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

| | | |
|---|---|--|
| CITY OF CHICAGO, a municipal corporation, |) | CASE NO: 13 M1 400733 |
| Plaintiff, |) | |
| |) | Property Address: 3033 N. DAVLIN COURT |
| v. |) | CHICAGO, IL |
| |) | |
| |) | Room: 1105, Richard J. Daley Center |
| JEFFREY R. HEBBEL, et al. |) | |
| Defendant(s) |) | Lien Amount: \$ 2,669.25 |

CLAIM FOR RECEIVER'S LIEN

The claimant, City of Chicago, a municipal corporation, by the authority granted by Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2, hereby files its claim for lien against the following described property.

Legal: LOT 56 IN HAUSSEN'S SUBDIVISION OF LOT 2 OF HAUSSEN'S SUBDIVISION IN SEEGER'S ADDITION TO CHICAGO, A SUBDIVISION OF LOTS 4, 5 AND 14 IN DAVLIN, KELLY AND CARROLL'S SUBDIVISION OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known as: 3033 N. DAVLIN COURT, CHICAGO, IL 60618

P.I.N.: 13-26-114-008-0000

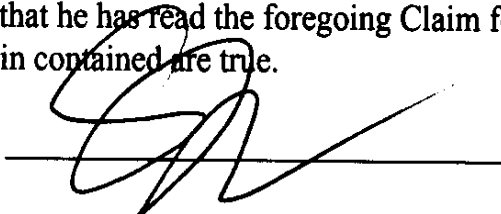
The aforesaid lien arises out of City of Chicago vs. JEFFREY R. HEBBEL et al. Case No. 13M1400733 filed in the Circuit Court of Cook County, in which a receiver was appointed for said property by Court Order dated 03/26/2013. The receiver incurred expenses approved by the Court, pursuant to an order entered 08/27/2013. Pursuant thereto, the receiver issues a certificate in the amount of \$2,669.25 and bearing interest at 9% annum for costs and fees, which was transferred and assigned to the City of Chicago.

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Claimant, City of Chicago, by an Assignment dated 08/28/2013 claims a lien on the above cited real estate for the amount of \$2,669.25 plus statutory interest of 9%. The City hereby reserves the right to amend this lien from time to time to include additional costs and fees. Pursuant to 35 ILCS 200/22-35 the advances made by the City to this property must be paid by tax purchaser prior to obtaining a tax deed for this property.

City of Chicago, a Municipal Corporation
Stephen R. Patton, Corporation Counsel

Steven Q. McKenzie, Assistant Corporation Counsel, being first duly sworn on oath, deposes and says that he is the authorized agent for the City of Chicago, that he has read the foregoing Claim for Lien, knows the content thereof, and that all statements therein contained are true.



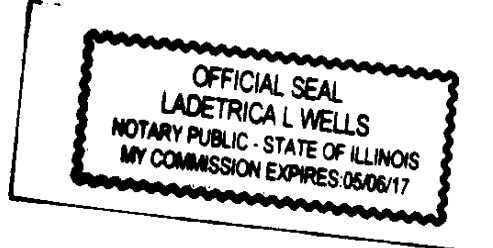
SUBSCRIBED AND SWORN TO BEFORE ME

BY Steven Q. McKenzie

This 5th day of Sept. 2013

LaDetricia L. Wells

STEPHEN R. PATTON, CORPORATION COUNSEL #90909
30 North LaSalle, Suite 700 Chicago, IL 60602 (312) 744-8791



County Clerk's Office

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

| | | |
|---|---|---------------------------|
| CITY OF CHICAGO, a municipal corporation, |) | Case No: 13-M1-400733 |
| |) | |
| Plaintiff, |) | Property Address: |
| v. |) | 3033 North Davlin Court |
| Jeffrey R. Hebbel, et al |) | <u>CHICAGO, IL. 60618</u> |
| |) | |
| Defendant (s) |) | Courtroom: <u>1105</u> |
| |) | Richard J. Daley Center |

RECEIVER'S CERTIFICATE

The undersigned Globetrotters Engineering Corporation was appointed heat receiver by the court on March 26, 2013 and ordered to make repairs to the hot water tank in an amount up to \$1,500.00. For value received, the receiver in his official capacity and not individually promises to pay to bearer the sum of \$2,669.25 on or before ninety (90) days after the date this certificate, with interest accruing at the rate of ten percent (10%) per annum until this receiver's certificate is fully paid, both principal and interest payable in such banking house or trust company in the City of Chicago, Illinois, as the legal holder of this receiver's certificate may appoint in writing or in the absence of such appointment, at the office of the Building and Housing Division of the City of Chicago's Law Department.

