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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/29/2012 09:52 AM Pg: 1 of 5

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

CITY OF CHICAGO a municipal corporation,
Plaintiff,
v.
KEITH C. MILLER, SONYA MILLER
WHEELER-DEALER, LTD, et al.,
Defendants.

No. 11 M1 403453
Re: 736 W. 82nd Street
Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 10/22/12, 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:

Keith C. Miller
Sonya Miller
Wheeler-Dealer, LTD
Unknown Owners and Nonrecord Claimants

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: 736 W. 82nd, Chicago, Illinois, and legally described as follows:

LOT 12 AND THE EAST 1/2 OF LOT 13 IN PARMLY'S SUBDIVISION OF THE NORTH 419.2 FEET OF THE EAST 825 FEET OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (WEST OF THE CHICAGO CHICAGO ROCK ISLAND AND PACIFIC RAILROAD), IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 20-33-116-037.

1 of 3

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2. Located on the subject property is a two-story frame residential building and garage.
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 is vacant ~~and open~~.
 - b. The building's electrical systems have exposed wiring and missing fixtures.
 - c. The building's electrical systems are stripped and inoperable.
 - d. The building's flooring is missing and warped.
 - e. The building's glazing is broken or missing.
 - f. The building's heating systems are vandalized, stripped, and inoperable.
 - g. The building's furnace and ductwork are missing.
 - h. The building's joists are undersized.
 - i. The building's masonry is missing siding and has washed out mortar joints.
 - j. The building's masonry has step or stress fractures.
 - k. The building's plaster is broken or missing.
 - l. The building's plumbing systems are missing fixtures, stripped, and inoperable.
 - m. The building's rafters are cracked.
 - n. The building's roof has a damaged membrane and missing shingles.
 - o. The building's stairs have improper foundations.
 - p. The building's stairs have damaged decking and handrails.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

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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 Wheeler Dealers Ltd is dismissed as a party defendant.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts 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 5/11-31-1 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. _____ is ordered to keep the property secure until it is demolished. _____ is ordered to pay a judgment of _____ to the City no later than _____, based on Count II of the City's complaint. Payment must be by certified check, business check, or money order, made payable to the City of Chicago. Payment must be delivered to 30 N. LaSalle Street, Suite 700, Chicago, IL, 60602, Attn: Kristina Mokrzycki. Payment must include the case number on its face, and be accompanied by a copy of this court order.
- 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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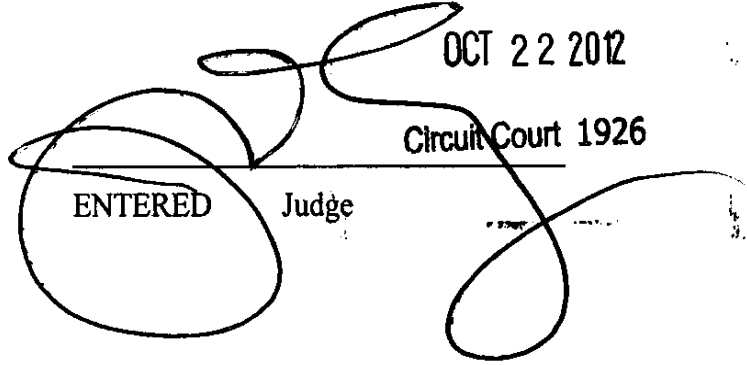
- I. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order. The Court finds no just reason for delay in the enforcement or appeal of this order.
- J. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining and approving the demolition and litigation costs.

Judge James M. McGing

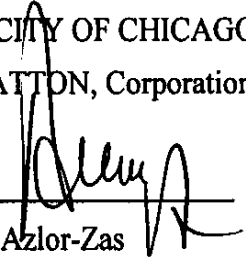
OCT 22 2012

Circuit Court 1926

ENTERED Judge



PLAINTIFF, CITY OF CHICAGO
 STEPHEN PATTON, Corporation Counsel

By: 

Maria Azlor-Zas
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
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 ATTY NO. 90909

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