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Karen A. Yarbrough
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a municipal
corporation,

Plaintiff,

v.

DEBORAH J. ROBINSON., et al.,

Defendants.

No. 12 M1 401796

Re: 8200 S. HOMAN AVE.

Courtroom: 1111

As noted
ORDER OF DEMOLITION

This cause coming to be heard on 8/26/13 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:

DEBORAH J ROBINSON,
MIDFIRST BANK,
MORTGAGE CONTRACTING SERVICES,
COBY JENKINS,
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: **8200 S. Homan Ave., Chicago, Illinois**, and

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legally described as follows:

**LOT 562 IN SOUTHWEST HIGHLANDS AT 79TH AND KEDZIE UNIT NO. 3, A
SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 35,
TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
COOK COUNTY, ILLINOIS.**

This parcel has a Permanent Index Number of **19-35-222-011-0000.**

2. Located on the subject property is a **GARAGE AND SINGLE-STORY ORDINARY CONSTRUCTION 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's electrical system has exposed wiring.
 - b) The building's electrical system is missing fixtures.
 - c) The building's power is still active with water infiltration hazard due to compromised roof and live power.
 - d) The building's floor is warped.
 - e) The building's heating is missing a furnace.
 - f) The building's heating system is stripped and inoperable.
 - g) The building's heating system is vandalized.
 - h) The building's joist is smoke, fire, or water damaged.
 - i) The building's masonry has step or stress fractures.
 - j) The building's masonry has washoed out mortar joints.
 - k) The building's masonry has severe fractures in stone veneer at north and west elevations.
 - l) The building's plaster is broken or missing.

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- m) The building's plaster is smoke, fire or water damaged.
- n) The building's plaster has extensive water damage and mold.
- o) The building's plumbing is missing fixtures.
- p) The building's plumbing system is stripped and inoperable.
- q) The building's rafter is water damaged.
- r) The building's roof is water damaged.
- s) The building's roof is covered in tarp, compromised based on water damaged ceiling.

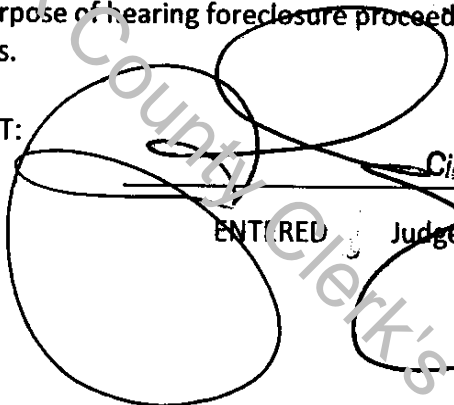
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

- 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 _____ are dismissed as party defendants.
- B. Defendants **UNKNOWN OWNERS and NONRECORD CLAIMANTS and MORTGAGE CONTRACTING SERVICES**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **FEBRUARY 21, 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. 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, VIII, and all the remaining counts 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.

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- G. The authority granted in Paragraph E above shall be effective 10/28/13.
- 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.
- 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:


 AUG 26 2013
 Circuit Court 1926
 ENTREED Judge

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

By: 

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