

Original



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Eugene "Gene" Moore
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

THE ESTATE OF HELEN H. RUFFIN;
UNKNOWN HEIRS AND LEGATEES OF
HELEN H. RUFFIN; J.P. MORGAN CHASE
BANK, N.A., SUCCESSOR TO NBD BANK
EVANSTON; FIRST MIDWEST BANK;
GEORGE E. JOHNSON; UNKNOWN
OWNERS AND NON-RECORD CLAIMANTS.

Defendants.

No. 09 M1 402457

Re: 411 W. Englewood Ave.

EMERGENCY ORDER OF DEMOLITION

This cause coming on to be heard on December 23rd, 2009, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), emergency motion and accompanying complaint seeking immediate demolition authorization, by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named defendants:

- THE ESTATE OF HELEN H. RUFFIN;
- UNKNOWN HEIRS AND LEGATEES OF HELEN H. RUFFIN;
- J.P. MORGAN CHASE BANK, N.A., SUCCESSOR TO NBD BANK EVANSTON;
- FIRST MIDWEST BANK;
- GEORGE E. JOHNSON;
- WHEELER-DEALER LIMITED; and
- UNKNOWN OWNERS and NON-RECORD CLAIMANTS.

The Court, being fully advised of the premises of this proceeding, having heard the evidence at hearing, finds that:

1. The Court has jurisdiction of the subject matter, which is the premises located at **411 W. Englewood Ave.**, Chicago, Illinois, and legally described as follows:

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THE WEST 35 FEET OF THE EAST 70 FEET OF THE NORTH 1/2 OF LOT 17 IN BLOCK 36 IN THE SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF TAKEN FOR ENGLEWOOD AVENUE AND FOR AN ALLEY IN THE REAR OF SAID LAND) IN COOK COUNTY, ILLINOIS.

The Permanent Index Number of the parcel is **20-16-326-005** ("subject property").

2. Located on the subject property is a two-story building of frame construction. The last known use of the building was residential.
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 and open with severe fire damage;
 - b. The windows and doors are broken throughout.
 - c. The front and rear porches are missing most members.
 - d. The electrical systems are missing, inoperable and fire damaged.
 - e. The plumbing systems are missing, inoperable and fire damaged..
 - f. The heating systems are missing, inoperable and fire damaged.
 - g. The siding, roofing, eaves and gutters are broken, missing, and fire damaged.
 - h. There is debris throughout the exterior of the subject property.
 - i. There is evidence of gang and drug activity.
 - j. The City also incorporates all allegations included in Count I of the original complaint filed in this matter on September 4, 2009.
4. The building located on the subject property is structurally unsound, in danger of imminent collapse, and poses an immediate dangerous and hazardous threat to public health, safety and welfare, and must therefore be demolished immediately.

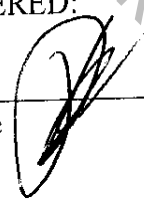
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WHEREFORE, IT IS HEREBY ORDERED that:

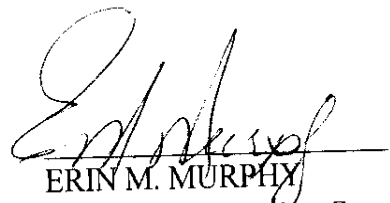
- A. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, and Section 13-12-130 of the Municipal Code of Chicago, the City is authorized to immediately demolish the building situated on the subject property on an emergency basis and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute and / or other statutory remedies;
- B. Judgment is entered in favor of Plaintiff City of Chicago and against defendants on Count I and IV of its first amended complaint. Judgment on the remaining counts of the City's complaint are deferred until the next court date.
- C. 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. The City's Department of Human Services is authorized to assist in the relocation of any tenants;
- D. Pursuant to Illinois Supreme Court Rule 304(a), as to the emergency order of demolition, this is a final and appealable order and judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment;
- E. This cause is continued to 3.6.10, at 9:30 a.m. in Room 1109 for jurisdiction.
- F. _____

ENTERED:

Judge



By:



ERIN M. MURPHY
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 Building and License Enforcement Division
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 Chicago, Illinois 60602
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Associate Judge William G. Piloggi

DEC 22 2009

Circuit Court 1754