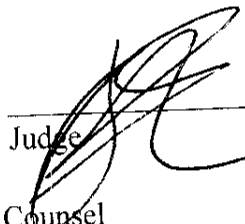
- A. Judgment is entered in favor of Counter-plaintiff City of Chicago and against Counter-defendants on Counts I and IV of the City's complaint seeking **emergency demolition authority**.
- B. Judgment ~~in the amount of \$ _____~~ is entered against Counter-defendants **Philip Fiore and Michael Fiore** pursuant to Count II of the City's Complaint payable on or before ~~_____~~. ~~The 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.~~ *ERIN*
- C. The remaining counts of the City's complaint are voluntarily withdrawn without prejudice.
- D. 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 **immediate** authorization to demolish the building on the subject property and is entitled to a lien for the costs of demolition, court costs enumerated by statute, and/or other statutory remedies.
- E. Counter-defendants shall immediately remove any and all persons occupying the subject property and all personal property from the subject property instanter so that the subject property will be completely vacant and free of personal property before demolition is commenced.
- F. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order.
- 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 Counter-defendant owners, as defined by the applicable statutes and ordinances.

is entered & continued.

E. *This matter is continued to 11.17.09 for a hearing on fines & costs. The vacatio date is stricken.*

ENTERED:

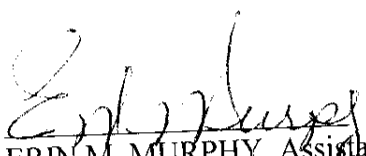
Associate Judge William G. Pileggi

Judge 

SEP 29 2009

Circuit Court 1764

By:



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