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The Village of Glenview



Doc#: 1302516043 Fee: \$62.00
Karen A. Yarbrough RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/25/2013 11:57 AM Pg: 1 of 13

VILLAGE OF GLENVIEW, a Municipal Corporation, Plaintiff

Vs.

Citation #: 3669

Defendant 1: CHICAGO TITLE LAND TRUST
Defendant's Address: 171 N. Clark Street, Ste. 575, 5th Floor, Chicago, IL 60601

Defendant 2: JERILYN COHEN
Defendant's Address: 3825 Chester Drive, Glenview, IL 60026

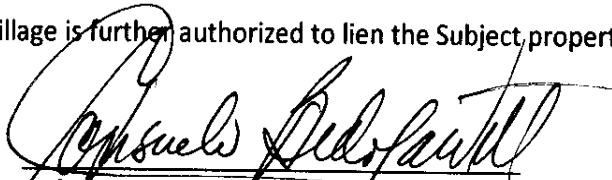
Location of Violation: 3825 Chester Drive, Glenview, IL 60026

JUDGMENT AND MEMORANDUM OF JUDGMENT

On January 23, 2013 judgment was entered in favor of the plaintiff, Village of Glenview, and against Chicago Title Land Trust and Jerilyn Cohen.

IT IS HEREBY ORDERED:

1. Judgment is hereby entered in favor of the Village and against Defendant(s), Chicago Title Land Trust and Jerilyn Cohen, in the amount of **\$19,900.00**.
2. The Village is further authorized to lien the Subject property for any and all costs incurred related thereto.


Consuelo Bedoya-Witt
Administrative Law Judge

01/23/13
Date

LEGAL DESCRIPTION: LOT 107 IN THE WILLOWS NORTH UNIT TWO BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTH ½ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 04-20-206-006-0000

COMMONLY KNOWN AS: 3825 Chester Drive, Glenview, IL 60026

Attorney for the Plaintiff

Eric G. Patt
Robins, Salomon & Patt, LTD
2222 Chestnut Avenue
Glenview, IL 60026
(847) 729-7300
Attorney Number: 80919

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The Village of Glenview

1225 Waukegan Road ♦ Glenview, IL 60025
Ph. 847.904-4340 ♦ Fax 847.724.1752 ♦
www.glenview.il.us

FINDINGS, DECISIONS & ORDER

Citation #: 3669

Hearing Date: June 25, 2012

Inspector: O. Rivera

Location of Violation: **3825 Chester**

Respondent's Name 1: **Jerilyn Cohen**

Address: **3825 Chester, Glenview, IL 60025**

Respondent's Name 2: **Chicago Title Land Trust**

Address: **171 N. Clark St., Ste. 575, 5th Floor, Chicago, IL 60601**

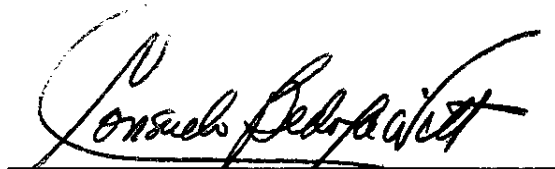
METHOD OF APPEARANCE

APPEARED APPEARANCE WAIVED FAILED TO APPEAR ATTORNEY/REPRESENTATIVE

A citation was duly served on the respondent charging that the respondent violated the Village of Glenview Code of Ordinances. The finding, decision and orders are as follows:

- COMPLIANCE** Violator has admitted the violation and corrected it
- CONTINUED FOR COMPLIANCE** Violator has been given a continuance to bring into compliance
Fine(s)/Court Cost to be determined at that time
- NO COMPLIANCE** Violator has admitted the violation and NOT corrected it
- DEFAULT** Violator failed to appear and the hearing was held before me this day
- NON-SUITED** Dismissed
- JUDGMENT** **ORDER OF DEMOITION. VILLAGE TO ENTER PROPERTY, DEMOLISH,
REMOVE DEBRIS, AND TAKE ALL NECESSARY STEPS TO CLEAR AND
SECURE SUBJECT PREMISES. VILLAGE TO PRESENT COST OF
DEMOLITION ON AUGUST 22, 2012.**

ENTERED:



 Consuelo Bedoya-Witt
 Administrative Law Judge

06/25/12

Date

This order may be appealed to the Circuit Court of Cook County within 35 days of above date

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BEFORE THE OFFICE OF ADMINISTRATIVE ADJUDICATION VILLAGE OF GLENVIEW, COOK COUNTY, ILLINOIS

VILLAGE OF GLENVIEW, an Illinois)	
home rule municipality,)	
)	
Plaintiff,)	
)	
v.)	No. 3669
)	
JERILYN B. COHEN, CHICAGO TITLE)	
LAND TRUST COMPANY, AS TRUSTEE)	
UNDER TRUST AGREEMENT DATED)	
DECEMBER 3, 1993 AND KNOWN AS TRUST)	
NUMBER 573, BANK OF AMERICA, N.A.,)	
and UNKNOWN CLAIMANTS AND)	
OWNERS,)	
)	
Defendants.)	

