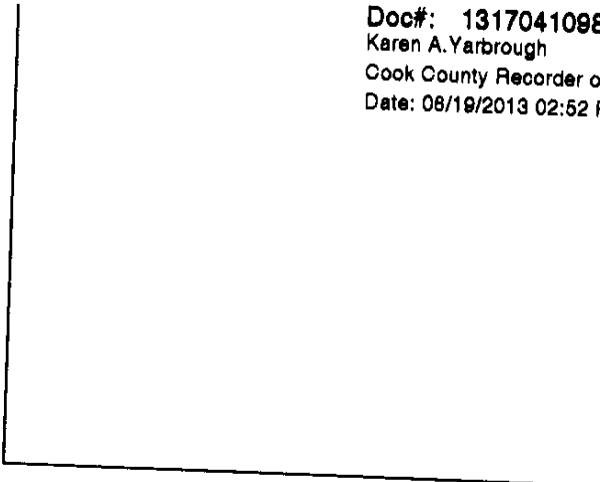


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Doc#: 1317041098 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/19/2013 02:52 PM Pg: 1 of 3



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

**CITY OF CHICAGO, a municipal
corporation,**

Plaintiff,

v.

**UNKNOWN HEIRS and LEGATEES
OF EDWARD BAILEY, et al.**

Defendants.

No. 12 M1 402365

Re: 4845 W. VanBuren

Courtroom: 111

EMERGENCY ORDER OF DEMOLITION

This cause coming to be heard on **January 28, 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:

**UNKNOWN HEIRS AND LEGATEES OF EDWARD BAILEY,
U.S. BANK, N.A.,
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: **4845 W. VanBuren, Chicago, Illinois**, and legally described as follows:

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THE EAST 33 FEET OF LOT 27 IN BLOCK 11 IN SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-16-220-024.

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 system is stripped and inoperable with missing fixtures and exposed wiring.
 - c. The building's heating system is stripped and inoperable with a missing furnace.
 - d. The building's plumbing system is stripped and inoperable with missing fixtures.
 - e. The building's plumbing system has running or standing water at the basement level.
 - f. The building's masonry has missing siding in various locations.
 - g. The building's masonry has loose or missing brick.
 - h. The building's stair system has damaged decking and handrails.
 - i. The building's front stairs wing wall is missing bricks and has fractures, and the wood in the rear porch is rotted.
 - j. The building's studding is smoke, fire or water damaged.
 - k. The building's flooring is warped in various locations.
 - l. The building's glazing has cracked panes.
 - m. The building's joists are smoke, fire or water damaged.
 - n. The building's plaster is broken, missing or peeling.
 - o. The building's parapet walls are fractured.
 - p. The building's sashes are 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. 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 emergency demolition authority.
- B. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- C. 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.
- D. The authority granted in Paragraph C above shall be effective immediately.

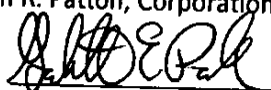
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- E. Defendant owners are ordered to keep the property secure until it is demolished. In the alternative, The City of Chicago is authorized to secure the property.
- F. The City's performance under the Order will result in a statutory in rem lien that 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.
- 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 instantly 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, 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.
- J. This matter is continued for completion of the court's jurisdiction on June 3, 2013 at 9:30 am in Courtroom 1111.
Judge James M. McGinnis

JAN 29 2013
Circuit Court 1926
ENTERED Judge

Property of Cook County Clerk's Office

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