



Doc#: 1318441059 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 06/13/2013 03:08 PM Pg: 1 of 4

Duplicate Original

Space Reserved for Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

CITI INVESTMENT GROUP, INC., ET AL.,
Defendants.

Case Number: 12 M1 400840

Re: 2046 W. 70TH ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 6/11/13, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Paton, Corporation Counsel, against the following named Defendants:

- KASTRIOT MUSA BALLIU;
- COMMUNITY BANK OF ELMHURST; 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: 2046 W. 70th St., Chicago, Cook County, Illinois ("subject property"), legally described as:

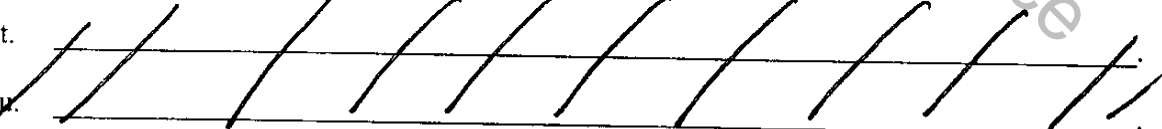
LOT 534 ALLERTON'S ENGLEWOOD ADDITION, A PART EAST OF THE RAILROAD TO THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-19-330-029-0000.

2. Located on the subject property is a two-story, multiple family, frame building. The last known use of the subject building was residential.

UNOFFICIAL COPY

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:

- a. The electrical service has been terminated at the pole, *and the meter bank is missing.*
- b. The electrical system is stripped and inoperable, with exposed wiring and missing fixtures.
- c. The heating system is vandalized, stripped, and inoperable, and missing a furnace.
- d. The plumbing system is stripped and inoperable, with missing fixtures.
- e. The flooring is missing and warped, *due to water damaged.*
- f. The glazing is broken or missing, *and many windows are boarded.*
- g. The joists are cracked and over-notched, *and rotted at numerous locations at the second floor.*
- h. The masonry has holes.
- i. The building is missing siding, *and the siding is fire damaged.*
- j. The masonry is smoke, fire, *and* water damaged.
- k. The plaster is broken or missing.
- l. The plaster is smoke, fire, *and* water damaged.
- m. ~~The rafters are undersized.~~
- n. The rafters are fire damaged.
- o. The roof is missing shingles, *and is not weather tight.*
- p. The roof is fire damaged.
- q. *The building is vacant and open at the rear door.*
- r. *There is junk and debris at the basement stairs and the stairs have collapsed.*
- s. *There are holes in the floors at the bathrooms.*
- t. 

4. There has been no work in progress since the beginning of this case at the subject property.
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.

UNOFFICIAL COPY

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendant, Kastriot Musa Balliu, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of **April 11, 2013**, is in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. 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.
- C. The remaining counts of the City's complaint are voluntarily withdrawn.
- D. 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.
- 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. 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.
- H. 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.
- I. 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.

ENTERED:



Judge Edward S. Harmening

JUN 11 2013

Circuit Court - 1134

PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By: 

Stuart Miles

Assistant Corporation Counsel

Building and License Enforcement Division

UNOFFICIAL COPY

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

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____

Property of Cook County Clerk's Office