

# UNOFFICIAL COPY



Doc#: 1217204145 Fee: \$54.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 06/20/2012 01:34 PM Pg: 1 of 9

Box space reserved for Recorder's  
Office only

## HEAT

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

CITY OF CHICAGO, a municipal corporation,	)	CASE NO: 12 M1 400078
Plaintiff,	)	
	)	Property Address: 10918 S. Eberhart
v.	)	Chicago, IL
	)	Room: 1105, Richard J. Daley Center
ERMA J. MURRY, et al.	)	
Defendant(s)	)	Lien Amount: \$ 2,971.42

### 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 47 (EXCEPT THE NORTH 11 FEET 5 INCHES THEREOF AND EXCEPT THE SOUTH 11 FEET 7 INCHES THEREOF AS MEASURED ON THE EAST LINE) IN MAPLE LANE SUBDIVISION, IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**Commonly Known as:** 10918 S. EBERHART, CHICAGO, IL 60628

**P.I.N.:** 25-15-412-060

The aforesaid lien arises out of City of Chicago vs. Erma J. Murray, et al, Case Number 12 M1 400078 filed in the Circuit Court of Cook County, in which a receiver was appointed for said property by Court Order dated 01/12/2012. The receiver incurred expenses approved by the Court, pursuant to an order entered 05/31/2012. Pursuant thereto, the receiver issues a certificate in the amount of \$ 2,971.42 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 06/13/2012, claims a lien on the above cited real estate for the amount of \$ 2,971.42 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.

# UNOFFICIAL COPY

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.

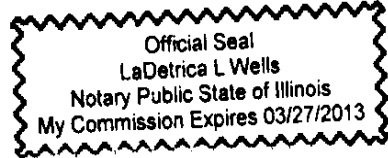
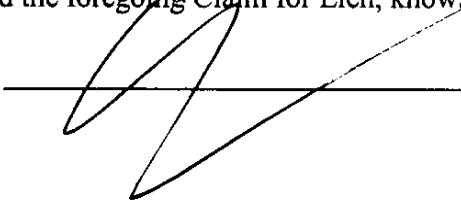
SUBSCRIBED AND SWORN TO BEFORE ME

BY Steven Q. McKenzie

This 19<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



City of Cook County Clerk's Office

**UNOFFICIAL COPY**

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

CITY OF CHICAGO, a municipal corporation,	)	Case No: 12-M1-400078
	)	
Plaintiff,	)	Property Address:
	)	10918 South Eberhart
v.	)	<u>CHICAGO, IL</u>
Erma J. Murry, et al	)	Courtroom: <u>1105</u>
	)	Richard J. Daley Center
Defendant (s)	)	

**RECEIVER'S CERTIFICATE**

The undersigned David Feller was reappointed heat receiver by the court to restore heat and hot water to the above premises on January 12, 2012. For value received, the receiver in his official capacity and not individually promises to pay to bearer the sum of \$2,971.42 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 31, 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: 25-15-412-060

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.

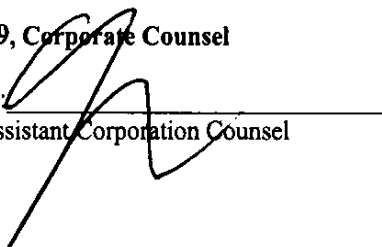
Dated: 6/13/12

  
\_\_\_\_\_  
David Feller, Heat Receiver

# UNOFFICIAL COPY

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

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

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

CITY OF CHICAGO, a municipal corporation,	)	Case No: 12 - M1 - 400078
	)	
Plaintiff,	)	Address: 10918 South Eberhart
	)	
V.	)	Chicago, IL. 60628
	)	
Erma J. Murry, et al	)	
	)	
Defendant(s).	)	Courtroom: 1105 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 January 12, 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 \$3,213.04 for services provided to the court.
4. The gross fee and cost of ~~\$3,213.04~~ 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 ~~\$3,213.04~~ 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 ~~\$3,213.04~~. The certificate includes the expenses and fees of vacating 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: May 31, 2012

Entered:

Stephen R. Patton No. 90909

Corporation Counsel  
Attorney for the Plaintiff

By: [Signature]

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

Judge [Signature], Room 1105

Judge Daniel B. Malone

MAY 31 2012

Circuit Court-2012

# UNOFFICIAL COPY

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

12M1 400078

CITY OF CHICAGO, a municipal corporation,	) Case No.	
Plaintiff	) Amount claimed per day	2,000.00
V.	) Address:	
ERMA J MURRY	) 10918 - 10918 S EBERHART AVE CHICAGO IL	
KATHRYN RAGLAND	) 60628-	
JPMORGAN CHASE BANK,NA SUCCESSOR TO	)	
WASHINGTON MUTUAL BANK	)	
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 I

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

25-15-412-060

LOT 47(EXCEPT THE NORTH 11 FEET 5 INCHES THEREOF AND EXCEPT THE SOUTH 11 FEET 7 INCHES THEREOF AS MEASURED ON THE EAST LINE)IN MAPLE LANE SUBDIVISION, IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as

10918 - 10918 S EBERHART AVE CHICAGO IL 60628-

and that located thereon is a

- 2  Story(s) Building
- 1  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.

ERMA J MURRY , OWNER

KATHRYN RAGLAND , OWNER

JPMORGAN CHASE BANK,NA SUCCESSOR TO WASHINGTON MUTUAL BANK ,  
MORTGAGE HOLDER

Unknown owners and non-record claimants

# UNOFFICIAL COPY

3. That on 12/07/2011 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)

62 degrees livingroom, 60 degrees basement, furnace out of service gas shut off

Location:

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)

furnace out service at time of inspection

Location:

SEQ #: 002

3 CN136013

Stop using cooking or water heating device as heating device. (13-196-400)

using cooking stove as heating device

Location:

SEQ #: 003

4 CN197087

Install carbon monoxide detector within 40 feet of every sleeping room in residential structure. (13-64-190, 13-64-210) A carbon monoxide detector is needed whenever there is a heating appliance on the premises that burns fossil fuel: such as gas, oil, or coal, or air that is circulated through a heat exchanger. Install according to manufacturer instructions. A hard wired model requires an electrical wiring permit. In a single family residence, be sure the detector is on or below the lowest floor with a place to sleep. In a multiple dwelling residence heated by a boiler, install a detector in the same room as the boiler. Otherwise, each apartment follows single family guidelines. The owner is responsible for installation and written instructions, the tenant for testing, maintenance, and batteries.

carbon monoxide detector out of service

Location:

SEQ #: 004

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

# UNOFFICIAL COPY

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 aforesaid 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 receiver's 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



# UNOFFICIAL COPY

## 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

Property of Cook County Clerk's Office