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Eugene "Gene" Moore
Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a Municipal Corporation,
Plaintiff,
v.

No: 11 M 400602

ANNIE HARRIS; ODESSA KIRK; SHELBY MCCRAY; ROBERT COLEMAN; LOWE ENTERPRISES; and UNKNOWN OWNERS AND NON-RECORD CLAIMANTS,
Defendants.

Re: 6636 S. Lowe

Agreed EMERGENCY ORDER OF DEMOLITION - REAR BUILDING ONLY, Effective 3/26/11

This cause coming on to be heard on 3/15/11 on the Plaintiff, City of Chicago, a municipal corporation's ("City"), emergency motion and accompanying complaint seeking immediate demolition authorization, by Mara S. Georges, Corporation Counsel of the City of Chicago, against the following named defendants:

- ANNIE HARRIS;
- ODESSA KIRK;
- SHELBY MCCRAY;
- ROBERT COLEMAN;
- LOWE ENTERPRISES; and
- UNKNOWN OWNERS and NON-RECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding, having heard the evidence at hearing, finds that:

1. The Court has jurisdiction of the subject matter, which is the premises located at the following address: **6636 S. Lowe**, Chicago, Illinois, and legally described as follows:

LOTS 30, 31 AND 32 IN BLOCK 3 IN JOHNSTON AND CLEMENT'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22,

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TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: **20-21-125-033**.

2. Located on the subject property is two story frame **REAR** building. The last known use of the building was residential.
3. The Court having heard testimony and evidence finds that the **REAR** 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) in that:
 - a. The building is vacant and open.
 - b. A 40' section of a tree has collapsed on top of the roof.
 - c. The second floor is fire damaged.
 - d. The electrical systems have been removed.
 - e. The plumbing systems have been removed.
 - f. The heating systems have been removed.
 - g. The roof rafters and masonry are all compromised.
 - h. The floors, joists, partitions and plaster wall are and have been open to the elements.
 - i. The stair systems and porches are in dangerous condition.
 - j. The sashes and frames are rotted.
 - k. The building is structurally unsound.
 - l. The front building is occupied.
4. The **REAR** building located thereon is structurally unsound, in danger of imminent collapse, and poses an immediate dangerous and hazardous threat to public health, safety and welfare, and must therefore be demolished immediately.

UNOFFICIAL COPY**WHEREFORE, IT IS HEREBY ORDERED:**

- A. The City is authorized to immediately demolish the **REAR** building located on the subject property on an emergency basis.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against defendants on Count I of its original complaint. Judgment on the remaining counts of the City's complaint, II through V, is deferred until the next court date.
- C. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, and Section 13-12-130 of the Municipal Code of Chicago, the City is authorized to immediately demolish the building situated on the subject property on an emergency basis and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute.
- 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. The City's Department of Human Services is authorized to assist in the relocation of any tenants.
- E. Pursuant to Illinois Supreme Court Rule 304(a), as to the emergency order of demolition, this is a final and appealable order and judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment.
- F. This cause is continued to 5/10/11, at 9:30 a.m. in Room 1109 for completion of this Court's jurisdiction.

ENTERED:



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