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Date: 06/08/2012 02:33 PM Pg: 1 of 9

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

CITY OF CHICAGO, a municipal corporation,	)	CASE NO: 11 M1 400226
Plaintiff,	)	
	)	Property Address: 1230-32 E. 75 <sup>TH</sup> STREET
v.	)	Chicago, IL
	)	Room: 1105, Richard J. Daley Center
SID MORGAN, et al.	)	
Defendant(s)	)	Lien Amount: \$ 18,754.03

**CORRECTED CLAIM FOR RECEIVER'S LIEN**

The claimant, City of Chicago, a municipal corporation, by the authority granted by Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2, hereby files its claim for lien against the following described property

**Legal:** LOT 23, 24, AND 25 IN BLOCK 2 IN CORNELL AND HIBBARD'S RE-SUBDIVISION OF BLOCKS 3, 4, 5 AND THE WEST ½ OF BLOCK 6 IN GARY'S ADDITION TO CORNELL, TOGETHER WITH BLOCK 43 OF CORNELL AND THAT PART OF CHAUCEY AVENUE LYING NORTH LINE OF SOUTH CHICAGO AVENUE IN CORNELL IN SECTION 26, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**Commonly Known as:** 1230-32 E. 75<sup>TH</sup> STREET, CHICAGO, IL 60619

**P.I.N.:** 20-26-224-006-0000

The aforesaid lien arises out of City of Chicago vs. SID MORGAN, et al., Case Number 11 M1 400226 filed in the Circuit Court of Cook County, in which a receiver was appointed for said property by Court Order dated 10/27/2011. The receiver incurred expenses approved by the Court, pursuant to an order entered 05/24/2012. Pursuant thereto, the receiver issues a certificate in the amount of \$ 18,754.03 and bearing interest at 9% annum for costs and fees, which was transferred and assigned to the City of Chicago.

Claimant, City of Chicago, by an Assignment dated 05/25/2012, claims a lien on the above cited real estate for the amount of \$ 18,754.03 plus statutory interest of 9%. The City hereby reserves the right to amend this lien from time to time to include additional costs and fees. Pursuant to 35 ILCS 200/22-25 the advances made by the City to this property must be paid by tax purchaser prior to obtaining a tax deed for this property.

City of Chicago, a Municipal Corporation  
Stephen R. Patton, Corporation Counsel

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Steven Q. McKenzie, Assistant Corporation Counsel, being first duly sworn on oath, deposes and says that he is the authorized agent for the City of Chicago, that he has read the foregoing Claim for Lien, knows the content thereof, and that all statements therein contained are true.

SUBSCRIBED AND SWORN TO BEFORE ME

BY Steven Q. McKenzie

This 16<sup>th</sup> day of June 2012.

LaDetricia L. Wells

STEPHEN R. PATTON, CORPORATION COUNSEL #90909  
30 North LaSalle, Suite 700, Chicago, IL 60602 (312) 744-8791



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

CITY OF CHICAGO, a municipal corporation,	)	Case No: 11-M1-400226
	)	
Plaintiff,	)	Property Address:
	)	1230-32 East 75 <sup>th</sup> Street
v.	)	<u>CHICAGO, IL.</u>
Sid Morgan, et al	)	Courtroom: <u>1105</u>
	)	Richard J. Daley Center
Defendant (s)	)	

**RECEIVER'S SECOND CERTIFICATE**

The undersigned David Feller was reappointed heat receiver by the court to restore utility service, heat and hot water and make repairs, if necessary, up to \$500.00 at the above premises on October 27, 2011. For value received, the receiver in his official capacity and not individually promises to pay to bearer the sum of \$18,754.03 on or before ninety (90) days after the date this certificate, with interest accruing at the rate of nine percent (9%) per annum until this receiver's certificate is fully paid, both principal and interest payable in such banking house or trust company in the City of Chicago, Illinois, as the legal holder of this receiver's certificate may appoint in writing or in the absence of such appointment, at the office of the Building and Housing Division of the City of Chicago's Law Department.

This receiver's certificate is issued under and by virtue of an order of the Circuit Court of Cook County, Illinois, entered on May 24, 2012 in the above-entitled cause, and pursuant to Illinois Compiled Statutes, chapter 5/11-31-2. This receiver's certificate is freely transferable and shall constitute a first lien in accordance with Illinois Compiled Statutes, chapter 65, section 5/21-31-2 and the foregoing order, upon the premises legally described as follows:

**SEE ATTACHED**

Permanent Index Number: 20-26-224-006

This receiver's certificate, together with the interest thereon, in no manner constitutes a personal obligation or liability of the receiver.

