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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/30/2012 11:52 AM Pg: 1 of 5

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff)
v. Chicago Regional Office US Dept of)
Housing & Urban Development)
et al.,)
Defendant(s).)

No: 12 MI 402504
Re: 3809 S Calumet Ave
Courtroom 11 05, Richard J. Daley Center

Agreed ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of Plaintiff, the Court having jurisdiction over the defendant(s) and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

- Defendant(s) US Dept of Housing & Urban Development and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, or occupying the: entire premises until the same have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
 - The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this injunction.
- [] The above-named Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall put and keep the subject property in compliance with the vacant building requirements in the Municipal Code of Chicago (sections 13-12-125 through 13-12-150), including the requirements that the property be insured and registered with the City (information at www.cityofchicago.org/buildings) and keep the exterior of the premises clean and free of debris and weeds.

HUD shall keep the subject premises vacant and secure until further order of court

This matter is hereby off call. Judge Daniel B. Malone

Pursuant to Ill. S.Ct. Rule 304(a), this order is final and appealable, there being no just reason for delaying enforcement or appeal.

HEARING DATE: 10/18/12

By: [Signature]
Attorney for Plaintiff
Corporation Counsel #90909
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791
FORM BLE.9002 rev. 12/2011

[Signature] Judge Malone
[Signature] Courtroom 1105
Circuit Court-2012
OCT 18 2012

Attorney for HUD

Pink Copy for Defendant(s) (photocopy if required)
Yellow Copy for City of Chicago Department of Law
White Original for Court Records

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

12M1 402504

CITY OF CHICAGO, a municipal corporation,) Case No. _____
Plaintiff) Amount claimed per day 1,500.00
V.) Address:
CHICAGO REGIONAL OFFICE US DEPT OF HOUSING & URBAN DEVELOPMENT) 3809 - 3809 S CALUMET AVE CHICAGO IL 60653-
US DEPT OF HOUSING & URBAN DEV)
US DEPT OF HOUSING & URBAN DEVELOPMENT)
ASHARE L KINGSTON)
Unknown owners and non-record claimants	
Defendants	

COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Stephen Patten, Corporate Counsel, by the undersigned Assistant(s) Corporation Counsel, complains of Defendants as follows:

Count 1

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

17-34-327-037-0000

LOT 8 IN JACOB FRANK'S SUBDIVISION OF THE NORTH 298.3 FEET LYING EAST OF THE EAST LINE OF CALUMET AVENUE OF BLOCK 1 IN SPRINGER AND LANCASTER'S SUBDIVISION OF THE EAST 3/4 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 150 FEET OF THE EAST 120 FEET THEREOF LYING EAST OF DEDICATED ALLEY) IN COOK COUNTY, ILLINOIS.

Commonly known as

3809 - 3809 S CALUMET AVE CHICAGO IL 60653-

and that located thereon is a

2 Story(s) Building

0 Dwelling Units

0 Non-Residential Units

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2. That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the said property on the date(s) herein set forth.

CHICAGO REGIONAL OFFICE US DEPT OF HOUSING & URBAN DEVELOPMENT , OWNER
 US DEPT OF HOUSING & URBAN DEVELOPMENT , OWNER
 US DEPT OF HOUSING & URBAN DEV , OWNER
 ASHARE L KINGSTON , LAST TAXPAYER OF RECORD
 Unknown owners and non-record claimants

3. That on 07/12/2012 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

1 NC2022

Violation:

Stop all work until a permit has been obtained, sec.13-12-080,13-32-035.

Location:

SEQ #: 001

2 NC9101

It shall be unlawful for any licensee or for any person requiring a license to do work without or in violation of any permit required by this Code, or in violation of Section 13-12-050 of this code. (4-36-110(B))

SEC.4-36-110(B)

Location:

SEQ #: 002

3 NC2011

Performed or allowed work to be performed without submitting plans prepared, signed and sealed by a licensed architect or registered structural engineer for approval and without obtaining a permit to perform the work. (13-32-010, 13-32-040, 13-40-020, 13-12-050)

INSTALLED NEW DRYWALL IN THE 1ST AND 2ND FLOORS OF THIS SFR, THIS ENTIRE BUILDING HAS BEEN REMODELED.

Location:

SEQ #: 003

*** End of Violations ***

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4. That Michael Merchant is the Commissioner of the Department of Buildings of City of Chicago, and as such and pursuant to the Building Code of City of Chicago, caused inspection(s) to be conducted by inspectors of the Department of Buildings of City of Chicago, who have knowledge of the facts stated in this complaint.

5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, as provided under 13-12-020 of the Municipal Code of Chicago, in the amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.

Count II

Plaintiff, City of Chicago, a municipal corporation, realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy to secure the abatement of the aforesated municipal code violations and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.

7. That Michael Merchant, the Commissioner of the Department of Buildings, City of Chicago, has determined said building does not comply with the minimum standards of health and safety set forth in the Building Code.

WHEREFORE, PLAINTIFF PRAYS:

- a. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 65 ILCS 5/11-31-1 (a), 5/11-31-2 and 5/11-13-15 and 13-12-070 of the Municipal Code.
- b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for those costs in accordance with Section 5/11-31-1 (a) of Chapter 65 of the Illinois Compiled Statutes, as amended.
- d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting City of Chicago a judicial deed to the property if declared abandoned.
- e. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- f. For reasonable attorney fees and litigation and court costs.
- g. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

CITY OF CHICAGO, a municipal corporation

By: _____

ASSISTANT CORPORATION COUNSEL

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VERIFICATION

The undersigned, being first duly sworn on oath, deposes and says that he/she is the duly authorized agent of the plaintiff for the purpose of making this affidavit; that he/she has read the above and forgoing complaint, and has knowledge of the contents thereof, and that matters set out therein are true in substance and in fact, and as to matters alleged on information and belief that he/she believes them to be true.

Subscribed and sworn to before me this _____ Day
of _____ 20____.

By: _____

Deputy Circuit Court Clerk or Notary Public

For further information Contact: Department of Buildings
Public Information Desk (312) 744 3400

Stephen Patton
Corporation Counsel
Attorney for Plaintiff

By: _____

Assistant Corporation Counsel
30 N LaSalle St. 7th floor
Chicago, Illinois 60602
Atty. No 90909
(312) 744-8791

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