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Karen A. Yarbrough
Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY MUNICIPAL DEPARTMENT – FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

DARRON WADLINGTON, *ET AL.*,

Defendants.

Case Number: 10 M1 400847

Re: 6215 S. WHIPPLE ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 12/20/12, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

DARRON WADLINGTON;

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC. AS NOMINEE FOR MERITAGE MORTGAGE CORP.;

MERITAGE MORTGAGE CORP.; and

UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding and having heard the evidence finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 6215 S. Whipple St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 36 IN BLOCK 16 IN COBE AND MCKINNON'S 63RD STREET AND KEDZIE AVENUE SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-13-327-004-0000.

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2. Located on the subject property is a two-story brick building and a one-story brick garage. The last known use of the subject building was residential.
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 (1996) (Unsafe Buildings), in that:

FRONT BUILDING:

- a. The building has been found vacant and open with a basement apartment that is not original to the building.
- b. The building has been damaged by fire.
- c. The building's electrical system has been damaged by fire and is not operable.
- d. The building's plumbing fixtures have been vandalized.
- e. The building has interior water damage that has caused the furnaces and water heaters to be inoperable.
- f. The building's brick work needs tuck pointing.
- g. The building's roof has holes cut into it by the fire department.
- h. The building's sheathing and rafters have fire and water damage.
- i. The building's flooring, sub-flooring, and floor joists have water damage.
- j. The building's enclosed porch wall and framing have fire and water damage.
- k. All of the building's windows and interior and exterior doors have some type of damage due to the fire, water, or vandalism.
- l. The building's window glazing is missing.
- m. The building's front porch has spalled concrete.
- n. The building's rear enclosed porch is rotten and has fire damaged components.

GARAGE:

- o. The garage was found vacant and open.
 - p. The garage has junk and debris on the interior.
4. There has been no work in progress since the beginning of this case at the subject property.

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5. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code, and that the subject building is beyond reasonable repair. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. 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. The remaining Counts of the City's complaint are voluntarily withdrawn.
- 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 D. above shall become effective immediately.
- E. 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.
- F. 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.
- G. 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.
- H. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.

PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By: 

Stuart Miles

Assistant Corporation Counsel


Associate Judge William G. Pileggi
ENTERED:

DEC 20 2012

Circuit Court - 1764

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Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-0210
Atty No. 90909

COOK COUNTY 
RECORDER OF DEEDS
SCANNED BY _____

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