



1205935046

Doc#: 1205935046 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/28/2012 02:42 PM Pg: 1 of 3



Space reserved for the Recorder's Office

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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

Monica M. Tetter;
J.P. Morgan Chase;
Unknown Owners and
Non-Record Claimants,

Defendants.

No. 11 M1 403112

Re: 9721 S. Merrion Ave.

Courtroom: 1109

ORDER OF DEMOLITION

This cause coming on to be heard on **February 22, 2012**, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), by Stephen R. Patton, Corporation Counsel of the City of Chicago, against the following named defendants:

Monica M. Tetter;
J.P. Morgan Chase;
Unknown Owners and
Non-Record Claimants.

The Court being fully advised in the premises and having heard the evidence after a trial on the merits, finds that:

1. The Court has jurisdiction of the parties and the subject matter, which is the property located at: 9721 S. Merrion Avenue, Chicago, Illinois, ("subject property"), and legally described as follows:

LOT 17 IN BLOCK 3 IN MERRIONETTE MANOR, BEING A SUBDIVISION IN THE

UNOFFICIAL COPY

EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, NORTH OF THE INDIAN BOUNDARY LINE, IN TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED AS DOCUMENT NO. 14127310, IN COOK COUNTY, ILLINOIS.

This parcel is commonly known as 9721 S. Merrion Avenue, Chicago, Cook County Illinois and has Permanent Index Number (PIN) of 25-12-220-004.

2. Located on the subject property is a garage and a two story brick building. The last known use was residential.
3. The Court finds that on or about August 4, 2011, and continuing to the present, dangerous and unsafe conditions existed at the subject property, in that:
 - a. The building is vacant and has a history of being open.
 - b. The building's electrical service has been terminated by Comed at the utility pole.
 - c. The building's electrical system is is stripped and inoperable, missing fixtures, and has exposed wiring.
 - d. The building's flooring is missing in various locations and warped in various locations.
 - e. The building's flooring is smoke, water or fire damaged.
 - f. The building's glazing is broken or missing.
 - g. The building's heating system is stripped and inoperable, missing ductwork and a furnace, and has indications of having been vandalized.
 - h. The building's joists are smoke, fire or water damaged.
 - i. The building's masonry is missing sections and siding.
 - j. The building's masonry has holes and loose or missing brick.
 - k. The building's masonry is smoke, fire or water damaged.
 - l. The building's masonry has step or stress fractures and washed out mortar joints.
 - m. The building's plaster is smoke, fire or water damaged.
4. 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).
5. Major reconstruction would be necessary to correct the conditions that currently exist at the subject property.
6. 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 its first amended complaint. Counts II, III, V, VI, VII and VIII are voluntarily withdrawn.
- B. 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 and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute.
- C. 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.
- D. 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 instanter 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.
- E. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and personal judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment.

Associate Judge William G. Pileggi

ENTERED

FEB 22 2012

Judge William G. Pileggi

Circuit Court - 1764

By: Marc Augustave
 Assistant Corporation Counsel
 City of Chicago Law Dept.
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 (312) 742-0339