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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 12/14/2012 12:02 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.

THERESA LEONARD MCCLAIN F/K/A  
THERESA LEONARD, et al.

Defendants.

No. 12 M1 400003

Re: 8319 S. Colfax Ave.

Courtroom: 1109

*Agreed* ORDER OF DEMOLITION

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

THERESA LEONARD MCCLAIN F/K/A THERESA LEONARD  
CITIBANK, N.A., SUCCESSOR TO CITICORP SAVINGS OF ILLINOIS, A FEDERAL SAVINGS AND  
LOAN ASSOCIATION  
CITIBANK, N.A. AS TRUSTEE FOR CHASE 02-1  
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:

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1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **8319 S. Colfax Ave., Chicago, Illinois**, and legally described as follows:

**LOT 41 AND THE SOUTH 3 FEET OF LOT 42 IN BLOCK 36 IN HILL'S ADDITION TO SOUTH CHICAGO, A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

This parcel has a Permanent Index Number of **21-31-304-010**.

2. Located on the subject property is a **two-story frame 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 located on the subject property 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.
  - e. The building's glazing is broken or missing.
  - f. The building's heating systems are vandalized.
  - g. The building's masonry has missing siding.
  - h. The building's masonry has smoke, fire, or water damage.
  - i. The building's plaster is broken or missing.
  - j. The building's plumbing systems are missing fixtures, stripped, and inoperable.
  - k. The building's rafters are collapsed.
  - l. The building's roof is missing shingles and water damaged.

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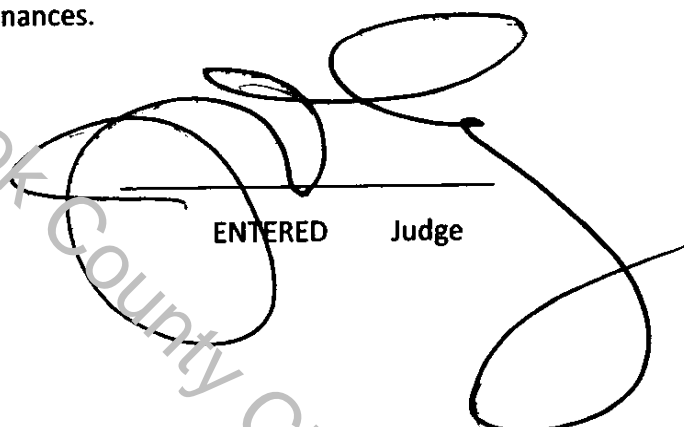
- m. The building's sashes are broken, missing, or inoperable.
  - n. The building's studding is missing.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

**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 of the Property Tax Code. The property tax certificate holder N/A is dismissed as party defendant.
- B. Defendants UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of July 30, 2012, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. An in rem 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.
- D. Pursuant to Count II of the City's Complaint, Defendant N/A shall pay a fine of N/A with execution to issue.
- E. Counts III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- F. 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.
- G. The authority granted in Paragraph E above shall be effective immediately
- H. Defendant owners are ordered to keep the property secure until it is demolished.
- I. The City's performance under the 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.

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- J. 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.
- K. 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.
- L. The Court reserves jurisdiction of this cause to enforce the terms of this Order, for the purpose of ascertaining demolition costs for entry of money judgments against the defendant owners, and for the purpose of hearing foreclosure proceedings, as defined by the applicable statutes and ordinances.

  
 ENTERED Judge

PLAINTIFF, CITY OF CHICAGO  
 Stephen R. Pacton, Corporation Counsel

By: 

MARIA AZLORZAS

Senior Counsel

Building and License Enforcement Division

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ATTY NO. 90909

Judge James F.  
 DEC 12 2012  
 Circuit Court  
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