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Cook County Recorder of Deeds  
Date: 02/14/2011 10:43 AM Pg: 1 of 4

**ORDER DECLARING REMOVAL AND DECONVERSION  
PURSUANT TO THE ILLINOIS CONDOMINIUM ACT,  
SECTION 765 ILCS 605/14.5,  
of the 3351-3357 WEST OHIO CONDOMINIUMS  
at 3351-3357 WEST OHIO**

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**UNOFFICIAL COPY****CONDOMINIUM****IN THE CIRCUIT COURT OF COOK COUNTY  
MUNICIPAL DEPARTMENT – FIRST DISTRICT**CITY OF CHICAGO,  
a municipal corporation

Plaintiff

v.

3351-57 WEST OHIO CONDOMINIUM  
ASSOCIATION, et al.,

Defendants

) )  
) Case No. 10 M1 400436) Amount claimed:  
) \$15,500.00 per day Count I  
) \$5,000.00 per day Count III) Address: 3351-57 W OHIO STREET  
) CHICAGO IL 60624) Courtroom 1109  
) Richard J. Daley Center**ORDER DECLARING REMOVAL AND DECONVERSION  
PURSUANT TO THE ILLINOIS CONDOMINIUM ACT, SECTION 765 ILCS 605/14.5,  
of the 3351-3357 WEST OHIO CONDOMINIUMS at 3351-3357 WEST OHIO STREET**

This cause coming to be heard on the set call, the Court having jurisdiction over the defendant(s) and the subject matter, being fully advised in the premises and having heard evidence and testimony:

1. This Court hereby makes the following findings of fact as of December 13, 2010:

- a. The property in question is currently vacant by court order, and is being kept vacant and secure by a court-appointed receiver.
- b. All parties have been permanently enjoined and restrained from transferring ownership interest in any and all units to third party purchasers for consideration, until further order of court pursuant to the court order entered on March 22, 2010.
- c. The property has serious violations of the Municipal Code of Chicago, including defective plumbing and electrical work. In addition, the property was converted into condominiums without approved plans and permits, and there is no exit from habitable rooms without passing through a bedroom or bathroom, a violation of City of Chicago fire code.
- d. Fourteen of the fifteen units in this building have been the subject of a mortgage foreclosure. Eight units have completed foreclosure and gone to banks or investors, six units are still in foreclosure, and one is owned outright by Kelly Berbaum.
- e. The essential utilities are threatened. Water service is in arrears and is established in the name of the developer World Development I, Inc., a corporation not in good standing with the Illinois Secretary of State that has no continuing ownership interest in the property.
- f. There is no active condominium association capable of making the necessary repairs.

2. Based on the above-stated findings of fact, this Court finds that the property at 3351-3357 WEST OHIO STREET is a distressed condominium property pursuant to 765 ILCS 605/14.5(a)(1).

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3. This Court further finds that the property at **3351-3357 WEST OHIO STREET** is not viable as a condominium pursuant to 765 ILCS 605/14.5(c)(2).
4. The current unit owners are the fee title owners of the individual condominium units in the 3351-3357 WEST OHIO CONDOMINIUM ASSOCIATION ("Association"), the Association and condominium units being established by virtue of a DECLARATION OF CONDOMINIUM PURSUANT TO THE ILLINOIS CONDOMINIUM PROPERTY ACT, recorded on December 20, 2007 in the Office of the Recorder of Deeds, of Cook County, Illinois, as Document 073541 8024, and legally described as follows ("Property"):

UNDERLYING PIN: 16-11-220-001-0000

UNIT PINS: 16-11-220-016-1001, 16-11-220-016-1002, 16-11-220-016-1003, 16-11-220-016-1004, 16-11-220-016-1005, 16-11-220-016-1006, 16-11-220-016-1007, 16-11-220-016-1008, 16-11-220-016-1009, 16-11-220-016-1010, 16-11-220-016-1011, 16-11-220-016-1012, 16-11-220-016-1013, 16-11-220-016-1014, 16-11-220-016-1015.

**LEGAL DESCRIPTION:**

PARCEL 1: UNITS IN 3351-3357 WEST OHIO CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 3 IN SUBDIVISION IN THE WEST 283 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 13 (EXCEPT THAT PART OF THE EAST 100 FEET LYING SOUTH OF THE NORTH 190 FEET AND NORTH OF THE SOUTH 341 FEET THEREOF), EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL2: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR INGRESS, EGRESS, USE AND ENJOYMENT AS CREATED BY THE DECLARATION RECORDED DECEMBER 20, 2007 AS DOCUMENT NO. 0801534068

5. Each of the current owners is the owner in fee simple of the unit(s) set forth below, and each unit is assigned the percentage interest in the common elements as follows:

