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Karen A. Yarbrough
Cook County Recorder of Deeds
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**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT**

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

UNKNOWN HEIRS AND LEGATEES OF HELEN
M. JOHNSON,

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR AMERIQUEST
MORTGAGE SECURITIES INC. ASSET-
BACKED PASS-THROUGH CERTIFICATES,
SERIES 2006-R1,

WHEELER-DEALER LTD, D/B/A WHEELER
FINANCIAL INC,

UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 13M1400020

Re: 706 W. 116TH STREET
CHICAGO IL 60609

Courroom 1107

**ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO**

This cause coming to be heard on ~~October 10, 2013~~ ^{February 6, 2014} on the complaint of THE CITY OF CHICAGO ("the City"),
by and through its attorney, Stephen R. Patton, Corporation Counsel, against the following:

UNKNOWN HEIRS AND LEGATEES OF HELEN M. JOHNSON,

WHEELER-DEALER LTD, D/B/A WHEELER FINANCIAL INC,

UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

("Defendants").

The Court having heard evidence and testimony and being fully advised in the premises finds that:

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1. The Court has jurisdiction of the subject matter, which is the real estate located at 706 W. 116TH STREET, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOT 12 IN RASCHER AND STIERNBERG'S RESUBDIVISION OF LOTS 29 TO 35 INCLUSIVE IN SHARPSHOOTER'S PARK DIVISION IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 25-21-301-008-0000.

2. Located on the subject property is a TWO STORY FRAME ("subject 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, in that the following violations of the Municipal Code of Chicago exist at the subject property and the defendants:

- ~~✗~~ ~~The building is vacant and open.~~
- ~~✗~~ ~~The property is not registered with the Department of Buildings as of 9/7/12.~~
- c. The electrical system has exposed wiring and missing fixtures.
- d. The flooring is smoke, fire and/or water damaged.
- e. The glazing is broken and/or missing.
- f. The heating system has been vandalized.
- g. The joists are smoke, fire and/or water damaged.
- h. The main beam is water damaged and rotted at the butted joint over the column.
- i. The downspouts are missing sections.
- j. The plaster is broken, missing and/or smoke, fire or water damaged.
- k. The plumbing system has been vandalized and is inoperable.
- l. The sashes are broken, missing, and/or inoperable.
- m. The stair system has improper handrail height.
- n. The stair system has improper hand and guard rails.
- o. The stair system has undersized columns.
- p. The studs are smoke, fire and/or water damaged.
- ~~✗~~ ~~The attic has been converted into living space.~~
- r. There is junk, debris and garbage throughout the interior.

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- s. There is junk, debris and high weeds on the exterior.
4. The subject building is beyond reasonable repair and it would take major reconstruction by a responsible owner to bring the subject building into full compliance with the Municipal Code.
5. Demolition of the subject building is the least restrictive alternative available to effectively abate the dangerous and unsafe conditions at the subject property.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants UNKNOWN HEIRS AND LEGATEES OF HELEN M. JOHNSON and UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of May 13, 2013, are in default and all allegations in the complaint are deemed admitted against said defendants.
- B. An *in rem* judgment on Count I of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- C. Counts II, III, IV, V, VI, VII and VIII of the Complaint are voluntarily dismissed, on the City's oral motion.
- 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 subject 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. Such authority shall be effective immediately.
- E. The City's performance under this order shall result in a statutory *in rem* lien that attaches to the subject property only. If the City seeks a personal judgment against any Defendant(s), it shall proceed by separate motion directed to such Defendant(s).
- F. Defendants with either possession or control of the subject property shall keep the subject building vacant and secure until it is demolished.
- G. Any and all Defendants with either possession or control of the subject property shall immediately remove any and all persons occupying the subject building and any and all personal property from the subject property so that the subject property is completely vacant and free of persons and personal property before demolition is commenced.
- H. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order.

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- I. The Court reserves jurisdiction of this cause to enforce the terms of this Order and for the purpose of ascertaining demolition costs and other costs for entry of money judgment(s) against the defendant owners and for the purposes of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.

ENTERED:

[Handwritten Signature]

By: _____

[Handwritten Signature]

Glenn Angel
 Senior Counsel
 City of Chicago Department of Law
 Building and License Enforcement Division
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602
 phone: (312) 744-8791

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Judge LaTredia Higgins Wolfson

FEB 06 2014

Circuit Court 1938

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