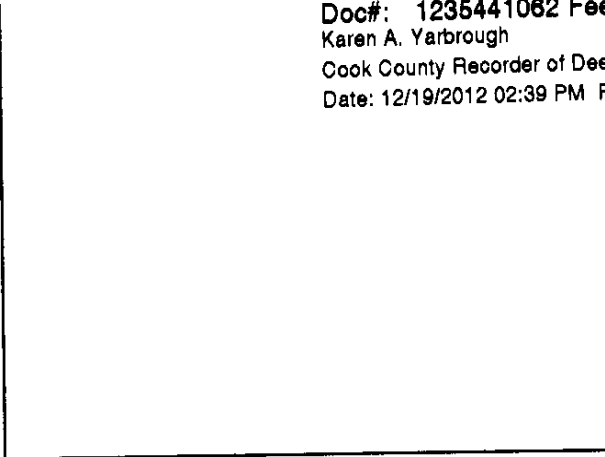


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## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a municipal  
corporation,

Plaintiff,

v.

ARTHUR JIMINEZ, et al.

Defendants.

No. 11 M1 402664

Re: 2459 S. Pulaski

Courtroom: 1111

### ORDER OF DEMOLITION

This cause coming to be heard on December 12, 2012, 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:

**ARTHUR JIMINEZ ,  
FIRST MERIT BANK, NA SUCCESSOR TO FIRST BANK OF THE AMERICAS SSB,  
PLAZA BANK,  
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: **2459 S. Pulaski**, Chicago, Illinois, and legally described as follows:

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LOT 20 IN SUBDIVISION OF BLOCK 5 IN S.J. GLOVER'S ADDITION TO CHICAGO, A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH TO THE RIGHT OF WAY OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-26-110-017.

2. Located on the subject property is a two-story brick commercial building.
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 with a history of being open.
  - b. The building's electrical systems have exposed wiring and missing fixtures.
  - c. The building's electrical systems are partially stripped.
  - d. The building's flooring is missing, and warped.
  - e. The building's flooring is water damaged.
  - f. The building's heating systems are vandalized, stripped, and inoperable.
  - g. The building's ductwork is missing.
  - h. The building's air conditioning systems are stripped.
  - i. The building's roof joists are cracked.
  - j. The building's joists are collapsing at the center of the roof and at the center of the first floor. *It is in danger of collapsing entirely.*
  - k. The building's masonry has washed out mortar joints and step or stress fractures.
  - l. The building's south elevation parapet wall is pitching in toward roof.
  - m. The building's interior plaster is broken or missing.
  - n. The building's plaster is water damaged, and falling from ceilings and walls.
  - o. The building has evidence of squatter activity.
  - p. The building has evidence of flooding.
  - q. The building's south elevation is bowed, and runs along the public way.
  - r. *The parapet masonry over the front door is in danger of collapse.*
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. 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.
- B. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.

*S. This building has a double masonry wall and on the south side that wall is bulging, the ties are rusted through and it is in danger of collapsing on the public way.*

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- C. 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.
- D. The authority granted in Paragraph E above shall be effective immediately.
- E. Defendant owners are ordered to keep the property secure until it is demolished.
- F. 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.
- G. 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 instantly 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.
- H. 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.
- I. 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.

Associate Judge Pamela Hughes Gillespie

DEC 12 2012

Pamela Hughes Gillespie 1953

ENTERED Judge

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

By: Stephen R. Patton  
Assistant Corporation Counsel  
Building and License Enforcement Division  
30 N. LaSalle Street, Suite 700  
Chicago, Illinois 60602  
Phone: (312)744-3326 Facsimile: (312)744-1054 ATTY NO. 90909