

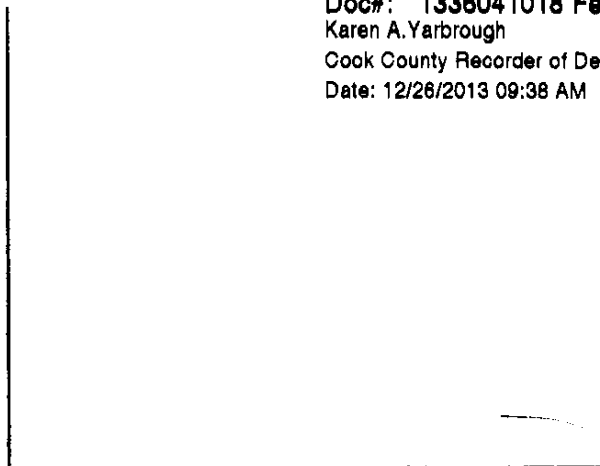
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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/26/2013 09:38 AM Pg: 1 of 4

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

CITY OF CHICAGO,

a municipal corporation,

Plaintiff,

v.

Unknown heirs and legatees of Bessie

J. Howard., et al.,

Defendants.

No. 13 M1 400187

Re: 7235 S. Hoyne Ave.

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on 12/16/13 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:

**UNKNOWN HEIRS AND LEGATEES OF BESSIE J. HOWARD
UNKNOWN HEIRS AND LEGATEES OF CLAUDE P. HOWARD
JP MORGAN, NA, SUCCESSOR IN INTEREST TO CHEMICAL MORTGAGE COMPANY
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:

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1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **7235 S. Hoyne Ave., Chicago, Illinois**, and legally described as follows:

LOT THIRTY FOUR (34) IN BLOCK 7 (7) IN HERRON'S SUBDIVISION OF FIFTY (50) ACRES IN THE EAST ONE HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF SECTION THIRTY (30), TOWNSHIP THIRTY EIGHT (38) NORTH, RANGE FOURTEEN (14), EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of **20-30-114-014**.

2. Located on the subject property is a **TWO-STORY MULTIPLE UNIT 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) This building is vacant and open.
 - b) The building's electrical system has exposed wiring and missing fixtures.
 - c) The building's flooring is missing and warped, and is smoke, fire, or water damaged.
 - d) The building's window glazing is broken or missing.
 - e) The building's joists are dangerous and hazardous, and have smoke, fire or water damage.
 - f) The building's masonry is missing siding and the siding has possible asbestos.
 - g) The building's masonry is smoke, fire, or water damaged.
 - h) The building's plaster is broken or missing and is smoke, fire or water damaged.
 - i) The building's plumbing has missing fixtures.
 - j) The building's roof is water damaged and has a damaged membrane.
 - k) The building's sashes are broken, missing, or inoperable and are smoke, fire or water damaged.
 - l) The building's stairs have damaged handrails and decking.
 - m) The building's stairs have improper handrail height and improper tread and risers.
 - n) The building's stairs are partially collapsed.
 - o) The building's studs are smoke, fire or water damaged.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

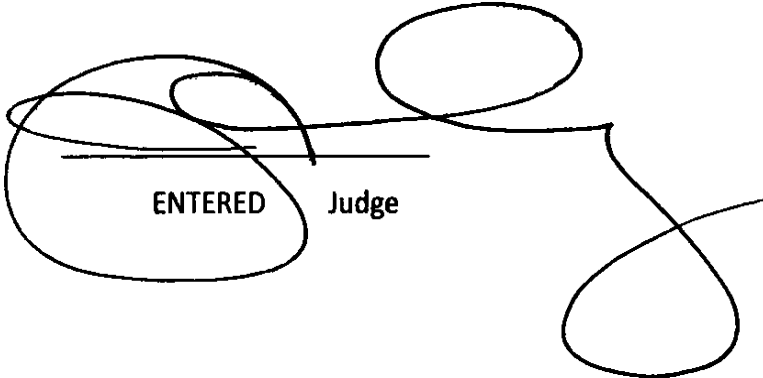
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- A. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, inter alia, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder **WHEELER-DEALER LTD d/b/a WHEELER FINANCIAL, INC.** is dismissed as a party defendant.
- B. Defendants **UNKNOWN OWNERS and NONRECORD CLAIMANTS, UNKNOWN HEIRS AND LEGATEES OF BESSIE J. HOWARD, AND UNKNOWN HEIRS AND LEGATEES OF CLAUDE P. HOWARD**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **APRIL 15, 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.
- 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 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.

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- 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

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 Building and License Enforcement Division
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Judge Jamar

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Clerk's Office

Judge Jamar

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