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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/27/2012 09:18 AM Pg: 1 of 4

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

AYODEJI DAIRO, ET AL.,

Defendants.

Case Number: 11 M1 402464

Re: 5650 S. PEORIA ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on 06/19/12, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen P. Patton, Corporation Counsel, against the following named Defendants:

AYODEJI DAIRO; and
UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

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

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 5650 S. Peoria St., Chicago, Cook County, Illinois ("subject property"), legally described as:

THE SOUTH 16 FEET OF LOT 19 AND THE NORTH 17 FEET OF LOT 20 IN BLOCK 6 IN EAMES SUBDIVISION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-17-213-031-0000.

2. Located on the subject property is a two-story, brick building. The last known use of the subject building was multi-unit residential.
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 building was found vacant and open.
 - b. The building's electrical system has exposed wiring, missing fixtures, and is stripped and inoperable.

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- c. Commonwealth Edison terminated electrical service at the building.
- d. The building's floor system is missing floor covering *at the bathrooms and kitchen areas.*
- e. The building's glazing is broken or missing.
- f. The building's heating system is vandalized, stripped, and inoperable.
- g. The building's masonry has loose and missing brick, step and stress fractures, and washed out mortar joints.
- h. The building's plaster is broken and missing.
- i. The building's plumbing system has missing fixtures and is stripped and inoperable.
- ~~j. The building's rafter system has cracked rafters.~~
- ~~k. The building's roof system has a damaged membrane, missing shingles, and is water damaged.~~
- l. The building's sashes are broken, missing, or inoperable.
- m. The building's porch stair systems have improper foundations, improper handrail heights, and *improper tread and riser dimensions, creating a dangerous and hazardous condition.*
- n. *The building has graffiti on the interior.*
- o. *The basement has evidence of water penetration.*

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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 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. Defendants, 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 January 27, 2012, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City's complaint seeking demolition authority.

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- C. Counts II, III, V, VI, VII, and VIII of the City's complaint are voluntarily withdrawn.
- D. Pursuant to the judgment entered above, 65 ILCS 5/11-31-1, and the City's police powers under 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.
- E. The authority granted in Paragraph D. above shall become effective 6/10/12.
- F. Defendant(s) Ayodeji Dairo is/are ordered to keep the property secure until it is demolished. The judgment entered on 6/9/12 in the amount of \$ 575.00 against Defendant(s) Ayodeji Dairo, which consists of \$ 575.00 in litigation costs shall stand as final judgment. ~~Leave to enforce said judgment is stayed until [redacted]~~. Execution shall issue on the judgment thereafter. 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.
- G. 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.
- 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.

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J. 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:

Pamela Gillispie
Assistant Judge Pamela Hughes Gilheople

JUN 19 2012

Circuit Court - 1953

PLAINTIFF, CITY OF CHICAGO
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Clerk of Cook County Clerk's Office