This receiver's certificate is issued under and by virtue of an order of the Circuit Court of Cook County, Illinois, entered on August 27, 2013 in the above-entitled cause, and pursuant to Illinois Compiled Statutes, chapter 5/11-31-2. This receiver's certificate is freely transferable and shall constitute a first lien in accordance with Illinois Compiled Statutes, chapter 65, section 5/21-31-2 and the foregoing order, upon the premises legally described as follows:

SEE ATTACHED

Permanent Index Number: 13-26-114-008-0000

This receiver's certificate, together with the interest thereon, in no manner constitutes a personal obligation or liability of the receiver.

The holder of the receiver's certificate shall release the same receiver's certificate and the lien thereof by proper instrument, upon full and final payment of the underlying indebtedness evidenced by this receiver's certificate, either before or after maturity thereof. In the event the holder refuses to execute and deliver a release, the receiver may petition the court to order the holder to issue a release.

ASSIGNMENT

For the sum of one dollar (\$1.00) and for other good and valuable consideration, David Feller does hereby sell, assign and transfer to the City of Chicago, the foregoing receiver's certificate.

Dated: 8/28/13


 David Feller, Agent for Globetrotters Engineering Corporation

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The undersigned, an Assistant Corporation Counsel, is the authorized agent of the City of Chicago in this transaction.

Stephen R. Patton No. 90909, Corporate Counsel

By: 
Assistant Corporation Counsel

**David Feller, Receiver
C/o Globetrotters
300 S. Wacker Drive
Suite 400
Chicago, IL 60606
(312) 697-3556**

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

| | | |
|---|---|--|
| CITY OF CHICAGO, a municipal corporation, |) | Case No: 13 - M1 - 400733 |
| |) | |
| Plaintiff, |) | Address: 3033 North Davlin |
| |) | |
| V. |) | Chicago, IL. 60618 |
| |) | |
| Jeffrey R. Hebbel, et al |) | |
| |) | |
| Defendant(s). |) | Courtroom: 1105 Richard J. Daley Center |

ORDER FOR RECEIVER'S CERTIFICATE

This cause coming on to be heard on the receiver's petition for the court's approval of his final accounting and for authorization to issue a receiver's certificate, with due notice being given to all parties and, with the court being fully advised in the premises;

THE COURT FINDS:

1. That on March 26, 2013, the receiver was appointed for the purpose of making repairs to the hot water system.
2. The receiver performed services as detailed in the final accounting.
3. The receiver presented a petition for gross fees in the amount of \$2,726.25 for services provided to the court.
4. The receiver presented a petition for gross expenses in the amount of \$30.00 for out of pocket costs provided to the court.
5. Fees of ~~\$2,726.25~~ are reasonable compensation for the receiver's performance of his duties and for services provided to the court. 2639.25
6. Out of pocket costs of \$30.00 is reasonable for out of pocket costs provided to the court.

IT IS ORDERED:

- A. That the receiver's petition for costs and fees is granted;
- B. That the receiver's costs and fees of ~~\$2,750.25~~ 2669.25 are hereby approved by the court;
- C. That the receiver is hereby authorized to issue and to assign to the City of Chicago for valuable consideration a receiver's certificate in the amount of ~~\$2,750.25~~. The certificate includes the fees and costs of the receivership, less rents received. Interest shall accrue on unpaid amounts from the date this order is entered at (10%) per annum. The certificate is to issue against the real estate and constitute a first lien thereon in accordance with provisions of Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2.

Hearing Date: August 27, 2013

Entered: Assoc. Judge Pamela Hughes Gillespie

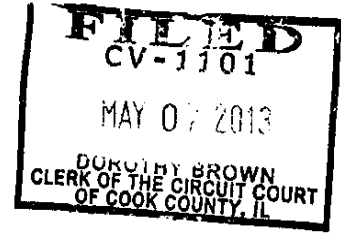
AUG 27 2013

Stephen R. Patton No. 90909
Corporation Counsel
Attorney for the Plaintiff

Circuit Court 1953

By: [Signature]
Assistant Corporation Counsel
30 N. LaSalle Street, Suite 700
Chicago, IL 60602
(312) 744-8791

Judge [Signature], Room 1105

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

CITY OF CHICAGO, a municipal corporation,

) Case No. 13 M1 400733

Plaintiff

) Amount claimed per day

\$7,000.00

V.

