

UNOFFICIAL COPY



Doc#: 1034144110 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 12/07/2010 03:12 PM Pg: 1 of 3

Space reserved for the Recorder's Office

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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

ERICA HARATSARIS; et. al,

Defendants.

No. 07 M1 403597

RE: 6928 S. Elizabeth St.

ORDER OF DEMOLITION

This cause coming to be heard on 12/7/10, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel, against the following named Defendants:

- Mortgage Electronic Registration Systems, Inc. as Nominee for BNC Mortgage, Inc.;
- BNC Mortgage, Inc.;
- Mortgage Electronic Registration Systems, Inc. as Nominee for Lehman Brothers bank, FSB;
- Lehman Brothers Bank, FSB;
- CDS Group, Inc.; and
- Unknown Owners and Non-Record Claimants.

The Court having heard the evidence at trial and being fully advised in the premises finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the property located at the common address of **6928 S. Elizabeth**, Chicago, Illinois, and legally described as follows:

LOT 509 IN WEDDELL AND COX'S ADDITION TO ENGLEWOOD, OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY

The permanent index number is **20-20-322-030**. Located on the subject property is a one and one half story building of frame construction. The last known use of the building residential ("the subject property").

2. The subject property is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:

- a. The building is vacant.
- b. The siding is deteriorated with broken and missing pieces.
- c. The sashes, frames, doors and trim are missing, broken, and/or loose throughout.
- d. The stairs and porch are loose, broken, and/or missing members.
- e. The window glazing is broken throughout the exterior.
- f. The interior has been vandalized, gutted and/or stripped.
- g. The vital systems have been gutted and/or stripped.

3. The Court finds that it would take major reconstruction of a responsible owner to bring the subject property into full compliance with the Municipal Code, and that the subject property is beyond reasonable repair. The Court further finds that demolition of the subject property is the least restrictive alternative as of 12/1/10.

UNOFFICIAL COPY

WHEREFORE, IT IS HEREBY ORDERED:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City's complaint seeking demolition authority.
- B. The remaining counts of the City's complaint are voluntarily withdrawn 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 authority to demolish 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. Defendants shall immediately remove any and all persons occupying the subject property and all personal property from said premises instanter so that said premises will be completely vacant and free of personal property before demolition is commenced. Defendants shall keep the subject property vacant and secure until demolition occurs.
- E. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order.
- F. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.

ENTERED:

Judge



ERIN M. MURPHY
Assistant Corporation Counsel
City of Chicago, Department of Law
Building and License Enforcement Division
30 N. LaSalle Street, Suite 700
Chicago, Illinois 60602
(312) 744-8417