

# UNOFFICIAL COPY

Case Number 13 M1 403145



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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

REVERSE MORTGAGE SOLUTIONS, INC., ET  
AL.,  
Defendants

Case Number: 13 M1 403145

Re: 6734 S. EMERALD AVE.

Courtroom 1109

### EMERGENCY ORDER OF DEMOLITION

This cause coming on to be heard on 11/26/13, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), emergency motion and accompanying complaint seeking immediate demolition authorization, by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

- REVERSE MORTGAGE SOLUTIONS, INC.;
- US BANK C/F IL SALT FOX; 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: 6734 S. Emerald Ave., Chicago, Cook County, Illinois ("subject property"), legally described as:

**LOT 35 IN BLOCK 3 IN SMITH'S ADDITION TO NORMALVILLE, A  
SUBDIVISION OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 38  
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK  
COUNTY, ILLINOIS.**

**Permanent Index Number: 20-21-300-036-0000.**

2. Located on the subject property is a two-story, single family, frame building with a frame garage. The last known use of the subject building was residential.

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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 located at the Subject Property ("building") has been found vacant and open.
- b. The building's roof has missing shingles, a damaged membrane, and water damaged.
- c. The building's roof is fire damaged, creating a dangerous and hazardous condition.
- d. The building's rafters are cracked, fire damaged, and collapsed, creating a dangerous and hazardous condition.

- e. The building's sashes are broken, missing, or inoperable.
- f. The building's sashes are smoke, fire, and water damaged, creating a dangerous and hazardous condition.
- g. The building's stair system has improperly sized tread, riser, and handrail heights, and damaged decking and handrails.

- h. The building's stair system has neither joist hangers nor ledger bolts.
- i. The building's stair system is smoke, fire, and water damage, and is partially collapsed.
- j. The building's plumbing system is stripped and inoperable, with missing fixtures.

- k. The building's plaster is smoke, fire, and water damaged.
- l. The building's garage is vacant and has a partially collapsed awning.

- m. \_\_\_\_\_
- n. \_\_\_\_\_
- o. \_\_\_\_\_
- p. \_\_\_\_\_
- q. \_\_\_\_\_
- r. \_\_\_\_\_

4. The Court finds that the building located on the subject property is an immediate dangerous and hazardous threat to the public's health, safety, and welfare, and must therefore be demolished immediately.

5. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

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WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. 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.
- B. The City shall immediately demolish the building located on the subject property on an emergency basis.
- C. 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.
- D. 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.
- E. 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.
- F. This cause is continued to 1/21/14 at 9:30 a.m. in Room 1109 for completion of this Court's jurisdiction.

PLAINTIFF, CITY OF CHICAGO  
 STEPHEN PATTON, Corporation Counsel

By: Stuart Miles  
 Stuart Miles  
 Assistant Corporation Counsel  
 Building and License Enforcement Division  
 30 N. LaSalle Street, Room 700  
 Chicago, Illinois 60602 / (312) 744-0210  
 Atty No. 90909

ENTERED

*[Signature]*

Judge Edward S. Hammening

NOV 26 2013

Circuit Court - 1994