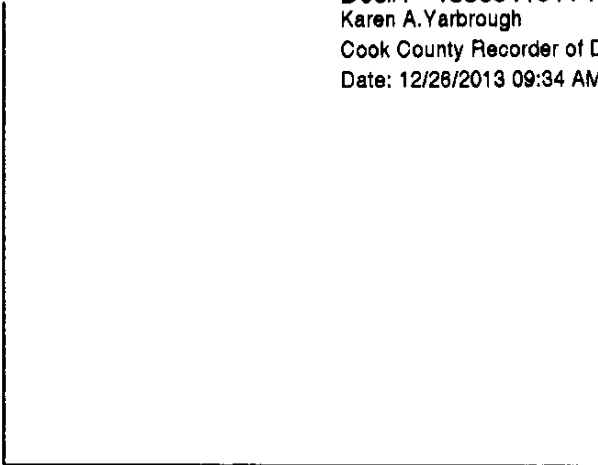


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Doc#: 1336041011 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/26/2013 09:34 AM Pg: 1 of 4



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

CITY OF CHICAGO,
a municipal corporation,
Plaintiff,

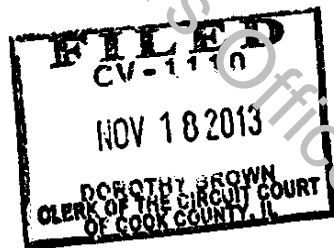
v.

26 Prop JIS LLC.,
Defendants.

No. 13 M1 402015

Re: 7235 S. Carpenter St.

Courtroom 1111



ORDER OF DEMOLITION

This cause coming to be heard on 11/18/13 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:

26 PROP JIS LLC.,

THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMBS 2004-16,

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ARIEL REALTY GROUP ,

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: **7235 S. Carpenter St., Chicago, Illinois ,** and legally described as follows:

LOT 35 IN BLOCK 4 IN MCKAY'S ADDITION TO ENGLEWOOD, BEING A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 20-29-211-012 .

2. Located on the subject property is a **TWO-STORY ORDINARY SINGLE FAMILY 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 HAS MISSING FIXTURES.
 - c) THE BUILDING'S ELECTRICAL SYSTEM IS STRIPPED AND INOPERABLE.
 - d) THE BUILDING'S FLOORING IS MISSING.
 - e) THE BUILDING'S FLOOR IS SMOKE, FIRE, OR WATER DAMAGED.
 - f) THE BUILDING'S GLAZING SYSTEM IS BROKEN OR MISSING.
 - g) THE BUILDING'S HEATING SYSTEM HAS MISSING DUCTWORK.
 - h) THE BUILDING'S HEATING SYSTEM HAS MISSING FURNACE.
 - i) THE BUILDING'S HEATING SYSTEM IS STRIPPED AND INOPERABLE.
 - j) THE BUILDING'S HEATING SYSTEM IS VANDALIZED.
 - k) THE BUILDING'S JOISTS ARE CRACKED.
 - l) THE BUILDING'S JOISTS ARE OVER NOTCHED.
 - m) THE BUILDING'S JOISTS ARE SMOKE, FIRE, OR WATER DAMAGED.
 - n) THE BUILDING'S MASONRY IS MISSING SIDING.
 - o) THE BUILDING'S PLASTER IS BROKEN OR MISSING.
 - p) THE BUILDING'S PLASTER IS SMOKE, FIRE OR WATER DAMAGED.

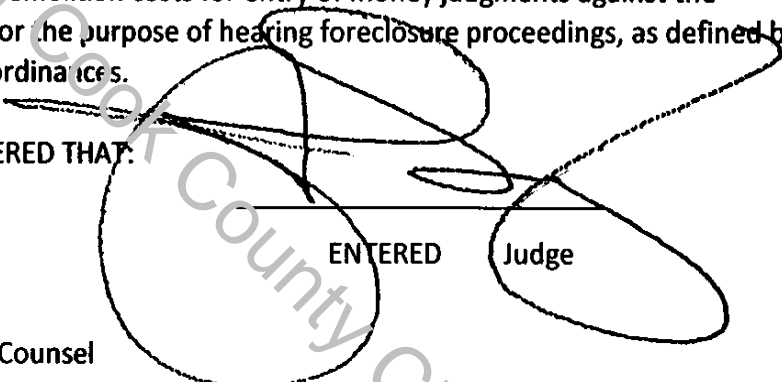
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- q) THE BUILDING'S PLUMBING SYSTEM HAS MISSING FIXTURES.
- r) THE BUILDING'S PLUMBING SYSTEM IS STRIPPED AND INOPERABLE.
- s) THE BUILDING'S ROOF IS WATER DAMAGED.
- t) THE BUILDING'S SASHES BROKEN, MISSING, OR INOPERABLE.
- u) THE BUILDING'S STAIRS HAVE DAMAGED DECKING.
- v) THE BUILDING'S STAIRS HAVE DAMAGED HANDRAILS.
- w) THE BUILDING'S STAIRS HAVE IMPROPER HANDNRAIL HEIGHT.
- x) THE BUILDING'S STAIRS HAVE IMPROPER TREAD AND RISER.
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 _____ is dismissed as a party defendant.
- B. Defendants **UNKNOWN OWNERS and NONRECORD CLAIMANTS, 26 PROP JIS LLC., and ARIEL REALTY GROUP, LLC.**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **NOVEMBER 7, 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.
- G. The authority granted in Paragraph F above shall be effective immediately
- H. Defendant owners are ordered to keep the property secure until it is demolished.

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- 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 instantly 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:


 ENTERED Judge

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

By: 
 MATTHEW E. SUHL
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 Phone: (312)742-1935 Facsimile: (312)744-1054
 ATTY NO. 90909

Judge James M. McGing
 NOV 18 2013
 Circuit Court 1926