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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

TIFFANY L. THOMPSON; CITIMORTGAGE, INC.;
JOHNIE P. BANKS; STEVE JOUNG;
UNKNOWN OWNERS and
AND NON-RECORD CLAIMANTS,

Defendants.

No. 11 M1 401873

Re: 227 W. 105th St.

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming on to be heard on **April 9, 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:

TIFFANY L. THOMPSON;
Citimortgage, Inc.;
JOHNIE P. BANKS;
STEVE JOUNG;
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: 227 W. 105TH STREET, CHICAGO, ILLINOIS, ("SUBJECT PROPERTY"), AND LEGALLY DESCRIBED AS FOLLOWS:

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LOTS 91 AND 92 IN THE SUBDIVISION OF BLOCK 18 IN THE SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THIS PARCEL IS COMMONLY KNOWN AS 227 W. 105TH STREET, CHICAGO, COOK COUNTY ILLINOIS AND HAS PERMANENT INDEX NUMBER (PIN) OF 25-16-210-032 & 033.

2. LOCATED ON THE SUBJECT PROPERTY IS A ONE-STORY BUILDING OF FRAME CONSTRUCTION AND GARAGE. THE LAST KNOWN USE OF THE BUILDING WAS RESIDENTIAL.
3. THE COURT FINDS THAT ON OR ABOUT MARCH 21, 2011, AND CONTINUING TO THE PRESENT, DANGEROUS AND UNSAFE CONDITIONS EXISTED AT THE SUBJECT PROPERTY, IN THAT:
 - A. THE BUILDING(S) LOCATED ON THE SUBJECT PROPERTY ("THE BUILDING") IS VACANT AND HAS A HISTORY OF BEING OPEN.
 - B. THE BUILDING'S ELECTRICAL SYSTEMS WIRING ARE EXPOSED
 - C. THE BUILDING'S ELECTRICAL SYSTEMS ARE STRIPPED OR INOPERABLE
 - D. THE BUILDING'S ELECTRICAL SYSTEMS ARE MISSING FIXTURES.
 - E. THE BUILDING'S INTERIOR FLOORS ARE WARPED, BUCKLED AND LOOSE
 - F. THE BUILDING'S WINDOW GLAZING IS BROKEN OR MISSING
 - G. THE BUILDING'S WINDOW GLAZING IS DANGEROUS AND HAZARDOUS.
 - H. THE BUILDING'S HEATING SYSTEM IS MISSING FURNACE
 - I. THE BUILDING'S HEATING SYSTEMS ARE STRIPPED OR INOPERABLE
 - J. THE BUILDING'S HEATING SYSTEMS HAVE BEEN VANDALIZED.
 - K. THE BUILDING'S FURNACE AND WATER HEATER ARE MISSING
 - L. THE BUILDING'S PLASTER IS BROKEN AND MISSING ALONG THE WALLS AND CEILINGS.
 - M. THE BUILDING'S PLUMBING SYSTEMS ARE STRIPPED OR INOPERABLE
 - N. THE BUILDING'S PLUMBING SYSTEMS ARE MISSING FIXTURES.
 - O. THE BUILDING'S RAFTER IS DANGEROUS AND HAZARDOUS
 - P. THE BUILDING'S ROOF SYSTEM MEMBRANE IS DAMAGED
 - Q. THE BUILDING'S ROOF SYSTEM HAS BEEN DAMAGED BY A TREE LIMB
 - R. THE BUILDING'S SASHES ARE BROKEN, MISSING OR INOPERABLE
 - S. THE BUILDING'S SASHES ARE DANGEROUS AND HAZARDOUS.
 - T. THE BUILDING'S STAIR SYSTEM HANDRAIL HEIGHT IS IMPROPER
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.

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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 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 307(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.

ENTERED

Judge James M. McGing
JUDGE JAMES M. MCGING

APR 09 2012

Circuit Court 1926

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