



Doc#: 0927845012 Fee: \$40.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 10/05/2009 08:46 AM Pg: 1 of 3

This space reserved for Recorder of Deeds

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

**CITY OF CHICAGO, a Municipal Corporation,** )  
 )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **FOUNDER'S BANK, AS TRUSTEE U/T/A** )  
 **DATED JANUARY 15, 2003, TRUST NO. 6210,** )  
 **MOUNT GREENWOOD LOCAL** )  
 **REDEVELOPMENT CORPORATION, and** )  
 **FAMILY DOLLAR, INCORPORATED,** )  
 )  
 **Defendants.** )

**No. 08 M1 403818**  
**Re: 11041 South Kedzie Avenue**  
**Courtroom 1107**

**Agreed Order of Settlement**

This case is before the Court to approve the terms of this Agreed Order of Settlement with Permanent Injunction between Plaintiff City of Chicago ("City") and Defendants Founder's Bank, as Trustee U/T/A Dated January 15, 2003, Trust Number 6210, Mount Greenwood Local Redevelopment Corporation, and Family Dollar, Incorporated (collectively "Defendants").

The parties wish to resolve this case without a trial, and have read and voluntarily agreed to the terms of this Order. The Court makes the following findings of fact and law, and orders Defendants to comply with each of the terms stated in this Order:

# UNOFFICIAL COPY

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property commonly known as 11041 South Kedzie Avenue, Chicago, Illinois (“subject property”), and legally described as:

Lots 57 to 63, Both Inclusive, in Block 4 in J.S. Hovlands Resubdivision of Blocks 1, 2, and 3 (Except Lots 14, 15, 17, and 18) and all of Block 4 of J.S. Hovlands Subdivision of the Southwest 1/4 of the Southwest 1/4 of Section 13, Township 37 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Permanent index numbers: 24-13-308-036-0000, -037-0000, -038-0000, -039-0000, -040-0000, -041-0000, and -042-0000.

2. The subject property contains a commercial building that contains a Family Dollar store, with an open, paved area used to park motor vehicles to the north of the building (“off-street parking area”). The subject property is located in a B3-1 Community Shopping District.
3. Defendant Founder’s Bank was the trustee of land trust number 6210 that owns legal title to the subject property under trustee’s deed dated March 15, 2004.
4. Defendant Mount Greenwood Local Redevelopment Corporation was the legal beneficiary of land trust number 6210, that owns legal title to the subject property.
5. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about June 10, 2008, and continuing to the present, Defendants used the subject property to park motor vehicles outdoors, in violation of the Chicago Zoning Ordinance.
6. Defendants agree to plead liable to all Counts of the City’s Complaint and agree to pay the City a fine of \$500.00. Defendants further agrees to reimburse the City for its litigation costs in the amount of \$228.00. Payment of the \$728.00 shall be made by certified check or money order payable to the “City of Chicago” and delivered to Kimberly White at 30 North LaSalle Street, Suite 700, Chicago, Illinois, 60602, no later than November 6, 2009.
7. Defendants agree to maintain the property in accordance with the approved plans.
8. The Court shall retain jurisdiction of this Agreed Order solely for the purpose of enforcement of the terms of this Agreed Order.

# UNOFFICIAL COPY

- 9. This is a final order and the Court finds no just reason for delaying enforcement. All parties waive their right to appeal this Order.
- 10. This case is taken off the Court's call.

Agreed to by:

Defendants Founder's Bank, as Trustee U/T/A Dated January 15, 2003, Trust Number 6210 and Mount Greenwood Local Redevelopment Corporation:

By: Kevin J. Barry, attorney for Defendants  
 Kevin J. Barry  
 The Barry Law Group, P.C.  
 3531 West 111<sup>th</sup> Street  
 Chicago, IL 60655  
 (773) 779-6100  
*Mount Greenwood Local Redevelopment Corp.*

Plaintiff City of Chicago:

Mara S. Georges  
 Corporation Counsel  
 City of Chicago

By: Erin K. McGraw  
 Erin K. McGraw  
 Assistant Corporation Counsel  
 30 North LaSalle Street, Suite 700  
 Chicago, Illinois 60602  
 (312) 744-5526  
 #90909

ENTERED:

\_\_\_\_\_  
 Date

Assoc. Judge ANN HOUSEF  
 OCT - 2 2009  
 Circuit Court - 227