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IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

PINNACLE TRUST SERVICES AS TRUSTEE
FOR 056 LONG TRUST, *et al.*

Defendants.

Case Number: 12 M1 401067

Re: 650 N LONG AVE
CHICAGO IL 60644

Courtroom 1107

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on OCTOBER 4, 2012 on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Stephen R. Patton, Corporation Counsel, against the following:

PINNACLE TRUST SERVICES AS TRUSTEE FOR 056 LONG TRUST
Z FINANCIAL LLC

UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

("Defendants").

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

1. The Court has jurisdiction of the subject matter, which is the real estate located at 650 N LONG AVE, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOT 3 IN DAMIER'S SUBDIVISION OF LOTS 1 TO 13 AND 20 FOOT ALLEY SOUTH OF AND ADJOINING IN BLOCK 1 IN WILSON AND ST. CLAIR'S RESUBDIVISION OF BLOCK 3 IN MERRICK'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 16-09-109-031-0000.

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2. Located on the subject property is a TWO STORY FRAME ("subject building"). The last known use of the subject building was SINGLE FAMILY DWELLING.
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, in that the following violations of the Municipal Code of Chicago exist at the subject property and the defendants:
 - a. With respect to each OWNER, failed to secure a vacant building so that all openings are closed and secured using doors, glazed windows, commercial-quality steel security panels, or filled with the same material as the surrounding wall, as applicable, provided that openings greater than one square foot in area may not be boarded with plywood, except as specifically permitted by the Department of Buildings. (13-12-135(d)). VACANT AND OPEN.
 - b. With respect to each OWNER only, failed to remove exposed electrical wiring and maintain electrical system in safe and sound condition. (18-27-300.4, 18-27-410.22, 13-196-590, 13-196-641) EXPOSED WIRING.
 - c. With respect to each OWNER only, failed to repair or replace defective and/or missing electrical fixtures and maintain electrical system in safe and sound condition. (18-27-210.70, 18-27-410.22, 18-27-410.23, 18-27-410.24, 18-27-240.27, 18-27-410.36, 18-27-410.37, 18-27-410.38, 18-27-410.39, 18-27-560.7, 13-196-590, 13-196-641) ELECTRICAL: MISSING FIXTURES, STRIPPED AND INOPERABLE.
 - d. With respect to each OWNER only, failed to maintain every floor within a building in safe and sound condition, good repair, and capable of supporting the loads that normal use may cause to be placed thereon. (13-12-135(c)(2), 13-52-010, 13-196-040, 13-196-540, 13-196-641) MISSING FLOORING.
 - e. With respect to each OWNER only, failed to maintain every supply facility, piece of equipment, and utility, including the heating system, in safe and sound condition. (13-196-590, 13-196-641) HEATING SYSTEM STRIPPED AND INOPERABLE. VANDALIZED.
 - f. With respect to each OWNER, failed to maintain the exterior of a building so that all exterior walls are free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or the interior spaces and are protected against the entry of rodents or other animals. (13-12-135(b)(2), 13-196-530(b), 13-196-530(d), 13-196-641). SCABBED COLUMNS AT PORCH, *Rotted and deteriorated joists*
 - g. With respect to each OWNER only, failed to maintain every wall and ceiling within a building in safe and sound condition and good repair. (13-12-135(c)(2), 13-196-540, 13-196-641) PLASTER BROKEN OR MISSING, *Mold present.*

