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Doc#: 1134116095 Fee: \$50.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/07/2011 04:26 PM Pg: 1 of 8

THIS DOCUMENT WAS PREPARED
BY AND AFTER RECORDING
SHOULD BE MAILED TO:

Michael J. Delrahim, Esq.
Brown, Udell, Pomerantz & Delrahim, LTD.
1332 North Halsted Street, Suite 100
Chicago, IL 60642

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

CITY OF CHICAGO, a municipal corporation,)	
)	
Plaintiff,)	Case No. 2011 M1 401853
)	
v.)	Re: 2636 W. Chicago
)	
2636 W. Chicago Ave. Condominium Association, et)	Daley Center Room 1105
al.)	
)	Hon. Judge Daniel B.
Defendants.)	Malone

NOTICE OF APPOINTMENT OF HOUSING COURT RECEIVER

To: SEE SERVICE LIST ATTACHED HERETO

NOTICE IS HEREBY GIVEN to you that a private receiver has been appointed by the Circuit Court of Cook County for the subject property in the above-captioned action, pursuant to 65 ILCS 5/11-31-2(a) (the "Unsafe Property Act"). A copy of the Order of Appointment (the "Appointment Order") is attached hereto as *Exhibit 1*.

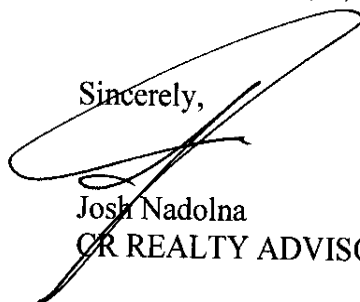
A. The appointed receiver ("Receiver") is:

CR REALTY ADVISORS, LLC
Attn: Josh Nadolna
325 W. Huron St., Suite 230
Chicago, Illinois 60654

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- B. As set forth in the Appointment Order, the Receiver has been appointed upon the petition of the City of Chicago because there has been a finding of material violations of the Municipal Code and/or unsafe or dangerous and hazardous conditions at the subject property, as well as the unwillingness or inability of the present owner to perform the necessary work to address or abate such conditions or violations.
- C. This Notice is simply a notice of the recent appointment of the Receiver, and not specifically notice of any amounts yet due. The Receiver performs work as directed by the Court, and the Receiver may have already begun performing work or incurring fees and expenses as a result of its appointment.
- D. The Receiver bills for its hourly fees in administrating this receivership and managing the performance of work. A schedule of the Receiver's hourly rates by employee or contractor is attached hereto as *Exhibit 2*. A more detailed description of the Receiver's employees and agents can be made available upon request.
- E. The Receiver is not publicly funded. Rather, the Receiver is a private, for-profit entity that, in exchange for paying for the court-ordered repair work to be done, and upon approval of its fees, costs and expenses, is entitled to issue a Receiver's Certificate that can serve as a "first lien" (subject only to real estate taxes) against the subject property, prior and superior to all non-real-estate tax liens and interests.
- F. The amounts due and owing under Receiver's Certificates accrue interest upon the issuance of the certificate. The amount of interest to be charged against the amounts due and owing on the Receiver's Certificate are set forth in the terms therein. Upon the terms and formulas set forth on the present form, and subject to the approval of the Court, the Receiver is issuing Receiver's Certificates that (at present Prime Rates) accrue interest in the first year at slightly more than 24.25%, and then at a per annum rate of 21.25% thereafter.
- G. FAILURE TO PAY THE APPROVED AMOUNTS DUE AND OWING MAY RESULT IN THE RECEIVER OR THE HOLDER OF A RECEIVER'S CERTIFICATE FILING AN ACTION TO FORECLOSE AND TAKE TITLE TO THE SUBJECT PROPERTY. ANY COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEYS' FEES, MAY BE ADDED TO THE PRINCIPAL BALANCE DUE AND OWING ON THE RECEIVER'S CERTIFICATE, IF UNPAID AFTER NINETY (90) DAYS.**

Sincerely,



Josh Nadolna
CR REALTY ADVISORS, LLC

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LEGAL DESCRIPTION

Parcel 1: Units, 1, 2, 3 and 4 in the 2636 West Chicago Avenue Condominium as delineated on a Survey of the following described real estate:

Lot 34 in Block 2 of James H. Hill's Subdivision of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois which Survey is attached as Exhibit D to the Declaration of Condominium Ownership recorded February 4, 2008 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0803515076, as amended from time to time, together with its undivided percentage interest in the common elements in Cook County, Illinois.

Parcel 2: The Exclusive right to use of Parking Spaces P-1, P-2, and P-3, and all limited common elements, as delineated on the Plat of Survey, and the rights and easements for the benefit of Units 1, 2, 3 and 4, as set forth in the Declaration.

Property address: 2636 West Chicago Avenue
Chicago, Illinois 60622

P.I.N.: 16-01-427-032-0000; 16-01-427-045-1001 through 1004

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EXHIBIT 1

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

THE CITY OF CHICAGO,)
 a municipal corporation,)
)
 Plaintiff,)
)
 v.)
 2636 W. Chicago Ave Condo)
 Assoc.)
 Defendant(s).)

