



Case Number 10 M1 401050

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

Case Number: 10 M1 401050

Re: 6422 S. MAY ST.

TOMMIE BROWN, ET AL.,

Courtroom 1109

Defendants.

ORDER OF DEMOLITION

This cause coming on to be heard on 4/3, 2012, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

- TOMMIE BROWN;
- BANK OF AMERICA, N.A.; and
- UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding and having heard the evidence finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 6422 S. May St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 39 IN BLOCK 5 IN WEDDELL AND COX'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-20-208-032-0000.

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

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3. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:
- a. The building is vacant, and has been periodically accessible.
 - b. The building's electrical system is stripped and inoperable, and fire damaged.
 - c. The building's heating system is stripped and inoperable, and fire damaged.
 - d. The building's plumbing system is stripped and inoperable, and fire damaged.
 - e. The building's masonry walls are water damaged.
 - f. The building's flat roof and rafters are fire damaged.
 - g. The building's floors and floor joists are fire and water damaged.
 - h. The building's partition walls are fire and water damaged.
 - i. The building's sashes and entrance doors are damaged.
 - j. The building's plaster walls and ceilings are fire and water damaged.
 - k. The building's window glazing is broken or missing.
 - l. The property is water saturated
 - m. The steel post members are rotted
 - n. The basement is flooded, and poses a fire hazard because dead-end sewage is live.
 - o. _____
4. There has been no work in progress since the beginning of this case at the subject property.
5. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code, and that the subject building is beyond reasonable repair. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants, unknown owners and non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of August 16, 2011, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts 1 & 11 of the City's complaint seeking demolition authority.

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- C. The remaining Counts of the City's complaint are voluntarily withdrawn.
- D. Pursuant to the judgment entered above, 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.
- E. The authority granted in Paragraph D. above shall become effective immediately.
- F. Defendant(s) ~~_____~~ is/are ordered to keep the property secure until it is demolished. Defendant ~~_____~~ is ordered to pay a judgment in the amount of ~~_____~~ pursuant to 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, Illinois, 60602, Attn: Kristina Mokrzycki. The payment instrument must include the case number on its face, and be accompanied by a copy of this court order.
- G. 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.
- H. 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.
- I. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds that there is no just reason for delaying the enforcement or appeal of this order.
- J. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.

ENTERED:

Pamela Gillopie

Associate Judge Pamela Hughes Gillopie

APR 03 2012

Circuit Court - 1953

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation CounselBy: Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-8791
Atty No. 90909