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Eugene "Gene" Moore
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HEAT

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

CITY OF CHICAGO, a municipal
corporation, Plaintiff,

CASE NO.: 10 MI 400659

ADDRESS: 625-27 N Hermitage

v.
REF INC. Defendant(s). et. al.

Courtroom 1105 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 06/10/10 in the total amount(s) of \$ 10,000⁰⁰ plus \$60.00 in court costs against defendant(s) REF INC 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.

HEARING DATE: 6/11/2010

ENTER: Associate Judge LaGuina Clay-Clark

JUN 01 2010

Mara S. Georges, CORPORATION COUNSEL
ATTORNEY FOR PLAINTIFF
By: [Signature]
Assistant Corporation Counsel
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602
(312) 744-8791
Atty. No. 90909

Judge [Signature] Circuit Court 1943

Dg dg

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

CITY OF CHICAGO, a municipal corporation,
Plaintiff
V.
REF INC
CHICAGO TITLE LAND TRUST COMPANY
6225 N. HERMITAGE CONDOMINIUM
ASSOCIATION
Unknown owners and non-record claimants
Defendants

) Case No. 10M1 400659
) Amount claimed per day 2,000.00
) Address:
) 6225 - 6227 N HERMITAGE AVE CHICAGO IL
) 60660-
)

COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Mara 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:

14-06-210-056-1001

THE 6225 N. HERMITAGE CONDOMINIUM AS DELINEATED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE: LOT 6 IN BLCOM 14 IN HIGHRISE, BEING A SUBDIVISION IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT 'D' TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 29, 2008 AS DOCUMENT NO. 0836431028 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS

Commonly known as

6225 - 6227 N HERMITAGE AVE CHICAGO IL 60660-

and that located thereon is a

3 Story(s) Building

12 Dwelling Units

0 Non-Residential Units

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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 date(s) herein set forth.

REF INC , OWNER

CHICAGO TITLE LAND TRUST COMPANY , MORTGAGE HOLDER

6225 N. HERMITAGE CONDOMINIUM ASSOCIATION , REGISTERED AGENT

Unknown owners and non-record claimants

3. That on 02/24/2010 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 CN046013

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

6227 apt 1w using electrical heater to heat unit

Location: INTERIOR:001 :

SEQ #: 001

2 CN132013

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

6227 apt 1w temp 52, and 55 degrees

Location: INTERIOR:001 :

SEQ #: 002

3 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 gas shut off

Location: INTERIOR:001 :

SEQ #: 003

4 PL154027

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

6227 apt 2 no hot water temp 52degree

Location: INTERIOR:001 :

SEQ #: 004

*** End of Violations ***

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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
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