VERIFIED COMPLAINT IN ADMINISTRATIVE ADJUDICATION

NOW COMES Plaintiff VILLAGE OF GLENVIEW, an Illinois home rule municipality (the "Village"), by and through its attorneys, Robbins, Salomon & Patt, Ltd., and for its Complaint in Administrative Adjudication against Defendants JERILYN B. COHEN, CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 3, 1993 AND KNOWN AS TRUST NUMBER 573, BANK OF AMERICA, N.A., and UNKNOWN CLAIMANTS AND OWNERS, states as follows:

1. The Village is an Illinois home rule municipal corporation pursuant to the authority of the 1970 Constitution of the State of Illinois, and is located in northern Cook County, Illinois.
2. Defendant CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 3, 1993 AND KNOWN AS TRUST NUMBER 573 (the "Trust") is the last known owner of record of a certain parcel of real property located in the Village at 3825 Chester Drive, containing a single-family residential structure (the "Subject Property"), and legally described as follows:

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LOT 107 IN THE WILLOWS NORTH UNIT TWO BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTH ½ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

3. The permanent index number of the Subject Property is 04-20-206-006-0000.
4. Defendant JERILYN B. COHEN is, upon information and belief, the beneficiary of the Trust.
5. Defendant BANK OF AMERICA, N.A., is a banking institution authorized to transact business in Illinois ("BOA"), and is the mortgagee on the Subject Property, with a mortgage dated March 5, 2003, and recorded with the Cook County Recorder of Deeds on March 18, 2003, as document no. 030370564.
6. Since 2006, the Subject Property has been cited numerous times by the Village for building and zoning code violations.
7. Upon information and belief, there has been no water service to the Subject Property since 2005.
8. Upon information and belief, the residence located at the Subject Property is vacant, and has been for some time.
9. Osiel Rivera is the Sanitarian for the Village.
10. Mr. Rivera inspected the Subject Property, and on or about April 27, 2012, based on the condition of said property, Mr. Rivera, in his capacity as Village Sanitarian, declared the Subject Property to be a nuisance pursuant to Section 18-33 of the Municipal Code of the Village of Glenview (the "Code"). A true and correct copy of the declaration of nuisance is attached hereto, and incorporated by reference herein, as Exhibit A.
11. Joseph Footlik is the Manager of Inspectional Services for the Village.

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12. On or about May 1, 2012, pursuant to the aforementioned declaration of nuisance, Mr. Footlik, in his capacity as Manager of Inspectional Services, executed an order of demolition for the Subject Property, pursuant to Section 18-143(e) of the Code. A true and correct copy of the order of demolition is attached hereto, and incorporated by reference herein, as Exhibit B.

13. Notice of the order of demolition was sent via certified mail to Defendants Cohen, the Trust and BCA.

14. Pursuant to Section 18-143(e) of the Code, Defendants were provided until June 15, 2012, to demolish the structure located on the Subject Property, and to remove the demolition debris from said property.

15. In the alternative, Defendants were provided an opportunity to request a hearing to contest the demolition order. Such request was required to have been served upon the Village Manager no later than May 14, 2012.

16. As of the date of filing of this Complaint, the structure on the Subject Property has not been demolished.

17. As of the date of filing of this Complaint, none of the Defendants has requested a hearing to contest the order of demolition.

18. As per Section 18-143(e) of the Code, Defendants' failure to timely request a hearing to contest the order of demolition deems said order to be final.

19. Pursuant to Section 18-143(e) of the Code, if Defendants fail to comply with the demolition order in a timely manner, then the Manager of Inspectional Services shall cause the structure on the Subject Property to be demolished and the demolition debris removed therefrom.

20. Further, the costs incurred by the Village to demolish the structure and remove the demolition debris, plus interest at the statutory rate, shall constitute a lien upon the Subject Property, to be filed with the Cook County Recorder of Deeds.

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21. The vacant single-family residence located on the Subject Property is a nuisance, and poses a danger to the health, safety and welfare of the Village and its residents.

22. Defendants' failure to remediate the dangerous condition on the Subject Property, or in the alternative, to demolish the structure located thereon in accordance with the order of demolition, creates a condition that is a danger to the health, safety and welfare of the Village and its residents.

