



Case No. 12 M1 400873

Doc#: 1222641053 Fee: \$44.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 08/13/2012 11:56 AM Pg: 1 of 4

~~DUPLICATE ORIGINAL~~

Property of Cook County Clerk's Office

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

THE CITY OF CHICAGO,  
a municipal corporation,

Plaintiff,

v.

ALONZO CUMMINGS;  
MARGUREE CUMMINGS;  
UNKNOWN OWNERS  
and NON-RECORD CLAIMANTS

Defendants.

No. 12 M1 400873

Re: 10809 S State St.  
Chicago, IL 60628

Courtroom: 1111

STAYED 48 HOURS  
EFFECTIVE 8-9-12

EMERGENCY ORDER OF DEMOLITION

7

This cause coming on to be heard on August 7, 2012, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), emergency motion and accompanying amended complaint seeking immediate demolition authorization, by Stephen R. Patton, Corporation Counsel of the City of Chicago, against the following named defendants:

ALONZO CUMMINGS;

MARGUREE CUMMINGS;

UNKNOWN OWNERS and NON-RECORD CLAIMANTS

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

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1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 10808 S. State Street, Chicago, Cook County, Illinois ("subject property"), legally described as:

SOUTH 1/2 OF LOT 3, LOT 4 IN THE SUBDIVISION OF THE EAST 1/2  
OF LOT 41 OF SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16,  
TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 25-16-410-031.

2. Located on the subject property is a one-story frame building and garage. The last known use of the subject building was 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 electrical system is dangerous and hazardous, with exposed wiring.
  - b. The electrical system has live systems, water saturating the flexible cable, and debris piled up to the switches, all of which present fire hazards.
  - c. The flooring is warped and contains smoke, fire, and/or water damage.
  - d. The window glazing is broken or missing.
  - e. The joists are cracked, smoke, fire, and/or water damaged.
  - f. The exposed interior second floor joists are rotting and broken.
  - g. The outer wall is partially collapsed, smoke, fire, and/or water damaged.
  - h. The outer wall is dangerous and hazardous.
  - i. The outer wall's rear elevation is collapsing and rotting, creating a dangerous and hazardous condition.
  - j. The outer walls have missing siding and holes.
  - k. The building's plaster is broken or missing and smoke, fire, and/or water damaged.

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- l. The building's plaster makes the walls saturated.
  - m. Large sections of the building's plaster are missing from the walls and ceilings.
  - n. The plumbing system fixtures are leaking in the bathroom.
  - o. The building's rafters are water damaged where the shingles and sheathing are rotted.
  - p. The roof is water damaged, with missing shingles.
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. An in rem 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 on an emergency basis.
- B. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- C. 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.
- D. Defendant owners are ordered to keep the property secure until it is demolished.
- E. The City's performance under the 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.

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F. Defendants with either possession or control of the subject property shall immediately remove any and all persons occupying the subject property so that said premises will be completely vacant before demolition is commenced. The City's Department of Human Services is authorized to assist in the relocation of any tenants.

G. 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.

H. This cause is continued to \_\_\_\_\_, at 9:30 p.m. in Room 1111 for completion of this Court's jurisdiction.

**DELETED ORIGINAL**

~~Assoc. Judge Pamela Hughes Gillespie~~

ENTERED: AUG 07 2012

Circuit Court 1953

JUDGE JAMES M. MCGING

Judge James M. McGing

AUG 07 2012

Circuit Court 1926

PLAINTIFF, CITY OF CHICAGO  
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