



Duplicate
Original

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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 11/15/2011 10:31 AM Pg: 1 of 4

Reserved for Recorder of

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

CITY OF CHICAGO,)	
a municipal corporation,)	No. 11M1402267
Plaintiff,)	
v.)	Re: 1837 W. 58 th St.
)	Chicago, IL
ARCHIE THOMAS et al.,)	PIN: 20-18-226-008-0000
Defendants.)	

ORDER OF DEMOLITION

This cause coming on to be heard on 11/10, 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:

- ARCHIE THOMAS; and
- UNKNOWN OWNERS AND NON-RECORDED 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: 1837 W. 58th St. Chicago, Illinois, and legally described as follows:

LOT 2 IN THE RESUBDIVISION OF LOTS 1 TO 5 INCLUSIVE AND LOTS 16 TO 20 INCLUSIVE AND VACATED ALLEY BETWEEN LOTS 1 TO 4 THE NORTH 9 FEET OF LOT 5, LOTS 17 TO 20 AND THE NORTH 9 FEET OF LOT 16 IN BLOCK 15 IN THE RESUBDIVISION OF BEING A SUBDIVISION 1 TO 8 INCLUSIVE (EXCEPT THE NORTH 134 FEET OF BEING A SUBDIVISION 1 AND 2, EXCEPT THE NORTH 60 FEET OF THE SOUTH 350 FEET OF BEING A SUBDIVISION 7 AND 8) IN LYONS SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Permanent Index Number: 20-18-226-008-0000.

2. Located on the subject property is a two-story building of frame type 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:
 - a. The building is vacant and open.
 - b. The building's stair system has improper foundations.
 - c. The building's studding is missing, and has damaged headers.
 - d. The building's electrical service has been terminated by ComEd.
 - e. The building's flooring is warped.
 - f. The building's glazing is broken or missing.
 - g. The building's heating system is missing ductwork and a furnace, and is stripped and inoperable.
 - h. The building's joists are cracked or missing.
 - i. The building's masonry is missing siding or sections, and has holes.
 - j. The building's plaster is broken or missing, with smoke, fire or water damage.
 - k. The building's plumbing is missing fixtures and is stripped or inoperable.
 - l. The building's roof is missing shingles, is fire damaged, and has a damaged membrane.

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 consists of \$_____.00 in litigation costs, \$_____.00 in board up/independent access authority costs, and a fine of \$_____.00 pursuant to Count(s) ____

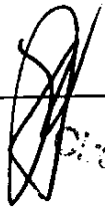
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_____ of the City's complaint, shall stand as final judgment. Leave to enforce said judgment is stayed until ___/___/ 2011. Execution shall issue on the judgment thereafter. If payment is mailed it must be postmarked on or before the above date and sent ATTN: Kristina Mokryzki, 30 N. LaSalle St., Ste. 700, Chicago, IL 60602.

- C. The judgment entered on 11 / 10 /2011 in the amount of \$ ~~2,045~~ ^{4,000 2,045} plus \$ ~~00~~ ⁰⁰ court costs for a total of \$ 2,045 .00 against Defendant(s) ARCHIE THOMAS, which consists of \$ 545 .00 in litigation costs, \$ _____ .00 in board up/independent access authority costs, and a fine of \$ 1,500 .00 pursuant to Count(s) II + VII 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 _____ 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. Thus, the City's performance under this order will result in a statutory in rem lien that attaches only to the subject parcel of real estate. If the City seeks a personal judgment against any individual party to this action, it will proceed by separate motion directed to that party.
- F. Defendants with either possession or control of the subject property and their successors and assigns shall be permanently enjoined from entering, using, leasing, or occupying the Subject Property until demolition of the subject property commences.
- G. Defendants with either possession or control of the subject property shall immediately remove any and all persons occupying the subject property and all personal property from said premises instantaneously 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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ENTERED:


 William G. Filogisi
 NOV 10 2011
 Circuit Court - 1704

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 City of Chicago Department of Law
 Building and License Enforcement Division
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COOK COUNTY
RECORDER OF DEEDS
 SCANNED BY _____

Clerk's Office
 County Clerk's Office