WHEREFORE, Plaintiff, the VILLAGE OF GLENVIEW, an Illinois home rule municipal corporation, prays that this Court enter an order as follows:

- a. authorizing the Village or its designees to enter the Subject Property for the purpose of:
 - i. demolishing the structure located thereon;
 - ii. removing the demolition debris; and
 - iii. taking whatever other steps are necessary to abate the nuisance on the Subject Property;
- b. authorizing the Village to lien the Subject Property for all costs related to said demolition, debris removal and nuisance abatement, and to file such lien against the property with the Cook County Recorder of Deeds; and
- c. for such other relief and this Court deems appropriate and just.

Respectfully submitted,



One of the attorneys for Plaintiff VILLAGE OF GLENVIEW

Eric G. Patt
ROBBINS, SALOMON & PATT, LTD.
2222 Chestnut Avenue, Suite 101
Glenview, Illinois 60026
847/729-7300

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VERIFICATION

State of Illinois)
) SS.
 County of Cook)

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, Joseph Footlik, being first duly sworn upon oath deposes and states that he is the Manager of Inspectional Services for the Village of Glenview, the Plaintiff herein; that he has knowledge of the foregoing document, and of the allegations made therein; and that the same are true and correct to the best of his knowledge, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



 JOSEPH FOOTLIK

County of Cook Clerk's Office

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Development Department
Inspectional Services

April 27, 2012

To: Joseph Footlik, Manager of Inspectional Services

From: Osiel Rivera, L.E.H.P.
Sanitarian

Declaration of Nuisance: 3825 Chester Drive, Glenview Illinois 60026
PIN 04-20-206-006-0000
TRUST #573

Pursuant to Village Code, Chapter 18 Building and Building Regulations, Article II, Administration and Enforcement, Division 1, Generally, Sec. 18-33. Nuisance declared, the building at 3825 Chester Drive constitutes a nuisance.

At this time the exterior of the property is not being maintained. Gutters are missing, deteriorating, and detached from the house, the soffits and fascia have holes which are creating animal harborage, and exterior light fixtures are broken.

Therefore, the structure is declared a nuisance and subject to Village Code Division 5, Permits and Fees, Sec. 18-143 Permit expiration time limits, (e) Public nuisance; demolition of structure (1-12).

Submitted for your approval,

Osiel Rivera, L.E.H.P.
Sanitarian

EXHIBIT A

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The Village of
Glenview

**Development Department
Inspectional Services**

May 1, 2012

Chicago Title Land Trust Company (Trust #573)
Attn: David Lenciotti
171 N. Clark Street, Suite 575, 5th floor
Chicago, Illinois 60601

**Order of Demolition: 3825 Chester Drive, Glenview, Illinois 60026
PIN 04-20-206-006-0006
Trust #573**

Pursuant to Village Code of Ordinances (the "Code"), Chapter 18 BUILDINGS AND BUILDING REGULATION, ARTICLE II ADMINISTRATION AND ENFORCEMENT, DIVISION 5, Permits and Fees, Sec. 18-143 Permit expiration time limits, (e) Public Nuisance; demolition of structure(1-12). Having been declared a public nuisance on April 27, 2012, an order of demolition is issued on this day for the single-family structure located at 3825 Chester Drive (the "Subject Property").

At this time notice is given to Chicago Title Land Trust Company, as trustee under trust agreement dated December 3, 1993, and known as Trust #573 (the "Trustee"), that the single-family structure located on the Subject Property shall be required to be demolished, with all debris removed from the premises, no later than June 15, 2012. If the Trustee has failed to comply with this order of demolition by June 15, 2012, the Village of Glenview shall demolish said structure and remove said debris from the Subject Property, on June 16, 2012.

The Trustee, as titleholder to the Subject Property, is given the right to a hearing before the Village Manager to contest the order of demolition, subject to the following conditions:

- A. Notice of request for a hearing to contest the order, in written form, shall be delivered to the Village of Glenview not later than ten (10) days from the date of service of this notice.
- B. The notice of request for a hearing to contest the order shall contain a written request to appear and be heard at a meeting before the Village Manager.
- C. The notice of request for a hearing to contest the order shall be delivered or otherwise served upon the Village Manager not more than ten (10) days from the date of service of the order of demolition.

EXHIBIT B

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- D. The notice of request for a hearing to contest the order must, at a minimum, contain a detailed statement as to the reasons the order of demolition should be vacated or stayed. The burden of proof at the hearing shall be on the titleholder.

Upon receipt of the notice of request for a hearing to contest the order, in accordance with the conditions set forth above, a hearing shall be noticed and scheduled by the Village Manager, or the Manager's nominee, within fifteen (15) days after receipt by the Village Manager of said request.

