



Doc#: 1016013059 Fee: \$44.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 06/09/2010 01:01 PM Pg: 1 of 5

Space for Recorder's Office

HEAT

*Duplicate Original*

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

CITY OF CHICAGO, a municipal corporation, Plaintiff,

CASE NO.: 07 MI 401744

v. *Cap Realty Services, LLC*  
Defendant(s). et. al.

ADDRESS: 11117-39 S. Vincennes

Courtroom 1101 Richard J. Daley Center  
Chicago, Illinois

ORDER OF JUDGMENT AND ENFORCEMENT

This matter coming on to be heard on the regular trial call and on motion of the plaintiff City of Chicago, and the Court having jurisdiction over the parties and having heard evidence and testimony, and being duly advised:

IT IS HEREBY ORDERED THAT:

1. The judgment(s) entered in this matter on the date(s) of 1/28/10 in the total amount(s) of \$ 6,000.00 plus \$60.00 in court costs against defendant(s) CAP Realty Services, LLC shall stand as (a) final judgment(s) and leave for enforcement on said judgment(s) is granted Plaintiff, CITY OF CHICAGO, instanter.

2. This order is final, enforceable, and appealable, the court finding no just cause or reason to delay its enforcement or appeal.

ENTER:

HEARING DATE: 1/28/2010

Mara S. Georges, CORPORATION COUNSEL  
ATTORNEY FOR PLAINTIFF

By: \_\_\_\_\_  
Assistant Corporation Counsel  
30 N. LaSalle Street, Room 700  
Chicago, Illinois 60602  
(312) 744-8791  
Atty. No. 90909

Judge \_\_\_\_\_  
Associate Judge William G. Pilecki

JAN 28 2010  
Circuit Court 1754

# UNOFFICIAL COPY

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

**FILED**  
OCT 26 2009  
DOROTHY BROWN  
CLERK OF CIRCUIT COURT

City of Chicago, a municipal corporation, Plaintiff	)	Case No.	07 M1 401244
	)	Amount claimed per day	5,000.00
V.	)	Address:	
11117 SOUTH LONGWOOD, LLC	)	11117-1139 S LONGWOOD DR CHICAGO	
NIKOLA M. BANOVIC	)	IL 60643-	
RBS CITIZENS, N.A. d/b/a CHARTER ONE	)		
Unknown owners and non-record claimants	)		
Defendants	)		

**FILED**  
OCT 26 2009  
DOROTHY BROWN  
CLERK OF CIRCUIT COURT

### PLAINTIFF'S FIRST AMENDED COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Mara S. Georges, Corporate Counsel, by the undersigned Assistants) Corporation Counsel, complains of Defendants as follows:

Count 1

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

25-19-113-010

LOTS 5, 6, 7 AND THE NORTH HALF OF LOT 8 IN WASHINGTON HEIGHTS, BEING A RESUBDIVISION OF LOTS 1 & 2 IN BLOCK 13, ALL OF BLOCK 14, LOTS 7 TO 63, INCLUDING, IN BLOCK 20, LOTS 1 TO 3 IN BLOCKS 21, AND ALL OF BLOCKS 24, 25, 28 & 29, ALL IN SECTIONS 18 & 19. ALSO A SUBDIVISION OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 20 AND THAT PORTION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 19, EAST OF PROSPECT AVENUE, ALL IN TOWNSHIP 37, RANGE 14, RECORDED JUNE 27, 1872, UNDER DOCUMENT NO. 39776.

Commonly known as

11117 -11139 S LONGWOOD DR CHICAGO IL 60643-

and that located thereon is a

3 Story(s) Building

33 Dwelling Units

0 Non-Residential Units

2. That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the said property on the

# UNOFFICIAL COPY

date(s) herein set forth.

11117 SOUTH LONGWOOD, LLC, OWNER

NIKOLA M. BANOVIC, OWNER

RBS CITIZENS, N.A. d/b/a CHARTER ONE, MORTGAGE HOLDER

Unknown owners and non-record claimants

3a. That on 10/02/2006 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

1 CN070034

Failure to rebuild or replace dilapidated and dangerous porch. (13-196-570)

2 porch systems at 11117-19 and 11121-23 guardrails too low, 42" required, loose rotted rail connections, columns undersized, butt-jointed, sitting on blocks, 42" foundation required, beam to column connection rotted, stringers weak, cracked, scabbed, no bolted connection, obtain plans and permit to replace two porch systems

2 CN070024

Failure to repair or replace defective or missing members of porch system. (13-196-570)

2 porch systems at 11125-27 and 11129 - joists, beams over-spanned, light gauge metal strap at beam to column, 9" treads minimum, 10" required, weak rail systems, columns stacked on beams, column splices require 5 bolts, 42" foundation required

2 porch systems at 1113-35 and 11137-39 - columns beams and header joists undersized, stringers weak, no bolted connections, 9" treads, improper splice joints at columns, obtain plans and permits to repair or replace 4 porch systems

3 CN105085

Failure to provide building entrance door with deadlock latch with at least 1/2 inch latch bolt projection. (13-164-040)

Install deadlocks on all main entry doors

4 CN070014

Failure to repair or replace defective or missing members of exterior stair system. (13-196-570)

Install handrails to basement at rear areaways

5 NC3042

Failure to provide and maintain uninterrupted means of egress to outside exit at grade level. (13-160-010, 13-196-050, 13-200-330)

Remove padlocked scissor gates blocking egress at apartment rear doors at various locations

6 CN 190019

Failure to arrange for inspection of premises. (13-12-100)

No entry to basement

3b. That on 10/20/2009 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

# UNOFFICIAL COPY

7 CN046013

Stop using cooking or water heating device as heating device. (13-196-400)

Apartment 2 is using an electrical heater to heat units. Temperature at living room is 66° and dining area is 64°

8 CN132016

Heat dwelling unit adequately from September 15th to June 1st. (13-196-410)

Apartment 2 temperature is 66° in living room and 64° in dining area

9 CN132046

Provide and maintain every facility, piece of equipment, or utility in safe and sound working condition. (13-196-400, 13-196-440)

Whole building has gas shut off (11117-11139)

10 PL154027

Supply adequate hot water with minimum temperature of 120 degrees F. (13-196-430)

Whole building has no hot water. Apartment 2 has temperature of 66°

\*\*\* End of Violations \*\*\*

4. That R.L. Rodriguez 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 R.L. Rodriguez, 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.

# UNOFFICIAL COPY

- 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.
- 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 BY CERTIFICATION

Under the penalties provided by law pursuant to 735 ILCS 5/1-109, the undersigned certifies that she is an Assistant Corporation Counsel for the City of Chicago and that he is the duly authorized agent of the plaintiffs for the purpose of making this Certification, and that the statements set forth in this complaint are true and correct, except as to matters therein stated to be on information and belief, and as to such matters he certifies as aforesaid that he believes the same to be true.

 \_\_\_\_\_  
Glenn Angel  
Assistant Corporation Counsel

Mara S. Georges, Corporation Counsel  
Attorney for Plaintiff  
30 N. LaSalle, Room 700  
Chicago, IL 60602  
(312) 744-8791