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

CITY OF CHICAGO,
a municipal corporation,
Plaintiff,
v.

No. 08M1403860
Re: 7016 S. JUSTINE
Chicago, IL
PIN: 20-20-324-029-0000

CHICAGO TITLE LAND TRUST CO., AS
SUCCESSOR TRUSTEE TO LASALLE
NATIONAL BANK, UNDER TRUST NO.
131183 et al.,
Defendants.

ORDER OF DEMOLITION

This cause coming on to be heard on 5/24/12, on the Plaintiff's, City of Chicago, a municipal corporation ("City"), First Amended Complaint seeking demolition, by Stephen Patton, Corporation Counsel of the City of Chicago, against the following named defendants:

- CHICAGO TITLE LAND TRUST CO., AS SUCCESSOR TRUSTEE TO LASALLE NATIONAL BANK, UNDER TRUST NO. 131183; and
- AFFORDABLE HOUSING COALITION; and
- NHSRC INITIATIVES, INC.; and
- INTERSTATE FUNDING CORPORATION; and
- UNKNOWN OWNERS AND NON-RECORD CLAIMANTS.

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

1. The Court has jurisdiction of the subject matter, which is the premises located at the following address: 7016 S. JUSTINE Chicago, Illinois, and legally described as follows:

THE NORTH 5 FEET 3 INCHES OF LOT 11 AND ALL OF LOT 12 IN BLOCK 2 IN J.P. NEILL'S SUBDIVISION OF 5 ACRES SOUTH OF AND ADJOINING THE NORTH 31 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Permanent Index Number: **20-20-324-029-0000**.

2. Located on the subject property is a one-story building of frame construction. The last known use of the building was residential.
3. The Court having heard testimony and evidence finds that 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) in that:
 - a. The building located on the subject property is vacant and open.
 - b. The building's sashes are damaged and missing.
 - c. The building's doors are damaged and missing.
 - d. The building's trims are damaged and missing.
 - e. The building's windows are broken.
 - f. The building's stair system is missing handrails.
 - g. The building's plumbing system is inoperable.
 - h. The building's plumbing fixtures are missing.
 - i. The building's electrical system is inoperable.
 - j. The building's electrical fixtures are missing.
 - k. The building's HVAC system is inoperable.
 - l. The building's HVAC system is missing equipment.
 - m. The building's foundation has cracks in multiple areas.
 - n. The building's flooring is loose.
 - o. The building's flooring tiles are damaged.
 - p. The building's partition walls are open and damaged at various locations.
 - q. The building's joists are cracked.
 - r. The building's joists are over-notched.
 - s. The building's roof is leaking.
 - t. Sections of plaster are missing, damaged, or water-saturated.

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- u. There is evidence of squatting activity inside the building.
 - v. There is evidence of drug activity occurring inside the building.
4. The Court finds that it would take major reconstruction by a responsible owner to bring the building into full compliance with the Municipal Code of Chicago. Further, the Court finds that the building located thereon poses a dangerous and hazardous threat to the public health, safety and welfare, and is beyond reasonable repair. Accordingly, the Court finds that demolition of the building is the least restrictive means available as of 5/24/12 to abate the dangers and hazards posed by the building.

WHEREFORE, IT IS HEREBY ORDERED:

- A. Defendant(s) **INTERSTATE FUNDING CORPORATION**, the holders of property tax certificates, were properly notified of this action pursuant to §21-410 of the Property Tax Code, 35 ILCS 200/21-410). They are not subject to the judgment of this demolition order.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against the remaining Defendants on Counts I and IV of the City's first amended complaint. Accordingly, the City is authorized to demolish the building located on the subject property pursuant to Counts I and IV of the City's first amended complaint.
- C. Counts II, III, V, VI, and VIII are voluntarily withdrawn without prejudice.
- D. 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 on an emergency basis and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute. Thus, 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.
- E. Defendants with either possession or control of the subject property and their successors and assigns shall be permanently enjoined from renting, using, leasing, or occupying the Subject Property until demolition of the subject property commences.
- F. 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 instantaneously so that said premises will be completely vacant and free of personal property before demolition is commenced.

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The City's Department of Human Services is authorized to assist in the relocation of any tenants.

G. Pursuant to Illinois Supreme Court Rule 304(a), as to the order of demolition, this is a final and appealable order and judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment.

H. 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:

Associate Judge William G. Pileggi

MAY 24 2012

Circuit Court - 1764

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