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Case No. 11 M1 402481



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

CITY OF CHICAGO, a municipal corporation,)	
)	
Plaintiff,)	Case No. 11M1402481
vs.)	
)	Re: 3634-3636 W. Chicago Ave./
JORGE RODRIGUEZ, <u>et al.</u> ,)	808-810 N. Monticello
)	Chicago, IL
)	Courtroom 1111
Defendants.)	

ORDER OF DEMOLITION

This matter coming before the Court on May 10, 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:

JORGE RODRIGUEZ;
VALERIE SPYROPOULOS;
JAMES SPYROPOULOS;
Z FINANCIAL LLC;
and UNKNOWN OWNERS and NON-RECORD CLAIMANTS.

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

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1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 3634-3636 W. Chicago Ave./808-810 N. Monticello, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOTS 19 AND 20 IN BLOCK 7 IN T.J. DIVEN'S SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-02-331-042-0000.

2. Located on the subject property is a two-story brick building. The last known use of the subject building was mixed use, with six dwelling units and two commercial units.
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 Subject Property is vacant;
 - b. The Subject Property's HVAC systems have been vandalized and have damaged and missing components;
 - c. The Subject Property's plumbing systems have been vandalized and have damaged and missing components;
 - d. The Subject Property's windows have all been damaged and have missing components.
 - e. The Subject Property has holes in the roof;
 - f. The Subject Property has fire damage at the southeast second floor including: fire damaged roof rafters, walls, and floors;
 - g. The Subject Property has water damaged joists, walls, floors, and flooring;
 - h. The Subject Property has missing and water damaged plaster throughout; and
 - i. The Subject Property has junk and debris throughout the interior and exterior.
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

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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. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, inter alia, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder Z FINANCIAL LLC is subject to the demolition order.
- B. Defendant JORGE RODRIGUEZ, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of December 19, 2011, are in default and all allegations in the complaint are deemed admitted against Defendants in default. Defendants VALERIE SPYROPOULOS and 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 May 17, 2012, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. A judgment is entered in favor of Plaintiff City of Chicago and against Defendants (except those identified in paragraph A above) on Counts III and VI of the City's complaint seeking demolition authority.
- D. The judgment entered on May 10, 2012 in the amount of \$ against Defendant(s) _____ to Count I of the City's complaint, shall stand as final judgment. Execution shall issue on the judgment immediately. If payment is mailed it must be postmarked on or before the above date and sent ATTN: Kristina Mokryzki, 30 N. LaSalle St., Ste. 700, Chicago, IL 60602. Payment must be by certified check, business check, or money order, made payable to the City of Chicago. The payment instrument must include the case number on its face, and be accompanied by a copy of this court order.
- E. All other Counts of the City's Complaint are voluntarily withdrawn.
- F. Pursuant to the judgment entered above, 65 ILCS 5/11-31-1, and the City's police powers under

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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.

- G. The City's performance under the 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, for the purpose of ascertaining demolition costs for entry of money judgments against the defendant owners, and for the purpose of hearing foreclosure proceedings, as defined by the applicable statutes and ordinances.

ENTERED:

Hearing Date: May 10, 2012

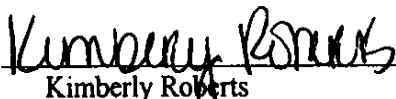
JUDGE Judge James M. McGee

PLAINTIFF, CITY OF CHICAGO
STEPHEN R. PATTON, Corporation Counsel

MAY 10 2012

Circuit Court 1926

By:



Kimberly Roberts
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street - Suite 700
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Atty. No. 90909

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This space reserved for the Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

James
Spyropoulos
et al.,
Defendant(s).

No: 11 MI 402481
Re: 3434-3436 W. Chicago
Courtroom 11, Richard J. Daley Center

ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of Plaintiff, the Court having jurisdiction over the defendant(s) and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

1. Defendant(s) James Spyropoulos, Jorge Rodriguez, et al and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, or occupying the: entire subject property @ 3434-3436 W. Chicago until the same have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
2. The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this permanent injunction.
3. This order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.

HEARING DATE: 5, 10, 2012

By: Kimberly Roberts
Assistant Corporation Counsel
Mara S. Georges, Corporation Counsel #90909
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791

Judge James M. McGing
MAY 10 2012
Circuit Court 1926 Judge McGing Courtroom

Pink Copy for Defendant(s) (photocopy if required)
Yellow Copy for City of Chicago Department of Law
White Original for Court Records