The holder of the receiver's certificate shall release the same receiver's certificate and the lien thereof by proper instrument, upon full and final payment of the underlying indebtedness evidenced by this receiver's certificate, either before or after maturity thereof. In the event the holder refuses to execute and deliver a release, the receiver may petition the court to order the holder to issue a release.

**ASSIGNMENT**

For the sum of one dollar (\$1.00) and for other good and valuable consideration, David Feller does hereby sell, assign and transfer to the City of Chicago, the foregoing receiver's certificate.

Dated: 5/25/12

  
 David Feller, Heat Receiver

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The undersigned, an Assistant Corporation Counsel, is the authorized agent of the City of Chicago in this transaction.

Stephen R. Patton No. 90909, Corporate Counsel

By   
Assistant Corporation Counsel

David Feller, Receiver  
C/o Globetrotters  
300 S. Wacker Drive  
Suite 400  
Chicago, IL. 60606  
(312) 697-3556

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

CITY OF CHICAGO, a municipal corporation,	)	Case No: 11 - M1 - 400226	
	)		
Plaintiff,	)	Address: 1230-32 East 75 <sup>th</sup> Street	
	)		
V.	)	Chicago, IL. 60619	
	)		
Sid Morgan, et al	)		
	)	Courtroom: 1105	
Defendant(s).	)	Richard J. Daley Center	

### ORDER FOR RECEIVER'S SECOND CERTIFICATE

This cause coming on to be heard on the receiver's petition for the court's approval of his second final accounting and for authorization to issue a receiver's certificate, with due notice being given to all parties and, with the court being fully advised in the premises;

#### THE COURT FINDS:

1. That on October 27, 2011, the receiver was reappointed for the purpose of restoring utilities and heat and hot water and making repairs up to \$500.00, if necessary, to the building.
2. The receiver performed services as detailed in the second final accounting.
3. The receiver presented a petition for gross fees and costs in the amount of \$19,440.23 for services provided to the court.
4. The gross fee and cost of ~~\$19,440.23~~ is reasonable compensation for the receiver's performance of his duties and for services provided to the court.
5. The receiver collected rents in the amount of \$500.00.

#### IT IS ORDERED:

- A. That the receiver's petition for fees and costs is granted;
- B. That the receiver's gross fee and cost of ~~\$19,440.23~~ is hereby approved by the court;
- C. That the receiver is hereby authorized to issue and to assign to the City of Chicago for valuable consideration a receiver's certificate in the amount of ~~\$18,940.23~~ 18754.03. The certificate includes the expenses and fees of restoring heat and hot water and repairs to this building, including receiver fees. Interest shall accrue on unpaid amounts from the date this order is entered at (9%) per annum. The certificate is to issue against the real estate and constitute a first lien thereon in accordance with provisions of Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2.


Hearing Date: May 24, 2012

Entered:

Stephen R. Patton No. 90909

Corporation Counsel

Attorney for the Plaintiff

By:   
Assistant Corporation Counsel  
30 N. LaSalle Street, Suite 700  
Chicago, IL 60602  
(312) 744-8791

Judge , Room 1105

Judge Daniel B. Malone

MAY 24 2012

Circuit Court-2012

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

CITY OF CHICAGO,  
a municipal corporation

Plaintiff

v.

SID MORGAN

SID MORGAN LIVING TRUST

Unknown owners and non-record claimants,  
Defendants

Case No. **11 M 1 400226**

Amount claimed: \$1500.00 per day

Address: **1230-32 E. 75<sup>TH</sup> ST. CHICAGO IL,  
60619**

Courtroom 1105  
Richard J. Daley Center

**COMPLAINT FOR EQUITABLE AND OTHER RELIEF**

Plaintiff, City of Chicago ("City"), a municipal corporation, by Mara S. Georges, Corporation Counsel, by the undersigned Assistant(s) Corporation Counsel, complains of Defendants as follows:

**COUNT I**

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

20-26-224-006-0000

LOT 23, 24, AND 25 IN BLOCK 2 IN CORNELL AND HIBBARD'S RE-SUBDIVISION OF BLOCKS 3, 4, 5 AND THE WEST ½ OF BLOCK 6 IN GARY'S ADDITION TO CORNELL, TOGETHER WITH BLOCK 43 OF CORNELL AND THAT PART OF CHAUCEY AVENUE LYING NORTH LINE OF SOUTH CHICAGO AVENUE IN CORNELL IN SECTION 26, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as

