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Doc#: 1126334002 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 09/20/2011 08:17 AM Pg: 1 of 4

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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

MERCEDES TRUJILLO,

Defendant.

No. 07 M1 401354

Re: 3409 W. 53rd Street

Courtroom 1107

AGREED ORDER OF SETTLEMENT WITH PERMANENT INJUNCTION

This case is before the Court to approve the terms of this Agreed Order of Settlement with Permanent Injunction between Plaintiff City of Chicago ("City") and Defendant Mercedes Trujillo.

The parties wish to resolve this case without a trial, and have read and voluntarily agreed to the terms of this Order. The Court makes the following findings of fact and law, and orders Defendant to comply with each of the terms stated in this Order:

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property commonly known as 3409 West 53rd Street, Chicago, Illinois ("subject property"), and legally described as:

LOT 3 (EXCEPT THE EAST 17 FEET THEREOF) AND ALL OF LOT 4 IN BLOCK 1 IN SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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2. The subject property is a one-story, single-family residence with a basement and attic, and is located in an RS2 Residential District.
3. Defendant is the record owner of the subject property, having obtained title by quit claim deed dated November 1, 2006.
4. Defendant Deutsche Bank National Trust Co., as Trustee for the registered holders of the Soundview Home Loan Trust 2006-NLC1, Asset-Backed Certificates, Series 2006-NLC1 ("Deutsche Bank"), is a mortgagee of the subject property, and is dismissed from this case.
5. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about October 7, 2006, Defendant has used the subject property to maintain multiple dwelling units in an RS2 District, in violation of Title 17 ("Zoning Ordinance") and various other provisions of the Municipal Code of Chicago.
6. Defendant admits to these allegations and agrees to plead liable to all counts alleged in the Complaint. Defendant also agrees to reimburse the City of the City's litigation costs in the amount of \$161.00. Payment of the \$161.00 shall be made by a certified check or money order payable to the "City of Chicago" and delivered to Kimberly A. White at 30 North LaSalle Street, Suite 700, Chicago, Illinois, 60602, no later than November 1, 2011.
7. Defendant stipulates that the subject building is a single-family residence. Defendant further stipulates that the dwelling unit in the basement of the subject building is not a legal dwelling unit under Municipal Code of Chicago Section 17-2-0207 which prohibits multiple dwelling units in an RS2 District.
8. Defendant shall obtain a permit from the City to deconvert the basement dwelling unit and shall deconvert the basement dwelling unit in accordance with the approved plans and permit, no later than April 1, 2012. Defendant shall provide a copy of the permit to the City's attorney listed below no later than May 1, 2012. If Defendant does not complete the deconversion by April 1, 2012, Defendant further agrees to pay the City a default fine in the amount of \$1,000.00. Payment of the \$1,000.00 shall be made by a certified check or money order payable to the "City of Chicago" and delivered to Kimberly A. White at 30 North LaSalle Street, Suite 700, Chicago, Illinois, 60602.
9. Defendant shall contact Mr. Michael Hoskins, a zoning investigator with the City's Department of Buildings, at (312) 743-3587 to schedule an inspection of the subject property no later than April 15, 2012, to verify compliance with the Municipal Code of Chicago.

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10. Defendant further agrees to the entry of a permanent injunction enjoining her, her successors, heirs, assignees, agents, and/or other person(s) working in concert with her or under her control, from maintaining more than one dwelling unit (as defined under Municipal Code of Chicago Section 17-17-0248) in the subject building. This prohibits use of the basement or attic as a separate dwelling unit.
11. If Defendant requires additional time to complete the work in the time scheduled in paragraph 8 of this Agreed Order, Defendant shall, with notice to the City, petition the Court for an extension of time. The petition for an extension of time shall be filed at least 14 days before the compliance date scheduled in paragraph 8.
12. The parties subject to this Agreed Order shall allow City inspectors access to the full interior of the subject building for periodic inspections to be conducted during regular business hours (Monday through Friday) to determine compliance, and continued compliance, with the terms of this Agreed Order and the Municipal Code of Chicago. If City inspectors are unable to gain access to the full interior of the subject building during any inspection, Defendant or any other party subject to this Order, shall contact the City's attorney to schedule an immediate reinspection.
13. The Court shall retain jurisdiction of the injunctive portions of this Agreed Order solely for the purposes of enforcement or modification of the injunctions, upon proper motion. The Court shall retain jurisdiction of all other portions of this Agreed Order solely for the purpose of enforcement of the terms of this Agreed Order.
14. Each violation of any of this Order's provisions shall result in:
 - a. A fine to the City in the amount of \$1,000.00 per day of violation; and
 - b. Upon petition by the City, a hearing as to why Defendant or any other party subject to this Agreed Order, should not be held in contempt of court for violation of this Order.
15. This is a final order and the Court finds no just reason for delaying enforcement. All parties to this agreement waive their right to appeal this Order.
16. This case is taken off the Court's call.

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Agreed to by:

Defendant Mercedes Trujillo:

By: [Signature]
Julio G. Tellez
Tellez & Boue
2342 N. Damen Ave.
Chicago, IL 60647
(773) 365-2000

Plaintiff City of Chicago:
Stephen R. Patton
Corporation Counsel

By: [Signature]
Allison Fink
Assistant Corporation Counsel
30 N. LaSalle St., Suite 700
Chicago, IL 60602
(312) 742-0466
#90909

Judge Laurreta Higgins Wolfson
SEP 16 2011
Circuit Court 1938

ENTERED:

Date

[Signature]

Judge