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Doc#: 1129041020 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/17/2011 09:54 AM Pg: 1 of 4

Reserved for Recorder of Deeds

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

CITY OF CHICAGO,)	
a municipal corporation,)	No. 11M1401433
Plaintiff,)	
v.)	Re: 6520 S. Claremont
)	Chicago, IL
BRIAN MCNAUGHTON et al.,)	PIN: 20-19-115-032; 033
Defendants.)	

ORDER OF DEMOLITION

This cause coming on to be heard on 12/13, 2011, on the Plaintiff's, City of Chicago, a municipal corporation ("City"), Complaint seeking demolition, by Stephen Patton, Corporation Counsel of the City of Chicago, against the following named defendants:

- **BRIAN MCNAUGHTON; and**
- **FNA ELM LLC; and**
- **UNKNOWN OWNERS AND NON-RECORD CLAIMANTS.**

The Court being fully advised of the premises at 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: **6520 S. Claremont** Chicago, Illinois, and legally described as follows:

LOT 9 AND THE NORTH 5 FEET OF LOT 10 IN BLOCK 48 IN SOUTH LYNNE IN SECTION 19, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: **20-19-115-032; 033.**

2. Located on the subject property is a two-story building of frame construction. The last known use of the building was residential.
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:

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- A. The structure is vacant.
 - B. The structure's electrical system is inoperable
 - C. The structure's electrical fixtures are missing, exposing the electrical wiring.
 - D. The structure's plumbing system is inoperable.
 - E. The structure's plumbing fixtures are missing.
 - F. The structure's heating system is inoperable.
 - G. The structure's ductwork is missing.
 - H. The structure is missing a furnace.
 - I. Sections of flooring are missing at various locations.
 - J. The structure's glazing is broken or missing.
 - K. The structure's exterior wall is missing siding.
 - L. The structure's exterior masonry has washed out mortar joints.
 - M. Sections of plaster are broken or missing.
 - N. The structure's sashes are broken, missing, or otherwise inoperable.
 - O. The structure's stair system has damaged decking and handrails.
 - P. The structure's stair system has improper foundations.
 - Q. The structure's stair system has improper hand rail heights.
 - R. The structure's stair system has improper treads and risers.
 - S. The structure's stair system is missing joist hangers.
4. The building located thereon poses a dangerous and hazardous threat to the public health, safety and welfare, is beyond reasonable repair, and must therefore be demolished.

WHEREFORE, IT IS HEREBY ORDERED:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City's complaint. Accordingly, the City is authorized to demolish the building located on the subject property pursuant to Counts I and IV of the City's complaint.
- B. The judgment entered on / /2011 in the amount of \$ plus \$.00 court costs for a total of \$.00 against Defendant(s) , which includes \$.00 in litigation costs, \$.00 in board up/independent access authority costs, and a fine of \$.00 pursuant to Count(s) of the City's complaint, shall stand as final judgment. Leave to enforce said

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judgment is stayed until ___/___/2011. Execution shall issue on the judgment thereafter. If payment is mailed it must be postmarked on or before the above date and sent ATTN: Kristina Mokryzki, 30 N. LaSalle St., Ste. 700, Chicago, IL 60602.

- C. The judgment entered on ___/___/2011 in the amount of \$_____ plus \$_____.00 court costs for a total of \$_____.00 against Defendant(s) _____, which includes \$_____.00 in litigation costs, \$_____.00 in board up/independent access authority costs, and a fine of \$_____.00 pursuant to Count(s) _____ of the City's complaint, shall stand as final judgment. Execution shall issue on the judgment immediately. If payment is mailed it must be postmarked on or before the above date and sent ATTN: Kristina Mokryzki, 30 N. LaSalle St., Ste. 700, Chicago, IL 60602.
- D. Counts III, V, VI, and VIII are voluntarily withdrawn without prejudice.
- E. 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.
- F. Defendants and their successors and assigns shall be permanently enjoined from renting, using, leasing, or occupying the Subject Property until demolition of the subject property commences.
- G. Defendants shall immediately remove any and all persons occupying the subject property and all personal property from said premises in such a manner 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.
- H. Pursuant to Illinois Supreme Court Rule 304(a), as to the 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.
- I. 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 money judgment against the defendant owners, as defined by the applicable statutes and ordinances.

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Associate Judge William G. Pileggi

ENTERED:

OCT 13 2011

Circuit Court - 1764



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