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

CITY OF CHICAGO, a municipal
corporation,

Plaintiff,

v.

DAVID MCKNIGHT, et al.,

Defendants.

No. 12 M1 403008

Re: 725 N. Harding

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 1/29/13, 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:

David McKnight
BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans Servicing
New Lincoln Home Improvement Company
Ida Mae McCullough
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: 725 N. Harding, Chicago, Illinois, and legally described as follows:

LOT 19 IN THOMAS J. DIVEN'S SUBDIVISION OF BLOCK 3 IN F. HARDING'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-11-101-019.

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2. Located on the subject property is a one-story brick residential 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(s) located on the subject property ("the building") is vacant.
 - b. The building's electrical systems are stripped or inoperable with exposed wiring and missing fixtures.
 - c. The building's plumbing systems are stripped or inoperable with missing fixtures.
 - d. The building's heating systems are stripped or inoperable with missing duct work and a missing furnace.
 - e. The building's heating systems have been vandalized.
 - f. The building's floors are warped with smoke, fire, and/or water damage.
 - g. The building's floors at the 15 foot addition at the rear of the building is out of level.
 - h. The building's glazing is broken or missing with cracked panes.
 - i. The building's masonry has holes with loose or missing brick.
 - j. The building's masonry has step or stress fractures with washed out mortar joints.
 - k. The building's masonry has smoke, fire, and/or water damage.
 - l. The building's plaster is broken or missing with smoke, fire, and/or water damage.
 - m. The building's roof is missing shingles.
 - n. The building's is filled with junk and debris to a depth of 4 feet.
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 and IV 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 B. 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. 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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- H. 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.
- I. 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.
- J. The City is ordered to demolish the subject property within NA days.

Judge James M. McGing

JAN 29 2013

ENTERED

Judge Circuit Court 1926

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: Maggie Rizzo

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