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Doc#: 1019631122 Fee: \$50.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 07/15/2010 03:44 PM Pg: 1 of 8

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HEAT

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

CITY OF CHICAGO, a municipal corporation, )  
Plaintiff, )  
v. )  
447-456 E. 80<sup>TH</sup> Street, LLC., et al., )  
Defendant(s) )

CASE NO: 09 M1 402855  
Property Address: 447-55 E. 80<sup>th</sup> St.  
Chicago, IL  
Room: 1105, Richard J. Daley Center  
Lien Amount: \$3,355.77

CLAIM FOR RECEIVER'S LIEN

The claimant, City of Chicago, a municipal corporation, by the authority granted by Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2, hereby files its claim for lien against the following described property

**Legal:** LOT 1 IN BLOCK CHATHAM FIELDS, A SUBDIVISION OF THE NORTHEAST 1.4 OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**Commonly Known as:** 447-55 E. 80<sup>th</sup> Street, Chicago, IL 60619  
**P.I.N.:** 20-34-209-018

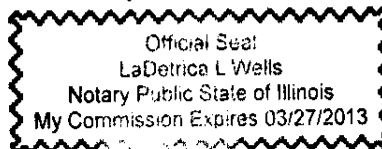
The aforesaid lien arises out of City of Chicago vs. 447-456 E. 80<sup>th</sup> Street, LLC., et al., Case Number 08 M1 402855 filed in the Circuit Court of Cook County, in which a receiver was appointed for said property by Court Order dated 11/03/2009. The receiver incurred expenses approved by the Court, pursuant to an order entered 02/25/2010. Pursuant thereto, the receiver issues a certificate in the amount of \$ 3,355.77 and bearing interest at 9% annum for costs and fees, which was transferred and assigned to the City of Chicago.

Claimant, City of Chicago, by an Assignment dated 5/19/2010 claims a lien on the above cited real estate for the amount of \$ 3,355.77 plus statutory interest of 9%. The City hereby reserves the right to amend this lien from time to time to include additional costs and fees. Pursuant to 35 ILCS 200/22-25 the advances made by the City to this property must be paid by tax purchaser prior to obtaining a tax deed for this property.

City of Chicago, a Municipal Corporation  
MARA S. GEORGES CORPORATION COUNSEL

Steven Quaintance McKenzie, Assistant Corporation Counsel, being first duly sworn on oath, deposes and says that he is the authorized agent for the City of Chicago, that he has read the foregoing Claim for Lien, knows the content thereof, and that all statements therein contained are true.

SUBSCRIBED AND SWORN TO BEFORE ME  
BY Steven Q. McKenzie  
This 14<sup>th</sup> day of July, 2010  
LaDetrica L. Wells  
MARA S. GEORGES CORPORATION COUNSEL #90909  
30 North LaSalle, Suite 700 Chicago, IL 60602 (312) 744-8791



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

CITY OF CHICAGO, a municipal corporation,	)	Case No: 09-M1-402855
	)	
Plaintiff,	)	Property Address:
v.	)	447-55 East 80 <sup>th</sup> Street
447-456 E 80 <sup>th</sup> Street, LLC, et al.,	)	<u>CHICAGO, IL.</u>
	)	Courtroom: <u>1105</u>
Defendant (s)	)	Richard J. Daley Center

**RECEIVER'S CERTIFICATE**

The undersigned David Feller was appointed heat receiver by the court to restore and maintain heat to the above premises on November 3, 2009. For value received, the receiver in his official capacity and not individually promises to pay to bearer the sum of \$3,355.77, on or before ninety (90) days after the date this certificate, with interest accruing at the rate of nine percent (9%) per annum until this receiver's certificate is fully paid, both principal and interest payable in such banking house or trust company in the City of Chicago, Illinois, as the legal holder of this receiver's certificate may appoint in writing or in the absence of such appointment, at the office of the Building and Housing Division of the City of Chicago's Law Department.

This receiver's certificate is issued under and by virtue of an order of the Circuit Court of Cook County, Illinois, entered on February 25, 2010 in the above-entitled cause, and pursuant to Illinois Compiled Statutes, chapter 5/11-31-2. This receiver's certificate is freely transferable and shall constitute a first lien in accordance with Illinois Compiled Statutes, chapter 55, section 5/21-31-2 and the foregoing order, upon the premises legally described as follows:

**SEE ATTACHED**

Permanent Index Number: 20-34-209-018

This receiver's certificate, together with the interest thereon, in no manner constitutes a personal obligation or liability of the receiver.

The holder of the receiver's certificate shall release the same receiver's certificate and the lien thereof by proper instrument, upon full and final payment of the underlying indebtedness evidenced by this receiver's certificate, either before or after maturity thereof. In the event the holder refuses to execute and deliver a release, the receiver may petition the court to order the holder to issue a release.

