

Duplicate Original

UNOFFICIAL COPY



Doc#: 1116845043 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 06/17/2011 02:30 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.
CLEMENTE ANGULO, et al.,

Defendants.

No. 09 M1 402142
Re: 821 W. 33rd Place

AGREED ORDER OF DEMOLITION EFFECTIVE JUNE 11, 2011

This cause coming to be heard on May 11, 2011, on the Complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Mara S. Georges, Corporation Counsel, against the following named defendants:

CLEMENTE ANGULO;
DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL
1 INC. TRUST 2005-HE2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE 2; and
UNKNOWN OWNERS AND NON-RECORD CLAIMANTS.

The Court being fully advised in the premises of this proceeding and the parties desiring to settle this matter by agreement, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter which is the building located at the common address of **821 W. 33rd Place**, Chicago, Illinois, and legally described as follows:

LOT 63 IN BLOCK 1 IN BROWN'S ADDITION IN THE SOUTH 45 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY

Permanent Index Number: 17-32-221-021.

2. Located on the subject property is a three-story building of ordinary construction (“the subject building”).
3. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code Unsafe Buildings Statute, 65 ILCS 5/11-31-1 (1996) in that:
 - a. The building located on the subject property (“the building”) is vacant and open.
 - b. The building’s electrical meters are not registering.
 - c. The building’s electrical distribution at the second and third floor rear are fire and water damaged.
 - d. The building’s kitchen and bathroom plumbing systems are stripped or inoperable.
 - e. The building’s plumbing wall is open with stripped and broken piping.
 - f. The building’s heating units are stripped or vandalized.
 - g. The building’s heating ductwork is damaged.
 - h. The rear of the building’s gable roof is fire damaged.
 - i. The flat roof of the building’s rear enclosed porch is charred.
 - j. The building’s roof sheathing and joists are fire damaged.
 - k. The building’s masonry gable at the rear has broken bricks.
 - l. The building’s interior partitions at the rear of the second floor and third floor are fire damaged.
 - m. The building’s rear exterior wall is fire damaged.
 - n. The building’s plaster is broken, smoke damaged, and water damaged.
 - o. The building’s door frames are loose, rotting, broken, or missing.
 - p. The building’s rear wood enclosed porch is severely fire damaged with charred columns, stringers, and decking.
4. The court finds that it would take major reconstruction of a responsible owner to bring the building into full compliance with the Municipal Code, and that the building is beyond reasonable repair. The Court further finds that demolition of the building on the subject property is the least restrictive alternative as of November 1, 2009.

UNOFFICIAL COPY

WHEREFORE, IT IS HEREBY ORDERED that:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against defendants on Count I and IV of the City's complaint seeking demolition. By agreement, **Clemente Angulo shall demolish the building at the subject property by June 11, 2011. After June 11, 2011, the City of Chicago shall have the authority to demolish the building at the subject property.**
- B. Counts II, III, V, VI, and VII of the City's complaint are 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, and Section 13-12-130 of the Municipal Code of Chicago, the City is authorized to demolish the building situated on the subject property after June 11, 2011 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 so that said premises will be completely vacant and free of personal property before demolition is commenced.
- E. All prior orders are hereby extended.
- F. Pursuant to Illinois Supreme Court Rule 304(a) 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.
- G. 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 monetary judgment against the defendant owners, as defined by the applicable statutes and ordinances.

ENTERED:



By: Gabrielle E. Parker
 Assistant Corporation Counsel
 City of Chicago Law Dept.
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 (312) 744-3326