At this hearing, the titleholder, or a representative of the titleholder, shall be given the opportunity to be heard, to present testimony, to admit documents, and to confront and cross-examine any witnesses.

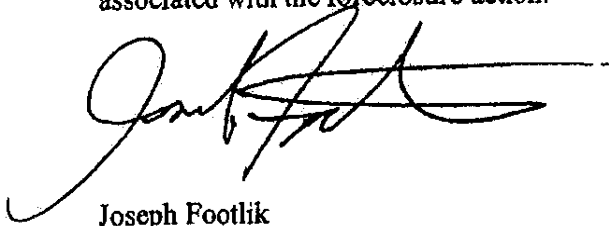
If the Village Manager finds in favor of the titleholder, the demolition order shall be vacated. If the Village Manager finds against the titleholder, the order of demolition shall remain in full force and effect and be deemed final. The Village Manager shall have the power to fashion other relief as he may deem equitable under the circumstances.

The decision of the Village Manager shall be made in writing, and served by certified mail as provided in Section 18-143(e) of the Code. The decision shall be subject to review by a court of competent jurisdiction, pursuant to a common law writ of certiorari filed in the circuit court of the County not more than thirty-five (35) days from the date of service of the decision.

If a hearing is not requested in writing in accordance with the provisions of Sections 18-143(e)(3)(h) and 18-143(e)(4) of the Code, as set forth above, the demolition order shall be deemed final.

If the titleholder fails to comply with a final demolition order within the time frame proscribed in the demolition order, the Director of Inspectional Services shall cause the structure to be demolished, and the demolition debris removed from the premises.

The costs incurred by the Village to demolish the structure and remove the demolition debris, plus interest at the statutory rate, shall constitute a lien upon the premises and the Village Manager, or his nominee, is hereby authorized to cause a notice of such lien to be filed in the County office of the Recorder of Deeds. The lien may be foreclosed in accordance with State law, and the Village shall be entitled to reimbursement of its attorney's fees, and all costs associated with the foreclosure action.



Joseph Footlik
Inspectional Services, Manager
Village of Glenview
1225 Waukegan Road

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Glenview, Illinois 60025

Cc: Todd Hileman, Village Manager
Eric Patt, Village Attorney
Joe Kenney PE, Director of Capital Projects
Jerilyn Cohen, Beneficiary
LaSalle Bank NA/Bank of America, Mortgage
Osiel Rivera, Sanitarian

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Village of Glenview

Invoice Date	Invoice Number	PIO No.	Voucher	Invoice Description	Net Invoice Amount	
10/22/12	110612	20120823	93879	DEMOLITION SERVICES	19,900.00	
Vendor No.		Vendor Name		Check No.	Check Date	Check Amount
8316		EDWARD BROWN BUILDERS		059875	11/06/2012	\$19,900.00

Village of Glenview
 Glenview, Illinois 60025-3071
 General Operating Account



Vendor Number Check Date Check Number
 8316 11/06/2012 059875

\$19,900.00

Pay*****19,900 DOLLARS AND NO CENTS

To The Order Of **EDWARD BROWN BUILDERS**

File Copy
 Non-negotiable

AP



Village of Glenview
 1225 Waukegan Road
 Glenview, Illinois 60025-3071

FORWARDING SERVICE REQUESTED

059875

EDWARD BROWN BUILDERS
 1871 GROVE ST
 GLENVIEW IL 60025

UNOFFICIAL COPY

110612-2100

**ED BROWN BUILDERS
1871 GROVE STREET
GLENVIEW, IL 60025**

INVOICE

October 22, 2012

Village of Glenview
1225 Waukegan Road
Glenview, Illinois 60025

RECEIVED
OCT 22 2012
BY: *M*

RECEIVED
OCT 22 2012
VILLAGE OF GLENVIEW, IL
DEVELOPMENT

Re: Demolition of 3825 Chester, Glenview, IL

- 1) Preparation of site for demolition
 - * Asbestos inspection
 - * Cook County permit
 - * Disconnection of utilities (Nicor, ComEd)
 - * Disconnection of sewer and water
 - * Installation of 6' steel fencing along perimeter
 - * Installation of silt fencing

2) Demolition of home

3) Removal and disposal of debris

Amount due at this time: \$19,900.00

DEVELOPMENT	
PO#	2012 08 23
DESCR	
RECD BY	PTD
APD BY	<i>[Signature]</i>
CLOSE PO#	
LINE #	19,900.00
LINE #	
LINE #	
LINE #	
LINE #	
LINE #	
LINE #	
LINE #	
Total	\$19,900.00