

UNOFFICIAL COPY



Doc#: 1327741019 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/04/2013 09:54 AM Pg: 1 of 4

Duplicate Original

Space Reserved for Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

RODRIGO SANCHEZ, ET AL.,

Defendants.

Case Number: 13 M1 400388

Re: 2505 N. Mason

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on, 10/1/13, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

RODRIGO SANCHEZ; and

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC.; and
RAMON ALMANZA; 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: 2505 N. Mason, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 8 IN MORELAND MCCABE RESUBDIVISION OF LOTS 17 TO 27 IN BLOCK 3 AND THE NORTH 5 FEET OF LOT 33 AND LOTS 34 TO 46 INCLUSIVE IN BLOCK 6 IN BOOTH'S SUBDIVISION OF THE SOUTH 33 1/3 ACRES OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY

Permanent Index Number: 13-29-417-018.

2. Located on the subject property is a frame garage and two-story frame building. The last known use of the subject building was residential.
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 plumbing systems are stripped or inoperable.
 - c. The building's heating systems are stripped or inoperable.
 - d. The building's floors are warped with smoke, fire, and/or water damage.
 - e. The building's joists have smoke, fire, and/or water damage.
 - f. The building's masonry has been illegally altered.
 - g. The building's plaster has smoke, fire, and/or water damage.
 - h. The building's rafters have been illegally altered.
 - i. The building's roof has been illegally altered.
 - j. The building's stairs have undersized joists.
 - k. The building's studding has smoke, fire, and/or water damage.
 - l. The building has mold throughout the building.
 - m. The building's front enclosed porch has been illegally altered.
 - n. The building has had a one-story rear addition and dormers illegally added on either side of the roof.
 - o. The garage is vacant.
 - p. _____
 - q. _____
 - r. _____
 - s. _____
4. There has been no work in progress since the beginning of this case at the subject property.

UNOFFICIAL COPY

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:

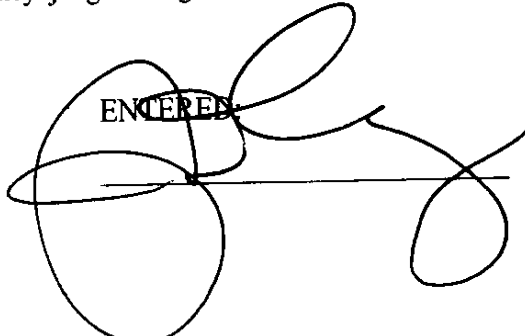
- A. Defendants, Rodrigo Sanchez and unknown owners and non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of August 2, 2013, are in default and all allegations in the complaint are deemed admitted against Defendants 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 5/11-31-1, 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 C. above shall become effective immediately.
- F. 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.
- G. 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.

UNOFFICIAL COPY

H. Defendants are ordered to keep the property vacant and secure pending demolition.

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 owners, as defined by the applicable statutes and ordinances.

ENCERED 

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: Nina Yabes

Nina Yabes
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 742-0342
Atty No. 90909

Judge James H. ...

OCT 01 2013

Property of Cook County Clerk's Office