No: 11-MJ-401853
 Re: 2636 W Chicago
 Courtroom 1105 Daley Center

ORDER

THIS CAUSE COMING to be heard on the set call, the Court being fully advised in the premises and having heard evidence and testimony:

IT IS HEREBY ORDERED THAT:

- 1) Attorney ~~Paul~~ Kulas is granted 7 days to file his appearance for Yaroslav Kat and DIM Construction.
- 2) City's Motion to Appoint a General Receiver is granted, per separate order
- 3) CR Realty Advisors LLC is hereby appointed general receiver, and shall:
 - a) send out a proposal letter to all parties detailing time frame for project, costs and fee schedule within 14 days
 - b) prepare a feasibility study, taking into account the Klein-Hoffman Water Infiltration Report.
- 4) MB Financial shall turn over to the Condo Association all non attorney-client privileged documents concerning construction payments within 28 days.
- 5) The Receiver shall schedule an interior inspection before the next court date

IT IS FURTHER ORDERED THAT this cause be continued to 11/17/11 at 9:30 a.m. in courtroom 1105 Daley Center, without further notice.

HEARING DATE: 9/15/11

SEP 15 2011

By: [Signature]
 Assistant Corporation Counsel
 Mara S. Georges, Corporation Counsel #90909
 30 N. LaSalle, Room 700
 Chicago, IL 60602 (312) 744-8791

Judge Malone Circuit Court 20105

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

No: 11 MI 721205

v. 2636 W Chicago Ave Condo Assoc.
et al., Defendant(s).

Re: 2636 W. Chicago

Courtroom 1105, Richard J. Daley Center

ORDER APPOINTING A LIMITED GENERAL RECEIVER (circle one) AND AUTHORIZING ACTION BY THE RECEIVER

This cause coming before the court to be heard on Plaintiff City of Chicago ("City")'s Petition for Appointment of a Receiver, the Court having jurisdiction over the parties and subject matter and being duly advised;

THE COURT FINDS THAT:

1. There exists at the subject premises ("Premises") numerous unhealthy and unsafe building conditions, including conditions that pose an imminent threat of irreparable harm and injury to the health, safety and welfare of the public and occupants of Premises;
2. Defendants, who are owners of or have an interest in Premises, upon notice, have failed to abate or are unable to abate the dangerous and hazardous conditions that exist there;
3. Equitable remedies other than the appointment of a receiver are inadequate in this case because the dangerous and hazardous conditions at the subject property will remain, and the public and building occupants remain at risk unless a receiver is appointed;

WHEREFORE, IT IS HEREBY ORDERED THAT:

1. City's Petition for Appointment of a Receiver is granted. CR Realty Advisors Inc ("Receiver") is appointed as Limited Receiver / General Receiver of the subject property pursuant to City's Petition and 65 ILCS 5/11-31-2.
2. Receiver is authorized to enter into possession of the Premises and immediately perform the following duties:
 - Prepare a feasibility study regarding the care, management, and repair of Premises, costs not to exceed \$ _____ .00
 - Vacate Premises, which includes, but is not limited to, refunding any existing security deposits owed to tenants if they are being permanently relocated, hiring movers and arranging for transportation to new residences
 - Board and secure Premises or board and secure Premises after it is vacated
 - Collect rent, if Premises is occupied and will not be vacated
 - Make repairs, hard costs not to exceed \$ _____ .00 (plus reasonable receiver's fees and costs)
 - Abate any dangerous and hazardous conditions at Premises, including:
 - _____
 - _____
3. Receiver is authorized to retain counsel.
4. Receiver is authorized to employ agents to assist in the performance of its receivership duties.
5. Defendant(s), and his/her/its/their agents, heirs, legatees, successors, and assigns are enjoined and restrained from interfering or obstructing Receiver in the performance of its duties.
6. Upon appointment of Receiver, the owner(s) and/or owner's agent(s) shall: provide Receiver with access to all areas of the Premises immediately; deliver to Receiver master keys for all units within 24 hours; and provide to Receiver all items and materials necessary for Receiver to perform its duties, including rent rolls and access to financial accounts, within seven days.
7. Applicant's bond is excused pursuant to 65 ILCS 5/11-31-2.3; Receiver's surety bond is waived pursuant to 65 ILCS 5/11-31-2.3.
8. Receiver is authorized to issue receiver's certificates for the costs and expenses of the receivership.

IT IS FURTHER ORDERED THAT this cause be continued to 11 / 17 / 11 at 9:30 a.m. p.m., Courtroom 1105, Richard J. Daley Center, 50 W. Washington St., Chicago, without further notice.

HEARING DATE: 9 / 15 / 11

By: [Signature]
Attorney for Plaintiff
Corporation Counsel #90909
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791

Judge Malone Courtroom 1105

Pink Copy for Defendant(s) (photocopy if required)

Yellow Copy for City of Chicago Department of Law

White Original for Court Records

SEP 15 2011
Circuit Court - 2011

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EXHIBIT 2

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Realty Advisors

Municipal Receivership Rate Schedule	
Timothy P. Czmiel, CTP	\$325/hour
Dave Mitidiero	\$325/hour
Josh Nadolna	\$325/hour
David Mack, CTP	\$325/hour
Mike Noeh	\$275/hour
Grant Manny	\$225/hour
Bruce Sterling	\$200/hour
William Russell	\$155/hour
Ed White	\$150/hour
Julio Luna	\$120/hour
Field Technicians	\$120/hour
Kelly Kitano	\$85/hour
Administrative	\$85/hour

CR Realty Advisors, LLC
 325 West Huron, Suite 230
 Chicago, Illinois 60654
 Office: 312.332.7100
 Fax: 312.332.7102
 CR-RA.com