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Doc#: 1322441193 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/12/2013 03:58 PM Pg: 1 of 4

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

SAS REAL ESTATE GROUP, INC., *ET AL.*,
Defendants.

Case Number: 11 M1 401804

Re: 300 N. KOSTNER/4402 W. FULTON

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on, 8/5/13 on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

- SAS REAL ESTATE GROUP, INC.;
- BRIDGEVIEW BANK GROUP;
- THOMAS ABRAHAM;
- SHIBU ABRAHAM D/B/A SAS REAL ESTATE, INC.;
- GISHA ABRAHAM D/B/A SAS REAL ESTATE, INC.;
- JUAN ALVAREZ;
- EVELYN ALVAREZ;
- WHITE ELM, LLC; 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: 300 N. Kostner with a cross-address of 4402 W. Fulton, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOTS 1, 2, 45 AND 46, IN THE RESUBDIVISION OF BLOCK 12 IN WEST CHICAGO LAND COMPANY'S SUBDIVISION OF THE SOUTH 1/2 OF

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SECTION 10, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-10-311-010-0000.

2. Located on the subject property is a two-story brick building. The last known use of the subject building was mixed use.
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 building(s) located on the subject property ("the building") is vacant.
 - b. The building's electrical systems are stripped or inoperable with missing fixtures.
 - c. The building's plumbing systems have been illegally altered.
 - d. The building's heating systems have been illegally altered.
 - e. The building's interior flooring is broken or missing.
 - f. The building has portions of flooring that are missing.
 - g. The building's glazing is broken or missing.
 - h. The building's joists are over notched with smoke, fire, and/or water damage.
 - i. The building's plaster is broken or missing and has been illegally altered.
 - j. The building's roof is missing scuttle caps.
 - k. The building's sash are broken, missing, or inoperable.
 - l. The building's stairs have damaged handrails, improper foundations, and improper handrail heights.
 - m. The property has had two buildings joined with breaching of exterior walls.
 - n. _____
 - o. _____
 - p. _____
 - q. _____
 - r. _____
4. There has been no work in progress since the beginning of this case at the subject property.

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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.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants, Juan Alvarez, Evelyn Alvarez and unknown owners and non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of May 24, 2013, are 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 5/1-31-1, 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 B. above shall become effective immediately.
- F. ~~Defendant(s)~~ is/are ordered to keep the property secure until it is demolished. The judgment entered on 8/5/13 in the amount of \$ 543.00 against Defendant(s) SAS Real Estate Group, Inc., which consists of \$543.00 in litigation costs, shall stand as final judgment. ~~Leave to enforce said judgment is stayed until~~ 1/2013. Execution shall issue on the judgment thereafter. Execution shall issue on the judgment immediately. If payment is mailed it must be postmarked on or before the above date and sent ATTN: Kristina Mokryzki, 30 N. LaSalle St., Ste. 700, Chicago, IL 60602. Payment must be by certified check, business check, or money order, made payable to the City of Chicago. The payment instrument must include the case number on its face, and be accompanied by a copy of this court order.

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- G. 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.

- 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 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.

- 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 delaying the enforcement or appeal of this order.

- J. 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 ~~McGinn~~ ^{Judge James M. McGinn}, as defined by the applicable statutes and ordinances.

ENTERED:

AUG 05 2013

Circuit Court 1926

PLAINTIFF, CITY OF CHICAGO
 STEPHEN PATTON, Corporation Counsel

By: Nina Yabes

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