) Address:

JEFFREY R HEBBEL

)3033 - 3033 N DAVLIN CT CHICAGO IL 60618-)

SECURITIES CORP HM EO LN TR SRS 2006-FM1,
HSBC BK USA NA TRSTEE FOR ACE ASB

Unknown owners and non-record claimants

Defendants

FIRST AMENDED COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Stephen Patton, Corporate Counsel, by the undersigned Assistant(s) Corporation Counsel, complains of Defendants as follows:

Count I

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

13-26-114-008-0000

LOT 56 IN HAUSSEN'S SUBDIVISION OF LOT 2 OF HAUSSEN'S SUBDIVISION IN SEEGER'S ADDITION TO CHICAGO, A SUBDIVISION OF LOTS 4,5 AND 14 IN DAVLIN, KELLY AND CARROLL'S SUBDIVISION OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 10 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as

3033 - 3033 N DAVLIN CT CHICAGO IL 60618-

and that located thereon is a

- | | |
|---|-----------------------|
| 2 | Story(s) Building |
| 2 | Dwelling Units |
| 0 | Non-Residential Units |

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2. That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the said property on the date(s) herein set forth.

JEFFREY R HEBBEL , OWNER

SECURITIES CORP HM EQ LN TR SRS 2006-FM1 , HSBC BK USA NA TRSTEE FOR ACE ASB ,
MORTGAGE HOLDER

Unknown owners and non-record claimants

3a. That on 02/11/2013 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

1 PL154027

Supply adequate hot water with minimum temperature of 120 degrees F. (13-196-430)

Basement bathroom - 60 degree hot water temperature, large puddle around hot water tank.

Location: INTERIOR:-1:

SEQ #: 001

3b. That on 02/11/2013 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

2 CN196029

Post name, address, and telephone of owner, owner's agent for managing, controlling or collecting rents, and any other person managing or controlling building conspicuously where accessible or visible to public way. (13-12-030)

NO OWNER'S ID SIGN POSTED

3 CN065014

Failed to maintain lintel in good repair and free from cracks and defects. (13-196-530(e), 13-196-641)

WEST ELEVATION BASEMENT LINTELS- RUSTED AND DEFLECTING, PERMIT REQUIRED FOR REPAIRS. 1ST AND 2ND FLOOR HAVE LARGE METAL WRAP OVER LINTELS

4 CN138056

Remove accumulation of refuse and debris and keep premises clean. (13-196-580, 13-196-630)

SOUTH ELEVATION ALONG GARAGE- JUNK AND DEBRIS PILED UP

5 NC2010

Failed to submit drawings or plans for approval and to obtain and post permit before constructing, altering or repairing property. (13-12-050, 13-32-010, 13-32-030, 13-32-040)

BASEMENT- FURNACE AND DUCT WORK INSTALLED WITHOUT SUBMITTING PLANS AND OBTAINING PERMIT

6 CN197019

Install and maintain approved smoke detectors. (13-196-100 thru 13-196-160) Install a smoke detector in every dwelling unit. Install one on any living level with a habitable room or unenclosed heating plant, on the uppermost ceiling of enclosed porch stairwell, and within 15 feet of every sleeping room. Be sure the detector is at least 4 inches from the wall, 4 to 12 inches from the ceiling, and not above door or window.

BASEMENT AND BOILER ROOM- MISSING SMOKE DETECTORS

7 CN197087

Install carbon monoxide detector within 40 feet of every sleeping room in residential structure. (13-64-190, 13-64-210) A carbon monoxide detector is needed whenever there is a heating appliance on the premises that burns fossil fuel such as gas, oil, or coal, or air that is circulated through a heat exchanger. Install according to manufacturer instructions. A hard wired model requires an electrical wiring permit. In a single family residence, be sure the detector is on or below the lowest floor with a place to sleep. In a multiple dwelling residence heated by a boiler, install a detector in the same room as the boiler. Otherwise, each apartment follows single family guidelines. The owner is responsible for installation and written instructions, the tenant for testing, maintenance, and batteries.

