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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
PEBBLEFORD HOLDINGS LLC, ET AL.,
Defendants.

Case Number: 12 M1 400062
Re: 5343 S. MAY ST.
Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 9/4/12, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Fatton, Corporation Counsel, against the following named Defendants:

- PEBBLEFORD HOLDINGS LLC;
- ABANA TABB; 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: 5343 S. May St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 31 IN THE SUBDIVISION OF BLOCK 3 IN GAYLORD'S SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-08-416-017-0000.

2. Located on the subject property is a two-story, brick building. The last known use of the subject building was as a multi-unit residence.

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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 is vacant and open. *at the rear and there are indications of squatter activity.*
- b. The building's electrical system is stripped and inoperable with missing fixtures and exposed wiring.
- c. The building's heating system is vandalized, stripped and inoperable, missing duct work, and missing a furnace.
- d. The building's plumbing system is stripped and inoperable with missing fixtures.
- e. The building's floor systems are missing floor covering and have holes.
- f. The building's glazing is broken or missing.
- g. The building's exterior wall system is missing siding.
- h. The building's masonry has washed out mortar joints.
- i. The building's plaster is broken or missing.
- j. The building's roof system has a damaged membrane and is not water tight.
- k. The building's sashes are broken, missing, or inoperable.
- l. The building's stair systems are dangerous with damaged decking, damaged and improper handrails, and improper tread and riser dimensions.
- m. *The subject property's lot is overgrown with weeds*
- n. *The rear porch is not weather-tight and has exposed sheathing*
- o. *The interior of the property has been stripped to the studs*

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. 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

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of the Property Tax Code. The property tax certificate holder PLYMOUTH PARK TAX SERVICES, LLC A/K/A PPTS LLC (Protective Order 2/14/12) is dismissed as a party defendant.

- A. Defendants, Abana Tabb and 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 **September 4, 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.
- 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 C. 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. 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.
- H. 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.
- I. 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 ~~any party~~ as defined by the applicable statutes and ordinances.

SEP 04 2012

ENTERED:

Circuit Court - 1953
Pamela Orusppe

PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By: Stuart Miles

Stuart Miles

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Assistant Corporation Counsel
Building and License Enforcement Division
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COOK COUNTY
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