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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/09/2012 09:51 AM Pg: 1 of 5

dup. orig

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

CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
ROBINSON AYALA, et al.,
Defendants.

No. 11 M1 402244
Re: 2113 N. Spaulding
Courtroom: 1111

Agreed ORDER OF DEMOLITION (effective 5/8/12)

This cause coming to be heard on 2/7/12, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen Patton, Corporation Counsel of the City of Chicago, against the following named Defendants:

Robinson Ayala
MDG Fund-1, L.L.C.
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: 2113 N. Spaulding, Chicago, Illinois, and legally described as follows:

THE NORTH 1/4 OF LOT 13 AND THE NORTH 7 FEET OF THE SOUTH 1/4 OF LOT 13 IN BLOCK 8 IN SHIPMAN, BILL AND MERRILL'S SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 13-35-225-018.

2. Located on the subject property is a one-story frame residential building and a one-story frame garage.

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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:

FRONT BUILDING

- a. The building(s) located on the subject property ("the building") is vacant.
- b. The building's electrical systems are damaged.
- c. The building's plumbing systems are damaged.
- d. The building's heating systems are damaged.
- e. The building's chimney is damaged.
- f. The building's foundation is damaged.
- g. The building's roofing is damaged with deflected rafters.
- h. The building's flooring is damaged and sloped.
- i. The building's interior partitions, siding, and plaster is damaged.
- j. The building's doors, frames, sashes, and trim are damaged.
- k. The building's glazing is broken and/or boarded.
- l. The building has evidence of drug and squatter activity.

GARAGE

- m. The building's garage is vacant and open.
- n. The building's garage has an electrical service that is damaged.
- o. The building's garage has damaged rafters.
- p. The building's garage has joists that are supporting a loft that are over spanned and deflected.
- q. The building's garage has damaged siding and doors.

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

Property of Cook County Clerk's Office

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____

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WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts 1-14 of the City of Chicago's complaint for demolition.
- B. The remaining counts of the City's complaint for demolition are voluntarily dismissed.
- 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 granted authorization to demolish the building on the subject property, and is entitled to a lien for the costs of demolition, court costs, and other costs enumerated by statute, and/or other statutory remedies.
- D. The authority granted in Paragraph C. above shall become effective 5/8/12.
- E. 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. Robinson Anala is ordered to keep the property secure until it is demolished. Robinson Anala is ordered to pay a judgment of \$1009.00 in reimbursement of the City's litigation costs no later than 8/7/12.
na is ordered to pay a judgment of _____ to the City no later than _____, based on Count II of the City's complaint. 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.
- G. Defendants with either possession or control of the subject property shall remove any and all persons, if any, occupying the subject property and all personal property from said premises no later than the effective date so that said premises will be completely vacant and free of personal property before demolition is commenced.
- H. 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.

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- I. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining and approving the demolition and litigation costs.

Judge James M. McGing

FEB 07 2012

Circuit Court 1926 ENTERED

Judge

PLAINTIFF, CITY OF CHICAGO
 STEPHEN PATTON, Corporation Counsel

By: Maggie Rizzo
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