

UNOFFICIAL COPY



1335741045

Doc#: 1335741045 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/23/2013 10:26 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.

THE SID MORGAN LIVING TRUST, ET AL.,
Defendants.

Case Number: 13 M1 4024790

Re: 1230-36 E. 75th St.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 12/18/13, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

THE SID MORGAN LIVING TRUST;
UNKNOWN HEIRS AND LEGATEES OF SID MORGAN;
COMMUNITY INITIATIVES, INC.;
WHEELER-DEALER, LTD. d/b/a WHEELER FINANCIAL, INC.; 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: 1230-36 E. 75th St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOTS 23, 24 AND 25 IN BLOCK 2 IN CORNELL AND HIBBARD'S RESUBDIVISION OF BLOCKS 3, 4, 5 AND THE WEST ½ OF BLOCK 6 IN GARY'S ADDITION TO CORNELL, TOGETHER WITH BLOCK 43 OF CORNELL AND THAT PART OF CHAUCEY AVENUE LYING NORTH LINE OF SOUTH CHICAGO AVENUE IN CORNELL, IN SECTION 26, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-26-224-006 AND 20-26-224-007.

UNOFFICIAL COPY

2. Located on the subject property is frame garage and two-story brick building. The last known use of the subject building was mixed use.
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:

FRONT BUILDING

- A. The building(s) located on the subject property ("the building") is vacant.
- B. The building's electrical systems have exposed wiring and missing fixtures.
- C. The building's plumbing systems are stripped or inoperable with missing fixtures.
- D. The building's heating systems have missing duct work and a missing furnace and have been vandalized.
- E. The building's floors have portions that are missing.
- F. The building's glazing is broken or missing.
- G. The building's masonry has step or stress fractures and washed out mortar joints.
- H. The building's plaster is broken or missing.
- I. The building's rafters are cracked.
- J. The building's roof is water damaged.
- K. The building's sash are broken, missing, or inoperable.
- L. The building's stairs have damaged decking and damaged handrails.
- M. The building has portions of missing studding.

GARAGE

The building's garage is vacant and open.

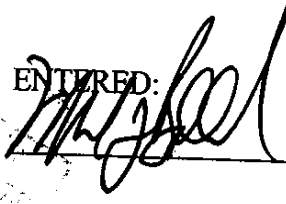
4. There has been no work in progress since the beginning of this case at the subject property.
5. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendant(s), **Wheeler Dealer. Ltd. d/b/a Wheeler Financial, Inc.**, the holder(s) of property tax certificates, was/were properly notified of this action pursuant to §21-410 of the Property Tax Code, 35 ILCS 200/21-410). Defendant(s) is/are not subject to the judgment of this demolition order.

UNOFFICIAL COPY

- 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 D. 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 instantler 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.
- H. 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.
- I. 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.

ENTERED: 

DEC 18 2013

JUDGE: [Signature]

CLERK: [Signature]

UNOFFICIAL COPY

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

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____