

# UNOFFICIAL COPY



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

CITY OF CHICAGO, a municipal corporation,  
Plaintiff  
v.  
AMERICAN HOUSING TRUST VI, et al.,  
Defendants.

No. 12 M1 402649  
Re: 855 N. St. Louis  
Courtroom: 1111

**ORDER OF DEMOLITION**

This cause coming to be heard on 1/8/13, 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:

American Housing Trust VI  
Unknown Owners and Non-record 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: 855 N. St. Louis, Chicago, Illinois, and legally described as follows:

**LOT 248 IN DICKEY'S SECOND ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

This parcel has a Permanent Index Number of 16-02-421-002

2. Located on the subject property is a one-story brick residential building and a one-story frame 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

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the Unsafe Buildings Statute, 65 ILCS 5/11-31-1 (1996) in that:

## FRONT BUILDING

- a. The building(s) located on the subject property ("the building") is vacant.
- b. The building's electrical systems are stripped or inoperable.
- c. The building's plumbing systems are stripped or inoperable with missing fixtures.
- d. The building's heating systems are stripped or inoperable with a missing furnace.
- e. The building's floor has holes.
- f. The building's window glazing is broken or missing.
- g. The building's masonry has loose or missing brick.
- h. The building's plaster is broken or missing.
- i. The building's roof has missing downspouts.
- j. The building's sashes are broken, missing, or inoperable.
- k. The building's stairs have improper handrail heights.
- l. The building's studding has been illegally altered.

## GARAGE

- m. The building's garage is vacant and open.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

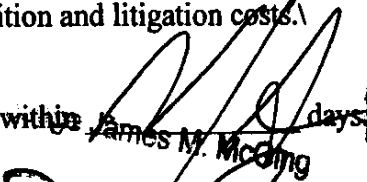
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## WHEREFORE, IT IS HEREBY ORDERED THAT:

- 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 (not applicable) is dismissed as a party defendant.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I & II 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. American Housing Trust VI is ordered to keep the property secure until it is demolished. American Housing Trust VI 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.
- K. The City is ordered to demolish the subject property within ~~James M. McDaniel~~ <sup>10</sup> days.

  
 JAMES M. McDaniel  
 JAN 08 2013  
 Circuit Court 1926  
 ENTERED Judge

PLAINTIFF, CITY OF CHICAGO  
 STEPHEN PATTON, Corporation Counsel

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