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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/23/2013 02:38 PM Pg: 1 of 4

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

KELVIN SAMS., et al.

Defendants.

No. 12 M1 402561

Re: 101 W. 107TH ST.

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 4/29/13 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:

**KELVIN SAMS
CITIBANK, NATIONAL ASSOCIATION, A/S/T CITIBANK, N.A.
UNKNOWN OWNERS and UNRECORDED 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: **101 W. 107TH ST., Chicago, Illinois**, and legally described as follows:

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LOT 10 IN BLOCK 7 IN SAVIDGE'S SUBDIVISION OF THE SOUTH ½ OF THE LOT 32 AND ALL OF LOT 33 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 25-16-404-008.

2. Located on the subject property is a **TWO-STORY BRICK 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. The building's electrical service has been terminated by Commonwealth Edison.
 - c. The building's electrical system is stripped and inoperable, with the meter mast loose and pulling away from the building.
 - d. The building's window glazing broken or missing.
 - e. The building's masonry is dangerous and hazardous with loose or missing brick, step or stress fractures, washed out mortar joints, rotting lintels, and bowing parapet walls.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.
 - 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 _____ is dismissed as 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 dates of **April 4, 2013**, are in default and all allegations in the complaint are deemed admitted against Defendants in default.

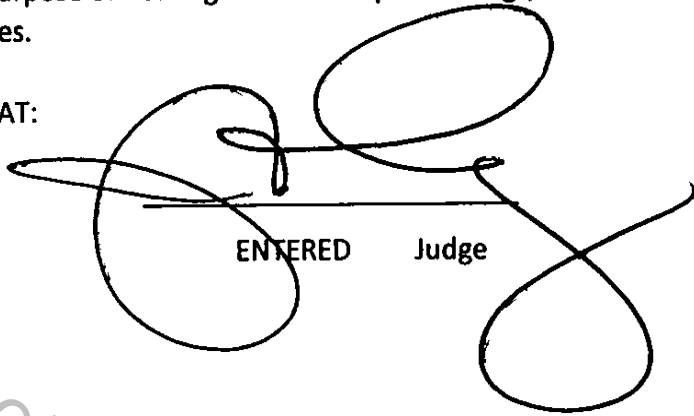
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- C. An in rem judgment is entered in favor of Plaintiff City of Chicago and against defendants on Counts I and IV of the City's complaint seeking demolition authority.
- D. Pursuant to Count II of the City's Complaint, Defendant _____ shall pay a fine of _____ with execution to issue.
- E. Counts III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- F. 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.
- G. The authority granted in Paragraph E above shall be effective immediately.
- H. Defendant owners are ordered to keep the property secure until it is demolished.
- I. 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.
- J. 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.
- K. 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.

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L. 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.

WHEREFORE, IT IS HEREBY ORDERED THAT:


ENTERED Judge

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

By: 

MATTHEW E. SUHL
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

Mi Kelvin Sims is ordered to secure the electrical violations within 24 hours

330 SPRING HILL

APR 29 2013

Circuit Court 1926