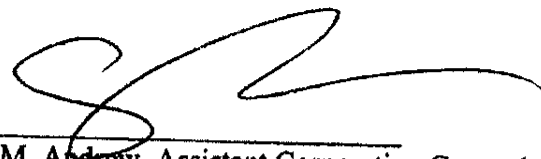
UNIT	PIN	OWNER	% INTEREST IN COMMON ELEMENTS
3351-1E	16-11-220-016-1001	LEOPOLDO CERAMI	6.44%
3351-2E	16-11-220-016-1002	FEDERAL NATIONAL MORTGAGE ASSOC.	6.44%
3351-3E	16-11-220-016-1003	LEOPOLDO CERAMI	6.44%
3351-1W	16-11-220-016-1004	FEDERAL NATIONAL MORTGAGE ASSOC.	6.44%
3351-2W	16-11-220-016-1005	KELLY BERBAUM	6.44%
3351-3W	16-11-220-016-1006	KELLY BERBAUM	6.45%
3357-1E	16-11-220-016-1007	FEDERAL HOME LOAN MORTGAGE CORP.	6.45%
3357-2E	16-11-220-016-1008	KASHIF A. RAJA	6.45%
3357-3E	16-11-220-016-1009	FEDERAL NATIONAL MORTGAGE ASSOC.	6.45%
3357-1W	16-11-220-016-1010	KELLY BERBAUM	7.00%
3357-2W	16-11-220-016-1011	US REO FUND V LLC	7.00%
3357-3W	16-11-220-016-1012	FEDERAL HOME LOAN MORTGAGE CORP.	7.00%
3357-1S	16-11-220-016-1013	WILLIAM BERBAUM	7.00%
3357-2S	16-11-220-016-1014	FEDERAL NATIONAL MORTGAGE ASSOC.	7.00%
3357-3S	16-11-220-016-1015	FIFTH THIRD MORTGAGE COMPANY	7.00%
			<b>100.00 %</b>

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6. Pursuant to 765 ILCS 605/14.5(c)(2), this Court hereby makes the following Declaration:
  - a. That the property at 3351-3357 WEST OHIO STREET is no longer a condominium, effective immediately;
  - b. That 3351-3357 WEST OHIO STREET is deemed to be owned in common by each of the unit owners, as indicated above;
  - c. That the undivided interest in the properties which shall appertain to each unit owner shall be the percentage of undivided interest previously owned by the owner in the common elements, as listed in the declaration of condominium and indicated above;
  - d. That any liens affecting any unit shall be deemed to be attached to the undivided interest of the unit owner in the property.
  
7. The power and authority of the Receiver, CII, Inc. (Community Initiatives, Inc., located at 222 S Riverside Plaza, Suite 2200, Chicago, IL 60606, 312-258-8155), is hereby expanded to include the following pursuant to 765 ILCS 604/14.5(e):
  - a. To have full power and authority to operate, manage and conserve the property;
  - b. To delegate managerial functions to a person in the business of managing real estate of the kind involved who is financially responsible and prudently selected;
  - c. To secure, clean, board and enclose, and keep secure, clean, boarded and enclosed, the property or any portion of the property;
  - d. To secure tenants and execute leases for the property, the duration and terms of which are reasonable and customary for the type of use involved, and the leases shall have the same priority as if made by the owner of the property;
  - e. To collect the rents, issues, and profits, including assessments which have been or may be levied;
  - f. To insure the property against loss by fire or other casualty;
  - g. To employ counsel, custodians, janitors and other help;
  - h. To pay taxes which may have been or may be levied against the property;
  - i. To maintain or disconnect, as appropriate, any essential utility to the property;
  - j. To make repairs and improvements necessary to comply with building, housing, and other similar codes;
  - k. To hold receipts as reserves as reasonably required for the foregoing purposes; and
  - l. To appeal tax assessments for affected condominium units in front of the Cook County Assessor, the Cook County Board of Review, and the Illinois Property Tax Appeal Board.
  - m. To exercise the other powers as are granted to the receiver by the appointing court.
  
8. The Receiver, CII, Inc., has further authority to record a copy of this Declaration in the office of the Cook County Recorder of Deeds against both the individual units and owners and the general property.

9. The Receiver, CII, Inc., has further authority to forward this Declaration to Cook County Assessor's Office.  
 10. All prior orders to stand including Receivership, Receiver to file accounting by next court date.  
 IT IS FURTHER ORDERED THAT this cause is continued to 4/14/10 at 9:30 a.m. in courtroom **1109**, Daley Center, without further notice.

HEARING DATE: 12/13/2010

By:   
 Sarah M. Andrew, Assistant Corporation Counsel  
 Mara S. Georges, Corporation Counsel #90909  
 30 N. LaSalle, Room 700  
 Chicago, IL 60602 (312) 742-0336

Judge Pileggi 1109  
 Resolved by Judge William S. Pileggi  
 DEC 13 2010  
 Circuit Court - 1764