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- h. With respect to each OWNER, failed to maintain all plumbing fixtures without leaking pipes and completely drain or continuously heat all pipes for water to prevent them from freezing and maintain or repair plumbing system in accordance with the original design so that no hazard to life, health or property is created by such plumbing system. (13-12-135(c)(3), 13-196-590, 13-196-641, 18-29-102.2). PLUMBING STRIPPED AND INOPERABLE. ALTERED WITHOUT PERMIT.
- i. With respect to each OWNER, failed to maintain the exterior of a building so that all portions of the roof are adequately supported and maintained in weather tight condition and all gutters, downspouts, scuppers, and appropriate flashing are in good repair and adequate to remove water. (13-12-135(b)(4), 13-196-530(c), 13-196-641, 13-12-126(b)(8)). HOLES IN ROOF. MISSING DOWNSPOUTS.
- j. With respect to each OWNER, failed to maintain the exterior of a building so that all exterior windows and doors are in sound condition and good repair, so that: windows and doors fit tightly within their frames; window and door frames are constructed and maintained in such relation to the adjacent wall construction as to prevent rain from entering the building; windows and doors are equipped with properly functioning locking hardware; and any window which has broken, cracked, or missing glass or glazing is repaired or boarded in a manner prescribed by code. (13-12-135(b)(3), 13-196-550, 13-196-641, 13-12-126(b)(1)). WINDOW SASHES BROKEN, MISSING OR INOPERABLE.
- k. With respect to each OWNER, failed to maintain the exterior of a building so that every outside stair or step is in sound condition and good repair and every porch, stoop, deck, veranda, balcony and walk is in sound condition. (13-12-135(b)(6), 13-52-010, 13-196-040, 13-196-570, 13-196-641). STAIRS LOOSE. EXCESSIVE DEFLECTION.
- l. With respect to each OWNER, failed to maintain the lot and surrounding public way so that all grass and weeds on the premises, including abutting sidewalks, gutters, and alleys, are below ten inches in height, and all dead or broken trees, tree limbs, or shrubbery are cut and removed from the premises. (13-12-135(a)(1), 7-28-120, 15-4-970). FRONT AND REAR.
- m. With respect to each OWNER, failed to maintain the lot and surrounding public way so that no junk, rubbish, waste, or any material that creates a health, safety, or fire hazard is permitted to accumulate on the exterior and so that no portion of the lot, nor any structure, vehicle, receptacle or object thereon, causes or produces a health or safety hazard or is conducive to harboring rodents. (13-12-135(a)(3), 13-12-135(a)(4), 7-28-720, 15-4-970). REAR YARD. REAR BASEMENT STAIRS. TARP.

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n. Joists in basement deteriorated, attempted reinforcements are insufficient

4. The subject building is beyond reasonable repair and it would take major reconstruction by a responsible owner to bring the subject building into full compliance with the Municipal Code.
5. Demolition of the subject building is the least restrictive alternative available to effectively abate the dangerous and unsafe conditions at the subject property as of October 4, 2012.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants PINNACLE TRUST SERVICES AS TRUSTEE FOR 056 LONG TRUST, and UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of MAY 17, 2012, are hereby held in default.
- B. An *in rem* judgment on Counts III of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- C. Counts I, II, IV, V and VI of the Complaint are voluntarily dismissed, on the City's oral motion.
- 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 subject 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. Such authority shall be effective IMMEDIATELY.
- E. The City's performance under this order shall result in a statutory *in rem* lien that attaches to the subject property only. If the City seeks a personal judgment against any Defendant(s), it shall proceed by separate motion directed to such Defendant(s).
- F. Defendants with either possession or control of the subject property shall keep the subject building vacant and secure until it is demolished.
- G. Any and all Defendants with either possession or control of the subject property shall immediately remove any and all persons occupying the subject building and any and all personal property from the subject property so that the subject property is completely vacant and free of persons and personal property before demolition is commenced.

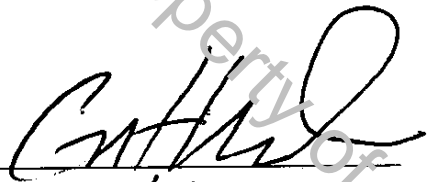
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- H. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order.
- I. The Court reserves jurisdiction of this cause to enforce the terms of this Order and for the purpose of ascertaining demolition costs and other costs for entry of money judgment(s) against the defendant owners and for the purposes of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.

ENTERED:

Pamela Gillespie

By: _____



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Associate Judge Pamela Hughes Gillespie

OCT 04 2012

Circuit Court - 1953

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