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1319241049 Fee; \$42.00 Karen A. Yarbrough

Cook County Recorder of Deeds Date: 07/11/2013 03:05 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,	No. 11 M1 402687
v.	τ_{\circ}
) Re: 1743 W. 21 ST Street
JUAN VALADEZ, et al.	
	1 4/2-
Defendant:	s.) Court oom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on July 10, 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:

JUAN VALADEZ,

THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS SUCCESSORIN INTEREST TO JP MORGAN CHASE BANK, N.A. AS TRUSTEE FOR ASSET BACKED FUNDING CORPORATION MORTGAGE LOA ASSET BACK CERTIFICATES SERIES 2003-WF1, CRC INVESTORS, INC.,

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:

The Court has jurisdiction of the parties hereto and the subject matter, which is the 1. premises located at the following address: 1743 W. 21st Street, Chicago, Illinois, and legally described as follows:

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LOT 18 IN SCHOENBERGER'S SUBDIVISION OF BLOCK 63 IN SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 17-19-424-007.

- 2. Located on the subject property is a three-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 vacant and open.
 - b. Electrical service to the building was terminated.
 - c. The building's electrical wiring is exposed.
 - d. The building's electrical system is missing fixtures, stripped and inoperable.
 - e. The building's door is missing in various locations.
 - f. The building's glazing is broken or missing.
 - g. The building's heating system is missing a furnace, stripped and inoperable.
 - h. The building's joists are over notched.
 - i. The building's masonry has loose or missing brick.
 - j. The building's masonry has step or stress fractures.
 - k. The building's masonry has washed out mortar joints.
 - I. The building's plaster is broken or missing.
 - m. The building's plumbing is missing fixtures, strioped and inoperable.
 - n. The building's rafters are cracked.
 - o. The building's roof membrane is damaged.
 - p. The building's sashes are broken, missing or inoperable.
 - q. The building's stair system has damaged decking.
 - r. The building's stair system has an improper foundation.
 - s. The building's stair system has no joist hangers and no ledger belts.
 - t. The building's studding is missing.
- 4. Demolition of the subject property, as a whole, is the least restrict ve alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. 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 June 21, 2013, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. An <u>in rem</u> 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. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.

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- 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 E above shall be effective immediately
- F. Defendant owners are ordered to keep the property secure until it is demolished.
- G. The City's performance under the Order will result in a statutory <u>in rem</u> 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.
- H. 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 <u>instanter</u> so that said premises will be completely vacant and free of personal property before demolition is commercial. The City's Department of Human Services is authorized to assist in the relocation of any tenants.
- I. 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 Jelaying the enforcement or appeal of this order.

J. 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 protectings, as defined by the applicable statutes

and ordinances.

ENTERED

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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 Judge James M. Nicolay

JUL 1 0 2013

Circuit Court 1026