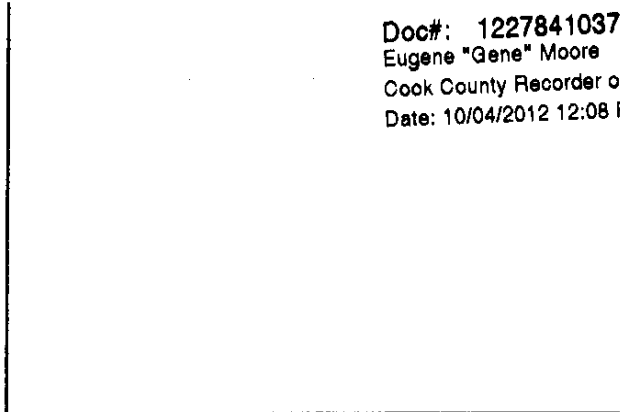




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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/04/2012 12:08 PM Pg: 1 of 4



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

CITY OF CHICAGO, a Municipal Corporation,

Plaintiff,

v.

FRANCISCA SANTOYO, et. al,

Defendants.

No: 12 M1 401108

Re: 3048 S CHIRSTIANA

Agreed **ORDER OF DEMOLITION
(FRONT AND REAR BUILDINGS)**

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

- FRANCISCA SANTOYO;
- MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. NOMINEE OF OAK STREET MORTGAGE LLC;
- OAK STREET MORTGAGE LLC;
- BAC FIELD SERVICES;
- THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2006-0C3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-0C3; and (hereinafter "Bank of NY");
- UNKNOWN OWNERS AND NONRECORD CLAIMANTS.

The Court, having heard testimony and receiving evidence, and being fully advised in the premises, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the property located at the common address of 3048 S CHRISTIANA AVE, Chicago, Illinois, and legally described as follows:

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LOT 54 IN THE SUBDIVISION OF BLOCK 23 IN STEELES SUBDIVISION OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF THE SOUTHWEST 1/4, SECTION 26, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Located on the property is a **front** one story brick building and a **rear** one story brick building. The last known use of the buildings was residential. The permanent index number is **16-26-428-043-0000** ("the subject property").

(2) The parties, City and Defendants Francesca Santoro; DAC Field Services; and Bank of New York, stipulate that

2. The subject property is dangerous, unsafe and beyond reasonable repair (Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:

FRONT BUILDING:

- a. The building is vacant and frequently open.
- b. The electrical system is missing fixtures and has exposed wiring.
- c. The flooring is warped and pitching in multiple directions.
- d. The glazing and windows are broken, missing and/or inoperable.
- e. The sashes, frames, doors and trim are broken, missing and/or inoperable.
- f. The heating system is vandalized, stripped and inoperable.
- g. The furnace is missing.
- h. The plaster is missing and/or broken, and water damaged.
- i. The plumbing system is stripped, inoperable, and missing fixtures.
- j. The front exterior stairs are deteriorating.
- k. The rear exterior stairs have loose treads.
- l. The handrails and decking are damaged.
- m. The column is broken on the interior stair system.
- n. The attic has been converted to living space.

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REAR BUILDING:

- a. The building is vacant and frequently open.
- b. The flooring is warped and pitching in multiple directions.
- c. The glazing is broken, missing and/or inoperable.
 - a. The sashes, frames, doors and trim are broken, missing and/or inoperable.
 - b. The heating system is stripped and inoperable.
 - c. The furnace is missing.
- d. The plaster is water damaged.
- e. The plumbing system is stripped, inoperable, and missing fixtures.
- f. The masonry has holes, step fractures and washed out mortar joints.
- g. The chimney has an opening where the flue should be.
- h. The siding is rotting and water saturated.
- i. The roof is water damaged.
- j. The roof membrane is damaged.
- k. The gable roof is deflecting in multiple areas.
- l. The roof material / shingles are deteriorating.
- m. The walls are out of plumb.
- n. The rear building has been converted to living space.

~~3. The Court finds~~ ^{and} that the subject property is beyond reasonable repair, it would take major reconstruction to bring the structures into full compliance with the Municipal Code of Chicago, and that demolition of the structures is the least restrictive alternative.

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Agreed:

WHEREFORE, IT IS HEREBY ~~ORDERED~~:

A. Defendants, OAK STREET MORTGAGE, LLC and UNKNOWN OWNERS AND NONRECORD CLAIMANTS, having failed to appear in court or otherwise plead as of the publication default date of May 17, 2012 are in default and the complaint is confessed against said defendants.

Should title not transfer to Bank of N.Y. or BAC Field Services on or before Jan. 15, 2013,

B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Count III of the City's complaint. Pursuant to 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 both the front and rear buildings 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. *(effective 1/15/13, only if title does not transfer to Bank of N.Y. or BAC Field Services).*

C. The City's demolition authority is effective immediately, upon a title transfer to any other than Bank of N.Y. or BAC Field Services.

D. The remaining counts of the City's complaint are voluntarily dismissed without prejudice.

E. 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 any.*

F. Defendants, FRANCISCA SANTOYO, BAC FIELD SERVICES, and THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2006-0C3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-0C3 shall keep the structures on the subject property vacant and secure until it is demolished.

G. Defendant Francisca Santoyo shall immediately remove all personal property from the subject property and keep it vacant and secure so that said premises will be completely vacant and free of personal property before demolition is commenced.

Bank of N.Y. and/or BAC Field Services shall notify the City, through the undersigned within 24 hours of any title transfer.

~~H. 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.~~

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

J. The cause ^{is} off call.

ENTERED:

9-27-12

Francisca Santoyo
Francisca Santoyo date

Associate Judge Pamela Hughes Gillespie
Pamela Gillespie
Judge Gillespie SEP 27 2012

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Circuit Court - 1953
Anebra Niemi 9/27/12
Anebra Niemi, on behalf of
Bank of New York Mellon
BAC Field Services