**1230-32 E. 75<sup>TH</sup> ST. CHICAGO IL, 60619**

and that located thereon is a

2	Story(s) Building
5	Dwelling Units
0	Non-Residential Units

2. That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the said property on the date(s) herein set forth.

SID MORGAN LIVING TRUST.....OWNER OF RECORD

SID MORGAN.....TAXPAYER OF RECORD

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3. That on 1/18/2011 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of the City of Chicago as follows:

1 CN 132016

Failed to adequately heat dwelling unit adequately from September 15<sup>th</sup> to June 1<sup>st</sup>.  
(Municipal Code of Chicago, § 13-196-410)

GAS DISCONNECTED TO THE BUILDING FOR FAILURE TO PAY THE GAS BILL TO THE UTILITY COMPANY AND SUBSEQUENT UNAUTHORIZED USAGE OF GAS; NO LEGAL SUPPLY OF GAS TO HEATING PLANT ON PROPERTY.

2 CN100203

Failure to provide hot water at a minimum temperature of 120 degrees Fahrenheit (13-196-420, 13-196-420, 11-8-690, 11-8-500 A)

GAS DISCONNECTED TO THE BUILDING FOR FAILURE TO PAY THE GAS BILL TO THE UTILITY COMPANY AND SUBSEQUENT UNAUTHORIZED USAGE OF GAS; NO LEGAL SUPPLY OF GAS TO HOT WATER FOR PROPERTY.

3 CN 132046

Failure to provide and maintain every facility, piece of equipment or utility in safe and sound working condition. (13-196-400, 13-196-410)

GAS DISCONNECTED TO THE BUILDING FOR FAILURE TO PAY THE GAS BILL TO THE UTILITY COMPANY AND SUBSEQUENT UNAUTHORIZED USAGE OF GAS; NO LEGAL SUPPLY OF GAS TO HOT WATER FOR PROPERTY.

\*\*\* End of Violations \*\*\*

4. That Richard Monocchio is the Commissioner of the Department of Buildings of City of Chicago, and as such and pursuant to the Building Codes of the City of Chicago, caused inspections(s) to be conducted by inspectors of the Department of Buildings of City of Chicago, who have knowledge of the facts stated in this complaint.
5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, as provided under 13-20-020 of the Municipal Code of Chicago, in the amount indicated on the heading of the complaint for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.

## COUNT II

Plaintiff, City of Chicago, a municipal corporation, re-alleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

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6. That the levying of a fine is not an adequate remedy to secure the abatement of the afore stated municipal code violations and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a reviewer be appointed, to bring the subject property into compliance with the Municipal Code.
7. That Richard Monocchio, the Commissioner of the Department of Buildings, City of Chicago, has determined said building does not comply with the minimum standards of health and safety set forth in the Building Code.

**WHEREFORE, PLAINTIFF PRAYS:**

- a. For the temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 65 ILCS 5/11-31-1(a), 5/11-31-2 and 5/11-13-15 and 13-12-070 of the Municipal Code.
- b. For the appointment of a receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1(a) of Chapter 65 of the Illinois Compiled Statutes, as amended.
- d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1(d) of Chapter 65 of the Illinois Compiled Statutes, as amended and for an order granting the City of Chicago a judicial deed to the property if declared abandoned.
- e. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- f. For reasonable attorney fees and litigation and court costs.
- g. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

CITY OF CHICAGO, a municipal corporation

By:   
ASSISTANT CORPORATION COUNSEL



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MARA S. GEORGES

Corporation Counsel of the City of Chicago

Attorney for Plaintiff

By: SARAH M. ANDREW

Assistant Corporation Counsel

Building and License Enforcement Division

30 North La Salle Street, Suite 700, Chicago, Illinois 60602

Atty. No 90909

(312) 742-0336

## VERIFICATION

The undersigned, being duly sworn on oath, deposes and says that he/she is the duly authorized agent of the plaintiff for the purpose of making this affidavit; that he/she has read the above and foregoing complaint, and has knowledge of the contents thereof, and that matters set out therein are true in substance and in fact, and as to matters alleged on information and belief that he/she believes them to be true.

  
\_\_\_\_\_  
ASSISTANT CORPORATION COUNSEL