



Duplicate Original

Doc#: 1026716019 Fee: \$40.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 09/24/2010 09:31 AM Pg: 1 of 3

Space reserved for the Recorder's Office

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

THE CITY OF CHICAGO, )  
a municipal corporation. )

Plaintiff, )

v. )

MUNITAX FUND, LLC., REMEDIATION )  
TECHNOLOGIES, LTD., Z FINANCIAL, )  
LLC., STATEWOOD REALTY, )  
UNKNOWN OWNERS and )  
NON-RECORD CLAIMANTS. )

Defendants. )

No. 10 M1 401264

Re: 416-46 W. 87<sup>th</sup> Street

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on **September 16, 2010**, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named defendants:

- Munitax Fund, LLC.;
- Z Financial, LLC.;
- Remediation Technologies, Ltd.;
- Statewood Realty;
- Unknown Owners and
- Non-Record Claimants.

The Court being fully advised in the premises and having heard the evidence after a trial on the merits, finds that:

1. The Court has jurisdiction of the parties and the subject matter, which is the property located at: 416-46 W. 87<sup>th</sup> Street, Chicago, Illinois, ("subject property"), and legally described as follows:

10 M1 401264

2, F 3

# UNOFFICIAL COPY

THAT PART OF LOT "A" IN CHICAGO AND WESTERN INDIANA RAILROAD COMPANY'S SUBDIVISION OF PART OF SECTION 33, TOWNSHIP 35 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING ON THE SOUTH LINE OF SAID LOT "A" (SAID SOUTH LINE BEING THE NORTH LINE OF WEST 87<sup>TH</sup> STREET) AT A POINT 434.00 FEET EAST FROM THE EAST LINE OF PARNELL AVENUE (WALLACE STREET AS LAID DOWN IN THE PLAT OF SISSONS AND NEWMAN'S SUBDIVISION OF SOUTH ENGLEWOOD) AND RUNNING; THENCE NORTH ALONG A STRAIGHT LINE PERPENDICULAR TO SAID SOUTH LINE OF LOT "A" A DISTANCE OF 270.00 FEET TO A POINT; THENCE EAST ALONG A STRAIGHT LINE PARALLEL WITH SAID SOUTH LINE OF LOT "A", A DISTANCE OF 252.17 FEET TO A POINT, THENCE SOUTHEASTERWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 296.39 FEET TO A POINT ON THE SOUTH LINE OF LOT "A" AFORESAID, WHICH IS 808.43 FEET EAST FROM THE EAST LINE OF SAID PARNELL AVENUE, AND THENCE WEST ALONG THE SOUTH LINE OF LOT "A" (SAID SOUTH LINE BEING THE NORTH LINE OF WEST 87<sup>TH</sup> STREET) A DISTANCE OF 374.43 FEET TO A POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

This parcel is commonly known as 416-46 W. 87<sup>th</sup> Street, Chicago, Cook County Illinois and has Permanent Index Number (PIN) of 20-33-305-027.

2. Located on the subject property is a one- story brick building and frame garage. The last known use of the building was commercial (gas station).
3. The Court finds that on or about September 16, 2009, October 26, 2009 , and continuing to the present, dangerous and unsafe conditions existed at the subject property, in that:
  - a. The building is vacant and has a history of being open.
  - b. The building's electrical systems are stripped or inoperable.
  - c. The building's plumbing systems are stripped or inoperable.
  - d. The building's heating systems are stripped or inoperable.
  - e. The building's block walls are damaged.
  - f. The building's flat roof system and rafters are damaged.
  - g. The building's sash and entrance door are damaged or broken.
  - h. The building's window glazing is broken or missing.
  - i. The building's main entrance area has damaged wall framing and missing siding.
  - j. The garage is vacant and open.
  - k. The garage electrical systems are stripped or inoperable.
  - l. The garage plumbing systems are stripped or inoperable.
  - m. The garage heating systems are stripped or inoperable.
  - n. The garage roof is rotten.
  - o. The garage rafters are rotten.
  - p. The garage wall framing is damaged.
  - q. The garage siding is rotten.
  - r. The garage overhead doors are damaged.
  - s. The garage service door is damaged.
  - t. The garage sash and glazing are broken.
  - u. There are possible unremediated storage tanks on or below the subject property.

# UNOFFICIAL COPY

4. 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).
5. Major reconstruction would be necessary to correct the conditions that currently exist at the subject property.
6. 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 ORDERED THAT:**

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I, III and IV of the City's Complaint for Demolition.
- B. All remaining Counts of the City's Complaint for Demolition were previously voluntarily dismissed without prejudice.
- 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 granted authorization to demolish the building on the subject property, and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute, and/or other statutory remedies.
- D. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds no just reason for delaying the enforcement or appeal of this order.
- E. The Court retains jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition and litigation costs for entry of a money judgment against the Defendant(s).

SEP 16 2010

Duplicate Original

ENTERED

Circuit Court - 1764

Judge William G. Pileggi

By: Marc Augustave  
 Assistant Corporation Counsel  
 City of Chicago Law Dept.  
 Building and License Enforcement Division  
 30 N. LaSalle Street, Suite 700  
 Chicago, Illinois 60602  
 (312) 742-0339