

UNOFFICIAL COPY



Case Number 12 M1 403514

Doc#: 1405041078 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/19/2014 11:42 AM Pg: 1 of 3

Duplicate
Original

Space Reserved for Record

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

ANNETTIA REED *ET AL.*,
Defendants.

Case Number: 12 M1 403514

Re: 5641 S. LOOMIS BLVD.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on **FEBRUARY 13, 2014**, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), complaint seeking demolition authorization, by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

ANNETTIA REED; 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: **5641 S. LOOMIS BLVD.**, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOTS 69 AND 70 IN 55TH STREET BLVD. ADDITION IN NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-17-112-017-0000.

2. Located on the subject property is a **TWO-STORY MULTIPLE UNIT BRICK DWELLING AND ONE-STORY BRICK GARAGE BUILDING**. The last known use of the subject building was **residential**.
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) (Unsafe Buildings)**, in that:

UNOFFICIAL COPY

Case Number 12 MI 403514

- a. The building's electrical, heating and plumbing systems have been vandalized and are therefore inoperable.
 - b. The building's masonry has washed-out mortar joints, as well as loose and missing bricks.
 - c. The building's joists are ^{water} damaged.
 - d. The building's windows have broken or missing glazing, as well as broken, missing or inoperable sashes.
 - e. The building's rear exterior stair system is partially collapsed and has damaged decking and handrails, as well as improper handrail heights.
 - f. The building is missing studding.
 - g. Plaster is broken or missing from the interior walls of the building, or is otherwise damaged.
 - h. Sections of flooring are missing or warped throughout the interior of the building.
 - i. There is a garage located on the subject property that is vacant and ~~open~~.
 - j. The building is water damaged at all elevations, including the basement center beam.
 - k. The building is structurally weakened due to extensive water damage.
 - l. _____
4. The Court finds that it would take major reconstruction by a responsible owner to bring the building into full compliance with the Municipal Code of Chicago. Further, the Court finds that the building located thereon poses a dangerous and hazardous threat to the public health, safety and welfare, and is beyond reasonable repair. Accordingly, the Court finds that demolition of the building is the least restrictive means available as of 2/13/14 to abate the dangers and hazards posed by the building.

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. Accordingly, the City is authorized to demolish the building located on the subject property pursuant to Counts I and IV of the City's complaint.
- B. Counts II, III, V, VI, and VIII are voluntarily withdrawn without prejudice.
- 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.


UNOFFICIAL COPY

Case Number 12 M1 403514

- D. Defendants with either possession or control of the subject property and their successors and assigns shall be permanently enjoined from renting, using, leasing, or occupying the Subject Property until demolition of the subject property commences.
- E. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution, and Section 13-12-130 of the Municipal Code of Chicago, the City is authorized to immediately demolish the building situated on the subject property and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute. Thus, 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.
- F. Pursuant to Illinois Supreme Court Rule 304(a), as to the order of demolition, this is a final and appealable order and judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment.
- G. 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.

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By:


Keith Martin
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-7634
Atty No. 90909

ENTERED:

