



Doc#: 1004916036 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/18/2010 11:59 AM Pg: 1 of 3

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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,
v.

No. 09 M1 401108

CHICAGO TITLE LAND TRUST CO.,
SUCCESSOR TO FIRST NATIONAL
BANK OF SKOKIE (TRUST #52412T);
FREDDIE B. JAMES; HARRIS LOAN &
MORTGAGE CORP.; BANCO
POPULAR NORTH AMERICA,
SUCCESSOR TO PIONEER BANK &
TRUST COMPANY; UNKNOWN
OWNERS AND NON-RECORD
CLAIMANTS,

Defendants.

Re: 5417 W. West End Ave.

ORDER OF DEMOLITION EFFECTIVE APRIL 9, 2010

This cause coming to be heard on February 10, 2010, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named Defendants:

The Estate of Freddie B. James;
Chicago Title Land Trust Co., Successor to First National Bank of Skokie (Trust #52412T);
Harris Loan & Mortgage Corp.;
Banco Popular North America, Successor to Pioneer Bank & Trust Company;
Unknown Heirs and Legatees of Freddie B. James; and
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: 5417 W. West End Ave., Chicago, Illinois, and legally described as follows:

THE EAST 35 FEET OF LOTS 1, 2, AND 3 IN CRAFT'S ADDITION TO AUSTINVILLE,

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SAID ADDITION BEING A SUBDIVISION OF THE WEST 3/4 ACRES OF THE SOUTH 4 3/4 ACRES OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS.

This parcel has a Permanent Index Number of 16-09-316-002.

2. Located on the subject property is a one-and-one-half-story frame building. 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 located on the subject property ("the building") is vacant and has a history of being open.
 - b. The building's vital systems are stripped, broken, compromised, or have become inoperable.
 - c. The building's foundation is washed out with cracks.
 - d. The building's roof leaks, and its drainage system has been removed.
 - e. The building's floors are broken and partially lifted.
 - f. The building's joists are cut, rotted, and compromised.
 - g. The building's partitions are breached and open.
 - h. The building's siding has been removed from seventy percent of the exterior walls, exposing the underlying structure to the elements.
 - i. The building's window sash and trim is broken, rotted, and vandalized.
 - j. The building's stairs are loose and missing members.
 - k. The building's plaster is failed and falling.
 - l. The building's window glazing is broken.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

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 equitable and other relief.
- B. Counts II, 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 authorized to demolish the building and is entitled to a lien for the costs of demolition and debris removal, court costs and other costs enumerated by statute and/or other statutory remedies.

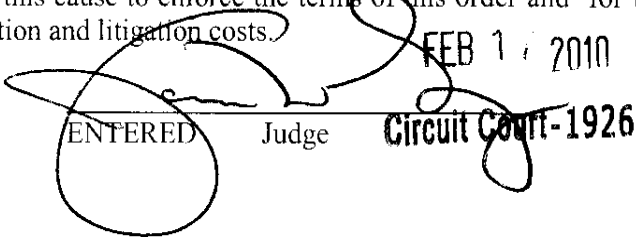
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- D. The Estate of Freddie B. James is ordered to reimburse the City's litigation costs of five hundred eighty-nine 00/100 dollars (\$589.00) no later than April 9, 2010. The payment must be by certified check, business check, or money order, made 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.
- E. Defendants shall remove any and all persons, if any, occupying the subject property and all personal property from said premises immediately so that said premises will be completely vacant and free of personal property before demolition is commenced.
- F. The City's demolition authority becomes effective April 9, 2010.
- 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 the demolition and litigation costs.

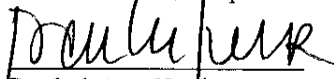
Judge James M McGing

FEB 17 2010

ENTERED Judge Circuit Court-1926



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

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