

# UNOFFICIAL COPY



1219316141

Doc#: 1219316141 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 07/11/2012 04:58 PM Pg: 1 of 3

Reserved for Recorder of Deeds Use Only!

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

CITY OF CHICAGO, a Municipal Corporation, )  
)  
)

Plaintiff, )

vs. )

2636 W. CHICAGO AVE. CONDOMINIUM ASSOCIATION INC., SERHIY DYAKIV, 2023 N. MOZART INC., OLEKSIY DANKOVICH ET AL. )  
)  
)  
)  
)

Defendant(s). )

Case No: 11-M1-401853

Re: 2636 W. Chicago

Courtroom: 1109

### ORDER OF DEMOLITION

This cause coming to be heard on June 27, 2012, on complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen Patton, Corporation Counsel of the City of Chicago, against the following named Defendants:

- 2636 W. Chicago Ave. Condominium Association Inc.
- Serhiy Dyakiv
- 2023 N. Mozart Inc.
- Oleksiy Dankovich
- DIM Construction Inc.
- Yaroslav Kot
- Nick's Construction, Co., Ltd.
- Nikolai Pereptichka
- MB881, LLC
- Neil Goodrich
- Amy Goodrich
- Lisa Micka
- David Ghantous
- Mortgage Electronic Registration Systems, Inc., as nominee for Guaranteed Rate, Inc.
- JPMorgan Chase Bank, N.A.
- All Unknown Owners and Non-Record Claimants

# UNOFFICIAL COPY

The Court being fully advised of the premises of this proceeding and having heard the testimony of the City's inspector and the Court's Receiver, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 2636 W. Chicago, Chicago, Illinois, and legally described as follows:

**Lot 34 in Block 2 of James S. Hill's Subdivision of the Southeast ¼ of the Southwest ¼ of the Southeast ¼ of Section 1, Township 39 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois.**

This parcel has Permanent Index Numbers of 16-01-427-032-0000, 16-01-427-045-1001, 16-01-427-045-1002, 16-01-427-045-1003, and 16-01-427-045-1004.

2. Located on the subject property is a four story, mixed use masonry condominium building, with one commercial/retail condo unit on the first floor and three residential condo units on floors 2, 3, and 4, one per floor.
3. The Court having heard testimony and evidence finds that the building located at the 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.
  - b. There is water infiltration in the building at the subject property due to unsealed CMU masonry exterior, in proper flashing, open masonry joints.
  - c. The water infiltration in the building is causing deterioration and damage to the interior of the subject property and needs to be abated.
  - d. In all of the residential units, there are significant deflections of the floors.
  - e. The floors of all units are framed out with pre-manufactured Trimjoist wood trusses, which have been altered or incorrectly trimmed, resulting in the trusses being over-stressed.
  - f. The structural integrity of the floor trusses has been compromised, resulting in a dangerous and hazardous condition.
  - g. The approximate costs to remediate the dangerous and hazardous conditions as reported in the Klein-Hoffman Reports are \$850,000.
  - h. The aggregate value of all four units is \$860,000.
  - i. The cost of remediation, other unknown deficiencies, the liability of past due real estate taxes and future unpaid real estate taxes, market risk conditions, and the cost of capital, make the rehabilitation of the Property not financially feasible.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

# UNOFFICIAL COPY

## WHEREFORE, IT IS ORDERED THAT:

- A. The City is granted authorization to demolish the building on the subject property.
- B. Defendants 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.
- C. All defendants, their agents, legatees, successors, and assignees shall be permanently enjoined from transferring, selling, or disposing of their interest in the property until further order of court.
- D. This resolves all issues against Defendants 2636 W. Chicago Ave. Condominium Association, MB881, LLC, Neil Goodrich, Amy Goodrich, Lisa Micka, David Ghantoro, Mortgage Electronic Registration Systems, Inc., as nominee for Guaranteed Rate, Inc., and JPMorgan Chase Bank, N.A., and they are dismissed from the case.
- E. All counts against Defendants Serhiy Dyakiv, 2023 N. Mozart Inc., Oleksiy Dankovich, DIM Construction, Inc., Yaroslav Kot, Nick's Construction, Co., Ltd., and Nikolai Pereptichka have NOT been dismissed and are still pending.

IT IS FURTHER ORDERED THAT this case be continued to September 26, 2012 at 11:00 a.m., Courtroom 1109, Richard J. Daley Center, 50 W. Washington St., Chicago, Illinois 60602. As ordered by Judge William G. Pileggi

HEARING DATE: June 27, 2012

JUN 27 2012

Circuit Court - 1764

ENTERED Judge William Pileggi  
1109

By: 

Greg Janes  
Assistant Corporation Counsel  
City of Chicago Department of Law  
Building and License Enforcement Division  
30 North LaSalle Street, Suite 700  
Chicago, Illinois 60602  
(312) 744-9555  
ATTY NO. 90909