BASEMENT AND BOILER ROOM- MISSING CARBON MONOXIDE DETECTORS

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8 NC10022

Separate furnace or heating plant from dwelling unit by partitions with at least 1 hour fire resistance. (13-196-740)

BASEMENT BOILER ROOM- EXPOSED WOOD STUDS

9 CN015062

Failed to remove obstruction from exitway that hampers travel and evacuation. (13-160-070, 13-196-080)

REAR ENCLOSED PORCH STAIRS- ONLY 20 INCHES OF CLEAR PATH OF TRAVEL, WALL HAS BEEN CONSTRUCTED BLOCKING EGRESS

10 NC2021

Performed or allowed work to be performed erecting, enlarging, altering, repairing, removing or demolishing a building or part of a building without a permit. (13-12-050, 13-32-010, 13-32-130)

REAR ENCLOSED PORCH- WALL CONSTRUCTED ON PORCH TO CREATE LIVING SPACE ON REAR PORCH WITHOUT OBTAINING A PERMIT. NOTE WALL BLOCKS EGRESS FROM UPPER FLOOR

11 NC2071

Remove work performed without permit and restore building or site to original construction. (13-32-130, 13-32-290)

REMOVE ALL PARTITIONS AND FIXTURES (INCLUDING ALL PLUMBING AND ELECTRICAL) INSTALLED IN THE BASEMENT WITHOUT A PERMIT. 4 SINGLE ROOM DWELLING UNITS HAVE BEEN CONSTRUCTED ALONG WITH A COMMON BATHROOM AND THEY ARE BEING RENTED TO SEPARATE INDIVIDUALS.

12 NC2011

Performed or allowed work to be performed without submitting plans prepared, signed and sealed by a licensed architect or registered structural engineer for approval and without obtaining a permit to perform the work. (13-32-010, 13-32-040, 13-40-020, 13-12-050)

SUBMIT PLANS AND OBTAIN PERMIT FOR ALL RELATED WORK TO AUTHORIZE ALTERATIONS TO THE BASEMENT OR RESTORE THE BUILDING TO THE ORIGINAL STATE

13 CN045013

Provide double ventilated metal thimble for stove pipes extending through combustible partitions. (13-180-100 D)

BASEMENT- HOT WATER TANK HAS DRYER VENT FLEX PIPE USED AS FLUE FOR VENTING THROUGH BASEMENT CEILING, SOLID METAL FLUE PIPE REQUIRED

14 CN138106

Remove and stop nuisance. (7-28-060)

UNDER REAR ENCLOSED PORCH- STORAGE OF JUNK

*** End of Violations ***

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4. That Michael Merchant is the Commissioner of the Department of Buildings of City of Chicago, and as such and pursuant to the Building Code of City of Chicago, caused inspection(s) to be conducted by inspectors of the Department of Buildings of City of Chicago, who have knowledge of the facts stated in this complaint.

5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, as provided under 13-12-020 of the Municipal Code of Chicago, in the amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.

Count II

Plaintiff, City of Chicago, a municipal corporation, realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy to secure the abatement of the aforesated municipal code violations and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.

7. That Michael Merchant, the Commissioner of the Department of Buildings, City of Chicago, has determined said building does not comply with the minimum standards of health and safety set forth in the Building Code.

WHEREFORE, PLAINTIFF PRAYS:

- a. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 35 ILCS 5/11-31-1 (a), 5/11-31-2 and 5/11-13-15 and 13-12-070 of the Municipal Code.
- b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 (a) of Chapter 65 of the Illinois Compiled Statutes, as amended.
- d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting City of Chicago a judicial deed to the property if declared abandoned.
- e. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- f. For reasonable attorney fees and litigation and court costs.
- g. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

CITY OF CHICAGO, a municipal corporation

By: _____

ASSISTANT CORPORATION COUNSEL

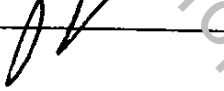
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VERIFICATION

The undersigned, being first duly sworn on oath, deposes and says that he/she is the duly authorized agent of the plaintiff for the purpose of making this affidavit; that he/she has read the above and forgoing complaint, and has knowledge of the contents thereof, and that matters set out therein are true in substance and in fact, and as to matters alleged on information and belief that he/she believes them to be true.


Assistant Corporation Counsel

Stephen Patton
Corporation Counsel
Attorney for Plaintiff

By:  _____

Assistant Corporation Counsel
30 N LaSalle St. 7th floor
Chicago, Illinois 60602
Atty. No 90909
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