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Eugene "Gene" Moore
Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
HOMAN-MONROE, L.L.C., et al.,
Defendants.

No. 10 M1 401479
Re: 3401-07 W. Monroe; 104-16 S. Homan
Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on July 31 2012, on the 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:

- Homan-Monroe, L.L.C.
- Marcela Avram d/b/a Homan-Monroe, L.L.C.
- North Star Trust Company, as Successor to MB Financial Bank, N.A., as Trustee for Trust #03-38
- ABC Remodelers Supply Company
- Evergreen Oak Electric Supply & Sale Company
- M&S Construction and Plumbing Company
- Jenaro Garcia/Blue Line (Garcia)
- MB Financial Bank, N.A.
- ROM Construction, Inc.
- Simion Batin
- Pride Drywall, Inc. a/k/a Pride Drywall & Taping Corporation
- M.D. Construction
- Crane & Norcross
- European Development Corporation
- EDM Property Manager
- Tim Anderson, as Receiver
- Colfin Bulls Funding B, L.L.C.
- Unknown Owners and Non-record Claimants

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

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 3401-07 W. Monroe with a cross-address of 104-16 S. Homan, Chicago, Illinois, and legally described as follows:

LOTS 1, 2, 3 AND 4 (EXCEPT THE WEST 10 FEET THEREOF) IN BLOCK 4 IN CENTRAL PARK ADDITION TO CHICAGO, BEING A SUBDIVISION OF THAT PART OF THE WEST ¼ OF THE NORTHEAST ¼ OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-14-205-020.

2. Located on the subject property is a three-story brick residential building.
3. The Court having heard testimony and evidence finds that the building located on the subject 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(s) located on the subject property ("the building") is vacant and open with fire damage
 - b. The building's electrical systems are stripped or inoperable.
 - c. The building's plumbing systems are stripped or inoperable.
 - d. The building's heating systems are stripped or inoperable.
 - e. The building's roof has holes with damaged roof joists.
 - f. The building's flooring is damaged, weak, and charred with large portions that are missing.
 - g. The building's joists are damaged, rotted, and charred with missing portions.
 - h. The building's interior partitions are charred.
 - i. The building's doors, frames, sashes, and trim are broken, missing, damaged, and/or charred.
 - j. The building's stairways are damaged.
 - k. The building's rear porch is missing portions.

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- l. The building's plaster and glazing is damaged and/or missing.
- m. The building has evidence of squatter activity.
- 4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, *inter alia*, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder (not applicable) is dismissed as a party defendant.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City of Chicago's complaint for demolition.
- C. The remaining counts of the City's complaint for demolition are voluntarily dismissed.
- D. Pursuant to 65 ILCS 5/11-41-1 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 B above shall become effective~~
immediately
- F. 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.
- G. Homan-Monroe, L.L.C. is ordered to keep the property secure until it is demolished.
- H. Defendants with either possession or control of the subject property shall remove any and all persons, if any, occupying the subject property and all personal property from said premises no later than the effective date so that said premises will be completely vacant and free of personal property before demolition is commenced.

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I. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order. The Court finds no just reason for delay in the enforcement or appeal of this order.

J. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining and approving the demolition and litigation costs.

Judge James M. McGinley

[Handwritten Signature]
ENTERED Judge JUL 31 2012
Circuit Court 1926

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: *[Handwritten Signature]*
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