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Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

EMC Mortgage Corporation, Mortgage)
Electronic Registration Systems, Inc., as)
nominee for WMC Mortgage)
Corporation,)
Plaintiff,)

Case #: 08 M1 450262

v.)

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

RE: 6828 S. Indiana Ave.

CITY OF CHICAGO, a Municipal)
Corporation,)
Counter-Plaintiff,)

v.)

EMC Mortgage Corporation, Mortgage)
Electronic Registration Systems, Inc., as)
nominee for WMC Mortgage)
Corporation, WMC Mortgage)
Corporation, KEVIN KELLY, UM)
CAPITAL, LLC, UNKNOWN)
OWNERS AND NON-RECORD)
CLAIMANTS,)
Counter-Defendants.)

ORDER OF DEMOLITION

This cause coming to be heard on December 1, 2009, on the Counter-Complaint of the Counter-Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel, against the following named Counter-Defendants:

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UM CAPITAL, LLC
 KEVIN KELLY
 UNKNOWN OWNERS
 NON-RECORD CLAIMANTS

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 6828 S. Indiana Ave., Chicago, Illinois, and legally described as follows:

THE SOUTH 30 FEET OF LOT 6 IN BLOCK 6 IN LANCASTER'S SUBDIVISION IN THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. No. 20-22-308-024. The property contains a two-story brick building and a one-story frame garage.

2. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (2004)(Unsafe Buildings), in that:

FRONT BUILDING

1. The building is vacant and open at front and rear doors.
2. The electrical systems are stripped or inoperable.
3. The plumbing systems are stripped or inoperable.
4. The heating systems are stripped or inoperable.
5. The radiators are stripped or missing.
6. All vital systems have extensive fire damage.
7. The roof is breached with two large holes.
8. The siding is loose or missing.
9. The floor joists are missing with extensive fire damage.
10. The flooring is missing or buckled with extensive fire damage.
11. The sashes, frames, doors, and trim are broken, missing or loose with fire damage.
12. The stair and porch systems are broken, missing and have loose members.
13. The plaster is broken, missing, or loose throughout with extensive fire damage.
14. The window glazing is broken at all elevations.
15. There is interior junk and debris.

GARAGE

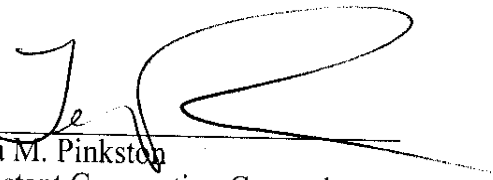
16. The garage was found vacant and secure.

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- 3. The Court finds that the building is a public nuisance is dangerous and hazardous to the community and that demolition of the building on the subject property is the least restrictive alternative as of December 1, 2009.

WHEREFORE, IT IS HEREBY ORDERED:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City's Complaint seeking demolition.
- B. Counts III, V, VI, and VII 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 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. Defendants shall immediately remove any and all persons occupying the subject property and all personal property from said premises instanter so that said premises will be completely vacant and free of personal property before demolition is commenced.
- E. Pursuant to the Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds that there is no just reason for delaying the enforcement or appeal of this Order.
- F. 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 defendant owners, as defined by the applicable statutes and ordinances.

By: 
 Tina M. Pinkston
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 312-744-0210

ENTERED:

Judge: 

Date: _____

Associate Judge William C. Fitzgerald
 DEC 04 2009
 Circuit Court 1/64