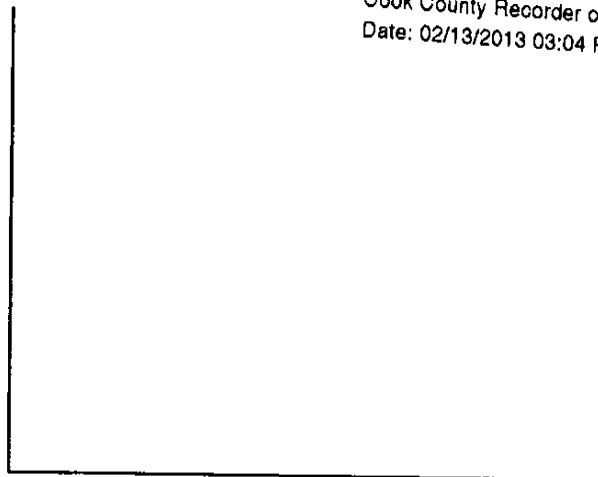




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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/13/2013 03:04 PM Pg: 1 of 4



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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

WILLIAM M. RAY., et al.

Defendants.

No. 12 M1 402043

Re. 10517 S. LaFayette Ave.

Courtroom: 111

ORDER OF DEMOLITION

This cause coming to be heard on 2/4/13 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:

WILLIAM M. RAY
THE BANK OF NEW YORK MELLON TRUST COMPANY, NA, AS GRANTOR TRUSTEE OF THE
PROTIOM MASTER GRANTOR TRUST
UNKNOWN OWNERS and UNRECORDED 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: 10517 S. LaFayette Ave., Chicago, Illinois, and legally described as follows:

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LOT 16 IN DEYOUNG'S SUBDIVISION OF LOT 176 OF SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16 TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 25-16-216-006.

2. Located on the subject property is a **ONE-STORY FRAME 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 on the subject property is vacant and open.
- b. The electrical system is fire damaged at the first floor and attic and water damaged in the basement.
- c. The electrical system shows exposed wiring and is missing fixtures.
- d. The floor has sustained smoke, fire, or water damage.
- e. The floor is warped.
- f. The first floor rear and attic floor are charred in large areas.
- g. The window glazing is broken or missing.
- h. The heating system is stripped and inoperable and has sustained water and smoke damage.
- i. The joist has sustained smoke, fire, or water damage on the attic floor joists.
- j. The outer wall has holes, missing siding, and has sustained smoke damage and fire damage near roof lines.
- k. The building's plaster has sustained smoke, fire, or water damage and is broken or missing on the first floor rear of the building.
- l. The plumbing system is stripped and inoperable with missing fixtures.
- m. The rafter is fire damaged.

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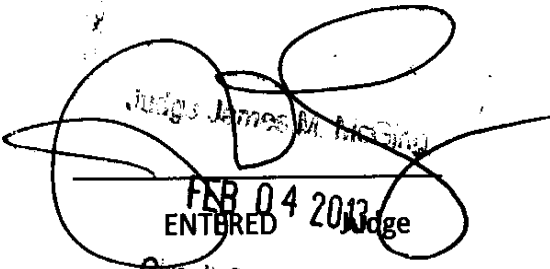
- n. The roof is fire damaged and missing shingles.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.
- A. The Court finds that the City has met its obligations under Section 21-410 of the Property 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 _____ is dismissed as party defendant.
- B. Defendants **UNKNOWN OWNERS and NONRECORD CLAIMANTS**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **January 4, 2015**, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. 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.
- D. Pursuant to Count II of the City's Complaint, Defendant N/A shall pay a fine of N/A with execution to issue.
- E. Counts III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- F. Pursuant to the judgment entered above, 65 ILCS 5/14-31-1, 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.
- G. The authority granted in Paragraph E above shall be effective immediately
- H. Defendant owners are ordered to keep the property secure until it is demolished.
- I. 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.
- J. 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

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property before demolition is commenced. The City's Department of Human Services is authorized to assist in the relocation of any tenants.

- K. 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.
- L. 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.

WHEREFORE, IT IS HEREBY ORDERED THAT:


 Judge James M. Madigan
 FEB 04 2013
 ENTERED
 Circuit Court 1926

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

By:



MATTHEW E. SUHL

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