

Duplicate Original

UNOFFICIAL COPY



Doc#: 1112411035 Fee: \$42.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 05/04/2011 09:24 AM Pg: 1 of 4

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.  
Pamela Mack; RSB Citizens, NA, d/b/a Charter One, Successor to Charter One Bank, NA; JWS Charter 3, LLC, Successor in interest by assignment from RSB Citizens, NA, d/b/a Charter One, successor in interest by merger with Charter One Bank, NA ; and unknown owners and non-record claimant, Defendants.

No: 11 M1 400820

Re: 832 W. 59<sup>th</sup> Street

**AMENDED EMERGENCY ORDER OF DEMOLITION** — *Effective May 17, 2011*  
**(FRONT BUILDING ONLY)**

This cause coming on to be heard on May 3, 2011, on the Defendant JWS Charter 3 LLC, as successor in interest by assignment from RBS Citizens, NA, d/b/a Charter One, successor by merger with CharterOne Bank's ("Defendant"), emergency motion for amendment and clarification of this court's order and judgment of April 5, 2011, granting the Plaintiff, City of Chicago, authority to demolish the subject property effective May 3, 2011.

Defendant's emergency motion is granted, and the order and judgment entered by this court on April 5, 2011, is hereby amended as follows:

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: **832 W. 59<sup>th</sup> Street**, Chicago, Illinois, and legally described as follows:  
**LOTS 17 AND 18 (EXCEPT THE NORTH 51 FEET) IN BLOCK 7 IN JOHN WALKER'S SUBDIVISION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

# UNOFFICIAL COPY

Permanent Index Number: 20-17-230 -040.

2. Located on the subject property is a one story brick building. The last known use of the building was commercial.
3. The Court having heard testimony and evidence finds that 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) in that:
  - a. The building is open.
  - b. The electrical systems have been stripped and are inoperable.
  - c. The electrical systems have exposed wires.
  - d. The electrical fixtures are missing.
  - e. The flooring is smoke, fire or water damaged.
  - f. The flooring is warped.
  - g. Some of the flooring is missing.
  - h. The glazing is broken or missing.
  - i. The heating system has been vandalized, stripped and is inoperable.
  - j. The furnace is missing.
  - k. The joists are smoke, fire or water damaged.
  - l. The masonry is smoke, fire or water damaged.
  - m. The masonry has holes and loose and missing brick.
  - n. The masonry has step or stress fractures.
  - o. The mortar joints are washed out.
  - p. The plaster is broken or missing.
  - q. The plumbing is stripped and inoperable.
  - r. The plumbing fixtures are missing.
  - s. The rafters are over-spaced.
4. The 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 building located on the subject property on an emergency basis. *effective May 17, 2011.*
- B. Judgment is entered in favor of Plaintiff City of Chicago and against the following defendants on Count I of its original complaint.

- Pamela Mack;
- RSB Citizens, NA, d/b/a Charter One, Successor to Charter One Bank, NA;
- JWS Charter 3 LLC, as successor in interest by assignment from RBS Citizens, NA, d/b/a Charter One, successor by merger with CharterOne Bank;
- Any unknown owners and non-record claimants to the subject property.

Judgment on the remaining counts of the City's complaint is deferred until the next court date.

- C. This amended emergency order of demolition hereby amends and corrects the legal description and permanent index number contained in the emergency order of demolition recorded on April 11, 2011 as Document Number 1110141095 for purposes of reflecting the correct parcel to be demolished. All defendants in this action have been notified of said amendment.
- D. 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.
- E. 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.
- F. 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.

# UNOFFICIAL COPY

G. This cause is continued to 6.28.11, at 9:30 a.m. in Room 1109 for completion of this Court's jurisdiction.

ENTERED:

Judge Patrick T Rogers

Patrick T Rogers 2007

MAY 03 2011

\* Circuit Court-2007

JUDITH FRYDLAND  
Deputy Corporation Counsel  
JOHN ADOLPH  
Senior Assistant Corporation Counsel  
By: Erin M. Murphy  
Assistant Corporation Counsel  
Municipal Prosecutions Division  
30 North LaSalle Street, Suite 700  
Chicago, Illinois 60602  
(312) 744-8417

Property of Cook County Clerk's Office