



Doc#: 1013434073 Fee: \$44.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 05/14/2010 01:27 PM Pg: 1 of 5

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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff )  
v. )  
*Benjamin Pop* et al., )  
Defendant(s). )

No: 10 MI 400460  
Re: 6233-35 S. Ellis  
Courtroom 11 05, Richard J. Daley Center

ORDER OF JUDGMENT AND ENFORCEMENT

This cause coming to be heard on the set call, the Court having jurisdiction over the defendant(s) and the subject matter, being fully advised in the premises, and having heard evidence and testimony;

IT IS HEREBY ORDERED THAT:

- The judgment entered on 3/30/10 in the amount of \$ 200.00 plus \$ 60.00 court costs for a total of \$ 260.00 against Defendant(s) Benjamin Pop shall stand as final judgment against said Defendant(s) as to Count I of City's Complaint; *this judgment stayed until 5/1/10. Findings of substantial compliance*
- Leave for enforcement of said judgment is granted plaintiff, City of Chicago, *instanter stayed*
- Any and all other counts against the above named Defendant(s) are hereby dismissed.
- Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order. The Court finds no just reason to delay enforcement or appeal of this judgment.
- Benjamin Pop shall comply with order #4 + install all valves within 7 days + 4 reinspect on shall be done within 21 days*

HEARING DATE: 3/30/10

By:   
Assistant Corporation Counsel  
Mara S. Georges, Corporation Counsel #90909  
30 N. LaSalle, Room 700  
Chicago, IL 60602 (312) 744-8791

Judge Clay Clark Courtroom 11 05  
MAI  
Circuit Court 1943

Pink Copy for Defendant(s) (photocopy if required)  
Yellow Copy for City of Chicago Department of Law  
White Original for Court Records

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

CITY OF CHICAGO, a municipal corporation,	)	Case No.	<b>10M1 400460</b>
Plaintiff	)	Amount claimed per day	2,500.00
V.	)	Address:	
BENJAMIN POP	)	6233 - 6235 S ELLIS AVE CHICAGO IL 60637-	
GOLD COAST BANK	)		
ROY MAYO	)		
Unknown owners and non-record claimants	)		
Defendants	)		

### COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Maria S. Georges, Corporate Counsel, by the undersigned Assistant(s) Corporation Counsel, complains of Defendants as follows:

#### Count I

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

20-14-316-006

LOT 14 AND 15(EXCEPT THE EAST 8 FEET OF SAID LOTS TAKEN FOR ALLEY) IN BLOCK 10 IN LLOYD'S RESUBDIVISION OF BLOCK 8 AND 9 AND THE WEST HALF OF BLOCK 10 IN CHARLES BUSBY'S SUBDIVISION IN THE SOUTH HALF OF THE SOUTH WEST QUARTER OF SECTION 14, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT 2 1/2 ACRES) IN COOK COUNTY, ILLINOIS.

Commonly known as

6233 - 6235 S ELLIS AVE CHICAGO IL 60637-

and that located thereon is a

- 3 Story(s) Building
- 6 Dwelling Units
- 0 Non-Residential Units



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4. That Richard Monocchio is the Commissioner of the Department of Buildings of City of Chicago, and as such and pursuant to the Building Code of City of Chicago, caused inspection(s) to be conducted by inspectors of the Department of Buildings of City of Chicago, who have knowledge of the facts stated in this complaint.

5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, as provided under 13-12-020 of the Municipal Code of Chicago, in the amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.

## Count II

Plaintiff, City of Chicago, a municipal corporation, realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy to secure the abatement of the aforesaid municipal code violations and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.

7. That Richard Monocchio, the Commissioner of the Department of Buildings, City of Chicago, has determined said building does not comply with the minimum standards of health and safety set forth in the Building Code.

### WHEREFORE, PLAINTIFF PRAYS:

- a. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 65 ILCS 5/11-31-1 (a), 5/11-31-2 and 5/11-13-15 and 13-12-070 of the Municipal Code.
- b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 (a) of Chapter 65 of the Illinois Compiled Statutes, as amended.
- d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting City of Chicago a judicial deed to the property if declared abandoned.
- e. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- f. For reasonable attorney fees and litigation and court costs.

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g. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

CITY OF CHICAGO, a municipal corporation

By: \_\_\_\_\_

ASSISTANT CORPORATION COUNSEL

## VERIFICATION

The undersigned, being first duly sworn on oath, deposes and says that he/she is the duly authorized agent of the plaintiff for the purpose of making this affidavit; that he/she has read the above and forgoing complaint, and has knowledge of the contents thereof, and that matters set out therein are true in substance and in fact, and as to matters alleged on information and belief that he/she believes them to be true.

\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ Day  
of \_\_\_\_\_ 20\_\_\_\_\_.

By: \_\_\_\_\_

\_\_\_\_\_  
Deputy Circuit Court Clerk or Notary Public

For further information Contact: Department of Buildings  
Public Information Desk (312) 744 3400

**Mara S. Georges**  
Corporation Counsel  
Attorney for Plaintiff

By: \_\_\_\_\_

Assistant Corporation Counsel  
30 N LaSalle St. 7th floor  
Chicago, Illinois 60602  
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