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Eugene "Gene" Moore

Cook County Recorder of Deeds
Date: 05/04/2012 08:23 AM Pg: 1 of 4

DUPLICATE ORIGINAL

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

UA			
CITY OF CHICAGO, a municipal)		
corporation,)		
Plairitiff,) No.	10 M1 401660	
v.)) Re:	2838 W. Madison	n
DALE SMITH, et al.,)		,
Defendants.) Cour	troom: 1111	
ORDER	R OF DEMOLI	<u>TION</u>	
	$\mathcal{O}_{\mathcal{U}}$		
This cause coming to be heard on	5/1/2	7	, on the complaint
of the Plaintiff, City of Chicago, a munici	pal corporation	"City"), by Stephen	Patton, Corporation
Counsel of the City of Chicago, against the			•
	3		
Dale Smith			
Chicago Title Land Trust, as Trust	tee for Trust #11	14628	
MDG Fund-1, L.L.C.	tee for frast #11	11020	
Unknown Owners and Non-record	l Claimente	' (?	
Olikilowii Owliers and Noli-record	i Ciaimants		
The Court being fully advised of	f the premises o	f this proceeding a	nd having heard the
testimony of the City's inspector, finds th			CO

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 2838 W. Madison, Chicago, Illinois, and legally described as follows:

LOT 35 IN BLOCK 2 SUBDIVISION OF BLOCK 28 IN LEE'S SUBDIVISION OF THE SOUTWHEST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-12-331-033.

2. Located on the subject property is a two-story brick multi-unit and storefront building.

1212533014 Page: 2 of 4

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- The Court having heard testimony and evidence finds that the building located on the 3. subject property is dangerous, hazardous, unsafe and beyond reasonable repair under the Unsafe Buildings Statute, 65 ILCS 5/11-31-1 (1996) in that:
- The building(s) located on the subject property ("the building") is vacant and a. open.
- b. The building's electrical systems are stripped or inoperable.
- The building's plumbing systems are stripped or inoperable.
- d. The building's heating systems are stripped or inoperable.
- The building's floor is open below the window to a flooded basement e. creating a dangerous and hazardous condition.
- f. The building has a section of floor missing where board remained at front and exposing rotted joists and loose mortar and bricks.
- The building's second floor rear door lintel is in a state of collapse. g.
- h. The building's parapet is collapsing.
- i. The building's exterior porch system has been removed.
- j. The building's stair system to the rear besen ent is covered in debris. CASO OFF
- k. The building's glazing is broken.
- 1. The building's frames are rotted.
- The building has high weeds at the rear. m.
- 4. 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:

Α.	Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts 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
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 is this action, it will proceed by separate motion directed to that party.
F. Instance To Control To Control Cont	Dale Smith is ordered to keep the property secure until it is demolished. Dale Smith is ordered to pay a judgment of
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

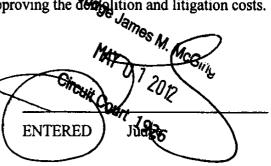
vacant and free of personal property before demolition is commenced.

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.

H.

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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 designation and litigation costs.



PLAINTIFF, CITY OF CHICAGO STEPHEN PATTON, Corporation Counsel

By:

Maggie Rizzo

Assistant Corporation Counsel

Building and License Enforcement Division

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