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

CITY OF CHICAGO, a municipal corporation,)	
)	
Plaintiff,)	No. 01 M1 403197
v.)	
)	Re: 7119 S. University
BARBEROUSSE, INC., et al.)	
)	
Defendants.)	Courtroom: 1109

ORDER OF DEMOLITION

This cause coming to be heard on December 16, 2009, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Marc S. Georges, Corporation Counsel of the City of Chicago, against the following named Defendants:

- Barberousse, Inc.
- A.J. Smith, FSB
- U.S. Bank
- 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: 7119 S. University, Chicago, Illinois, and legally described as follows:

LOT 39 IN BLOCK 1 IN CORNELL, BEING A SUBDIVISION IN SECTION 26 AND 35, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 20-26-106-004

2. Located on the subject property is a two-story frame residential building.

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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.
 - b. The electrical systems are stripped or inoperable.
 - c. The plumbing systems are stripped or inoperable.
 - d. The heating systems are stripped or inoperable.
 - e. The front exterior siding is rotten or missing.
 - f. The window and door sashes and frames are loose and rotten.
 - g. The second layer aluminum siding is missing or stripped.
 - h. There are loose or missing treads in the interior stairs.
 - i. The rear exterior enclosed porch is sagging in the middle.
 - j. The second floor stairs is partially removed.
 - k. The 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.

UNOFFICIAL COPY**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 demolition.
- B. The remaining counts of the City's complaint for demolition 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. The authority granted in Paragraph C. above shall become effective immediately.
- E. Barberousse, Inc. is ordered to reimburse the City's litigation costs of \$269.50 no later than February 16, 2010, with execution to issue thereafter. 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.
- F. Defendants shall remove any and all persons, if any, occupying the subject property and all personal property from said premises no later than the effective date so that said premises will be completely vacant and free of personal property before demolition is commenced.
- G. 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.
- H. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining and approving the demolition and litigation costs.

ENTERED _____ Judge



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

By:


 Maggie Rizzo

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 Building and License Enforcement Division
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Associate Judge William G. Pileggi

DEC 17 2009
 Circuit Court 1764