

Duplicate Original

UNOFFICIAL COPY



Doc#: 1133935108 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 12/05/2011 12:33 PM Pg: 1 of 3

Space reserved

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

CITY OF CHICAGO, a Municipal Corporation,
Plaintiff,
v.
MYRA PENNY, CHICAGO TITLE LAND TRUST COMPANY; MIKAEL ROBINSON; BANCO POPULAR NORTH AMERICA; SUCCESSOR TO AURORA NATIONAL BANK; EQUITY ONE INVESTMENT FUND LLC; UNKNOWN OWNERS and NON-RECORD CLAIMANTS.
Defendants.

No: 11 MI 401378
Re: 4332 W. 17th Street

ORDER OF DEMOLITION

This cause coming to be heard on November 30, 2011, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel of the City of Chicago, against the following named Defendants:

MYRA PENNY;
MIKAEL ROBINSON;
CHICAGO LAND TRUST COMPANY;
UNKNOWN OWNERS and NON-RECORD CLAIMANTS

The Court being fully advised of the premises of this proceeding and having heard the testimony of the City's inspector, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 4332 W. 17th Street, Chicago, Illinois, and legally described as follows:

LOT 33 IN BLOCK 2 IN JOSEPH B. FORD AND COMPANY WEST 16TH STREET SUBDIVISION OF LOT 3 (EXCEPT IN THE NORTH 33 FEET THEREOF) IN EXECUTOR'S SUBDIVISION OF LOT 3 IN PARTITION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS..

This parcel has a Permanent Index Numbers of 16-22-400-029

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

UNOFFICIAL COPY

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 electrical service is terminated.
 - c. The building's electrical fixtures are missing.
 - d. The building's electrical service panels have been removed.
 - RB* e. The building's flooring is missing in places, ~~including a hole in the first floor which is visible through the basement.~~
 - f. The building's window glazing is cracked or broken.
 - RB* g. The building's furnace is ~~missing~~ *stripped*.
 - h. The building's heating system is vandalized.
 - i. The building's joists are water damaged.
 - j. The building's masonry is loose or missing with water damage.
 - k. The building's masonry has washed out mortar joints and evidence of step fractures or stress fractures.
 - l. The building's lintels are deteriorating and expanding.
 - m. The building's plumbing is inoperable with broken and missing piping.
 - n. The building's plaster is deteriorating, broken, and water damaged.
 - o. The building's sashes are broken and water damaged.

Additional Findings: _____

4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

UNOFFICIAL COPY

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City of Chicago's Complaint for equitable and other relief.
- B. Myra Penny and Mikael Robinson are ordered to pay a judgment of \$ 716.00 in reimbursement of the City's litigation costs no later than 12/30/11, which includes \$60.00 court costs. Payment must be by certified check, business check, or money order, made payable to the City of Chicago. Payment must be delivered to 30 N. LaSalle Street, Suite 700, Chicago, IL, 60602, Attn: Kristina Mokrzycki. Payment must include the case number on its face, and be accompanied by a copy of this court order. Pursuant to Count II of the City's Complaint, ~~(anonymous)~~ shall pay the City a judgement of 36,200.00 by 12/30/11 (execution to issue) pursuant to Count II of the City's complaint. Payment must include the case number on its face, and be accompanied by a copy of this court order.
- C. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, the City is authorized to demolish the building and is entitled to a lien for the costs of demolition and debris removal, court costs and other costs enumerated by statute and/or other statutory remedies.
- D. Myra Penny and Mikael Robinson shall remove any and all persons, if any, occupying the subject property and all personal property from said premises immediately so that said premises will be completely vacant and free of personal property before demolition is commenced.
- E. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order. The Court finds no just reason for delay in the enforcement or appeal of this order.
- F. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition and litigation costs.

Myra Penny
and Mikael
Robinson

Pamela Hughes
Judge

Judge Pamela Hughes

PLAINTIFF, CITY OF CHICAGO

Stephen R. Patton, Corporation Counsel NOV 30 2011

By: Gabrielle E. Parker
 Gabrielle E. Parker
 Assistant Corporation Counsel
 BUILDING AND LICENSE ENFORCEMENT DIVISION
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 Phone: (312)744-3326
 ATTY NO. 90909