**ASSIGNMENT**

For the sum of one dollar (\$1.00) and for other good and valuable consideration, David Feller does hereby sell, assign and transfer to the City of Chicago, the foregoing receiver's certificate.

Dated: 5/19/2010

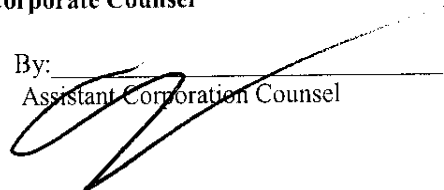
  
 \_\_\_\_\_  
**David Feller, Heat Receiver**

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The undersigned, an Assistant Corporation Counsel, is the authorized agent of the City of Chicago in this transaction.

**Mara S. Georges, Corporate Counsel**

By: \_\_\_\_\_  
Assistant Corporation Counsel



David Feller, Receiver  
C/o Globetrotters  
300 S. Wacker Drive  
Suite 400  
Chicago, IL 60606  
(312) 697-3556

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

CITY OF CHICAGO, a municipal corporation,	)	Case No: 09 - M1 - 402855
	)	
Plaintiff,	)	Address: 447-455 E 80 <sup>th</sup> Street
	)	
V.	)	Chicago, IL
	)	
447-456 E 80 <sup>th</sup> Street, LLC, et al	)	Courtroom: 1105
Defendant(s).	)	Richard J. Daley Center

### ORDER FOR RECEIVER'S CERTIFICATE

This cause coming on to be heard on the receiver's petition for the court's approval of his final accounting and for authorization to issue a receiver's certificate, with due notice being given to all parties and, with the court being fully advised in the premises;

#### THE COURT FINDS:

1. That on November 3, 2009, the receiver was appointed for the purpose of restoring and maintaining heat and/or hot water and, if necessary, to make repairs to the premises.
2. The receiver performed services on the following days: See attached.
3. The receiver presented a petition for fees in the amount of \$3,355.77 for services provided to the court.
4. The receiver received rent payments in the amount of \$.00.
5. A fee of \$3,355.77 is reasonable compensation for the receiver's performance of his duties and for services provided to the court.


#### IT IS ORDERED:

- A. That the receiver's petition for fees is granted;
- B. That the receiver's fee of \$3,355.77 is hereby approved by the court;
- C. That the receiver is hereby authorized to issue and to assign to the City of Chicago for valuable consideration a receiver's certificate in the amount of \$3,355.77. The certificate includes the cost of restoring and maintaining heat and making repairs, plus all receiver's fees, less rent receipts. Interest shall accrue on unpaid amounts from the date this order is entered at (9%) per annum. The certificate is to issue against the real estate and constitute a first lien thereon in accordance with provisions of Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2.

Hearing Date: February 25, 2010

Entered:

Mara S. Georges No. 90909  
Corporation Counsel  
Attorney for the Plaintiff

By:   
Assistant Corporation Counsel  
30 N. LaSalle Street, Suite 700  
Chicago, IL 60602  
(312) 744-8791

Judge \_\_\_\_\_, Room 1105, assigned to William C. Fitzgerald

FEB 25 2010

Circuit Court 1704

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

09M1 402855

CITY OF CHICAGO, a municipal corporation,	)	Case No.	_____
Plaintiff	)	Amount claimed per day	1,000.00
V.	)	Address:	
447-456 E 80TH STREET,LLC	)	447 - 455 E 80TH ST CHICAGO IL 60619-	
RBS CITIZENS,NA SUCCESSOR TO CHARTER ONE	)		
BANK,NA	)		
Unknown owners and non-record claimants	)		
Defendants	)		

### 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:

20-34-209-018

LOT 1 IN BLOCK 10 IN CHARTHAM FIELDS, A SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as

447 - 455 E 80TH ST CHICAGO IL 60619-

and that located thereon is a

3 Story(s) Building

13 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 date(s) herein set forth.

447-456 E 80TH STREET,LLC , OWNER

RBS CITIZENS,NA SUCCESSOR TO CHARTER ONE BANK,NA , MORTGAGE HOLDER

Unknown owners and non-record claimants

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3. That on 10/06/2009 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:

1 CN046013

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

Location: INTERIOR:002 .:

SEQ #: 001

2 CN132016

Heat dwelling unit adequately from September 15th to June 1st. (13-196-410)  
1st floor unit 64 & 65 degrees

Location: INTERIOR:002 .:

SEQ #: 002

\*\*\* 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 aforesated 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 clear 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  
Atty. No 90909  
(312) 744-8791