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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: 12 M1 400374
Plaintiff,)
) Property Address: 403-04 W. 103rd Street
v.) Chicago, IL
) Room: 1105, Richard J. Daley Center
RAY DILLON, et al.)
Defendant(s)) Lien Amount: \$ 5,439.08

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 36 IN C. DEJONG'S SUBDIVISION OF THE NORTH 179 FEET OF LOT 3 OF SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOT 37, AND PART OF LOT 38, IN DEJONG'S SUBDIVISION OF THE NORTH 179 FEET OF LOT 3 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 37, NORTH RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN SAID COOK COUNTY AND STATE OF ILLINOIS.

Commonly Known as: 403-04 W. 103rd Street, CHICAGO, IL 60628

P.I.N.: 25-16-105-034 and 25-16-105-035

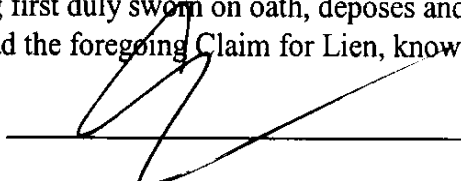
The aforesaid lien arises out of City of Chicago vs. Ray Dillon, et al, Case Number 12 M1 400374 filed in the Circuit Court of Cook County, in which a receiver was appointed for said property by Court Order dated 02/02/2012. The receiver incurred expenses approved by the Court, pursuant to an order entered 06/07/2012. Pursuant thereto, the receiver issues a certificate in the amount of \$ 5,439.08 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 06/08/2012, claims a lien on the above cited real estate for the amount of \$ 5,439.08 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.

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

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.



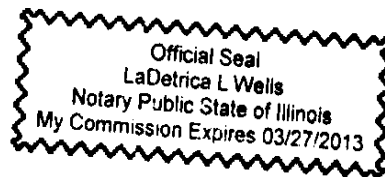
SUBSCRIBED AND SWORN TO BEFORE ME

BY Steven Q. McKenzie

This 19th day of June 2012.

LaDetrice L. Wells

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



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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: 12 - M1 - 400374
)	
Plaintiff,	)	Address: 403-5 West 103 rd Street
)	
V.	)	Chicago, IL. 60628
)	
Ray Dillon, et al)	
	)	Courtroom: 1105
Defendant(s).	)	Richard J. Daley Center

ORDER FOR RECEIVER'S CERTIFICATE

This cause coming on to be heard on the receiver's petition for the court's approval of his 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 February 2, 2012, the receiver was appointed for the purpose of restoring heat and hot water to the above building.
2. The receiver performed services as detailed in the final accounting.
3. The receiver presented a petition for gross fees and costs in the amount of \$5,662.52 for services provided to the court.
4. The gross fee and cost of ~~\$5,662.52~~ is reasonable compensation for the receiver's performance of his duties and for services provided to the court.

IT IS ORDERED:

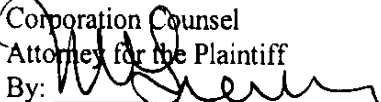
- A. That the receiver's petition for fees and costs is granted;
- B. That the receiver's gross fee and cost of \$5,662.52 is hereby approved by the court;
- C. That the receiver is hereby authorized to issue and to assign to the City of Chicago for valuable consideration a receiver's certificate in the amount of \$5,662.52. The certificate includes the expenses and fees of restoring heat and hot water to the above building. 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: June 7, 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

JUN 07 2012

Circuit Court-2012

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

CITY OF CHICAGO, a municipal corporation,	)	Case No.	1 2 M 1 4 0 0 3 7 4
Plaintiff	)	Amount claimed per day	2,000.00
V.	)	Address:	
RAY DILLON	)	403 - 405 W 103RD ST CHICAGO IL 60628-	
Unknown owners and non-record claimants)		
Defendants)		

COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Stephen Patton, Corporate Counsel, by the undersigned Assistant(s) Corporation Counsel, complains of Defendants as follows:

Count 1

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

- 25-16-105-034
- 25-16-105-034-0000
- 25-16-105-035

LOT 36 IN C. DEJONG'S SUBDIVISION OF THE NORTH 179 FEET OF LOT 2 OF SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOT 37, AND PART OF LOT 38, IN C. DEJONG'S SUBDIVISION OF THE NORTH 179 FEET OF LOT 3 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 37, NORTH RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN SAID COOK COUNTY AND STATE OF ILLINOIS.

Commonly known as

403 - 405 W 103RD ST CHICAGO IL 60628-

and that located thereon is a

- 2 Story(s) Building
- 3 Dwelling Units
- 1 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.

RAY DILLON , OWNER

Unknown owners and non-record claimants

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3. That on 11/09/2011 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

1 CN132016

Heat dwelling unit adequately from September 15th to June 1st. (13-196-410)

1st floor - 57F

2nd floor - 58 F.

Location: OTHER : :1st and 2nd floor apartments

SEQ #: 001

2 CN132046

Provide and maintain every facility, piece of equipment, or utility in safe and sound working condition. (13-196-400, 13-196-440)

Gas shut off , no heat provided.

Location: OTHER : :Entire Building

SEQ #: 002

3 PL114027

Supply adequate hot water with minimum temperature of 120 degrees F. (13-196-430)

Gas shut off - No hot water supplied. 50F.

Location: OTHER : :Entire Building

SEQ #: 003

4 CN104075

Failed to maintain windows in relation to the adjacent wall construction as to completely exclude rain and substantially exclude wind from entering the premises. (13-196-550(f))

Window frames rotted , drafty , air seepage.

Location: OTHER : :All elevations

SEQ #: 004

*** End of Violations ***

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4. That Michael Merchant is the Commissioner of the Department of Buildings of City of Chicago, and as such and pursuant to the Building Code of City of Chicago, caused inspection(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 13-12-020 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, realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy to secure the abatement of the aforesated 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 receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.

7. That Michael Merchant, 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 a 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 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 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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VERIFICATION

The undersigned, being first 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 forgoing 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.

Subscribed and sworn to before me this _____ Day
of _____ 20_____.

By: _____

Deputy Circuit Court Clerk or Notary Public.

For further information Contact: Department of Buildings
Public Information Desk (312) 744 3400

Stephen Patton
Corporation Counsel
Attorney for Plaintiff

By: _____

Assistant Corporation Counsel
30 N LaSalle St. 7th floor
Chicago, Illinois 60602
Atty. No 90909
(312) 744-8791

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