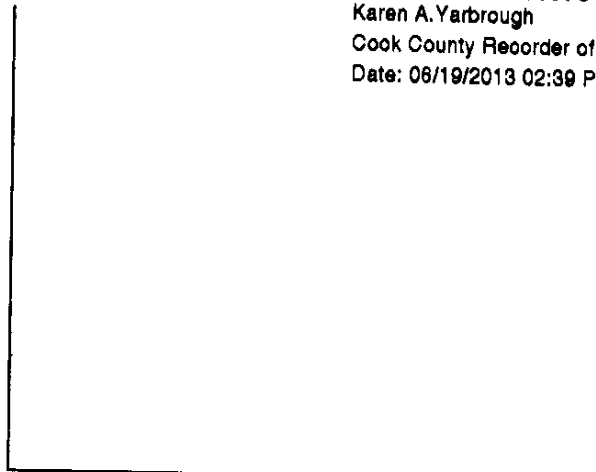


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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/19/2013 02:39 PM Pg: 1 of 3



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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

HAWTHORN VENTURES LLC, et al.

Defendants.

No. 12 M1 402247

Re: 4316 W. Congress

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on June 17, 2013, 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:

HAWTHORN VENTURES LLC SERIES 24,

PPTS LLC., A/K/A PLYMOUTH PARK TAX SERVICES, LLC.,

DEUTSCHE BANK NATIONAL TRUST COMPANY AS CERTIFICATE TRUSTEE ON BEHALF OF BOSCO CREDIT II TRUST SERIES 2010-2,

UNKNOWN OWNERS, and NONRECORD 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: **4316 W. Congress, Chicago, Illinois**, and legally described as follows:

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LOT 18 IN BLOCK 7 IN GUNDERSON AND GAUGERS ADDITION TO CHICAGO, IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-15-224-038.

2. Located on the subject property is a two-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 is open and vacant.
 - b. The building's electrical service has been terminated at the property.
 - c. The building's electrical system is stripped and inoperable with missing fixtures.
 - d. The building's plumbing is stripped and inoperable with missing fixtures.
 - e. The building's heating system is stripped and inoperable and missing a furnace.
 - f. The building's roof has a damaged membrane.
 - g. The building's rafters have water damage.
 - h. The building's stairs have improper foundations and damaged handrails.
 - i. The building's floor has holes in various locations.
 - j. The building is missing studding in various locations.
 - k. The building's joists are over notched.
 - l. The building's masonry has a notched main beam.
 - m. The building's glazing is broken or missing.
 - n. The building's plaster is broken or missing.
 - o. The building's window sash is broken, missing or inoperable.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

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 **PPTS LLC., A/K/A PLYMOUTH PARK TAX SERVICES, LLC.**, is dismissed as a 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 date of April 12, 2013, 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. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- E. 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

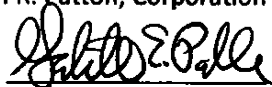
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on the subject property, and is entitled to a lien for the costs of demolition, court costs, and other costs enumerated by statute, and/or other statutory remedies.

- F. The authority granted in Paragraph E above shall be effective IMMEDIATELY.
- G. Defendant owners are ordered to keep the property secure until it is demolished.
- H. 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.
- I. 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.
- J. 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.
- K. 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.

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

By:



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

Associate Judge William G. Pileggi
JUN 17 2013
Clerk of Court
ENTERED 1764