

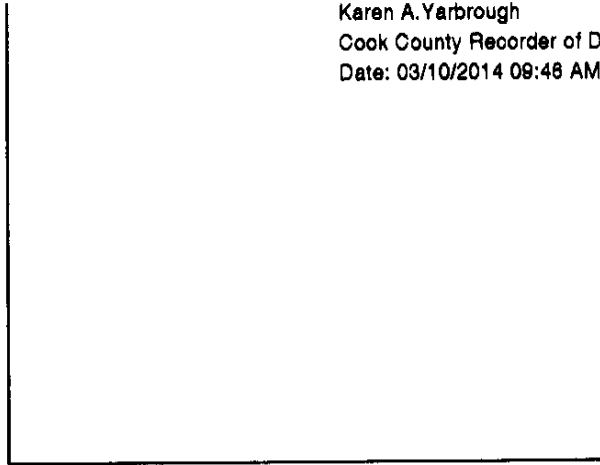
UNOFFICIAL COPY



1408941006

Doc#: 1408941006 Fee: \$46.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/10/2014 09:48 AM Pg: 1 of 5

Duplicate Original



Space reserved for the Recorder's Office

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

CITY OF CHICAGO,

a municipal corporation,

Plaintiff,

v.

Partners In Charity, Inc., et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

No. 13 M1 400697

Re: 8817 S. Princeton Ave.

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on 2/3/14 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:

PARTNERS IN CHARITY, INC.,

RAS C. SMITH, DECEASED ,

UNKNOWN HEIRS AND LEGATEES OF RAS C. SMITH ,

UNOFFICIAL COPY

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: **8817 S. Princeton Ave., Chicago, Illinois**, and legally described as follows:

LOT FORTY FOUR (44) AND THE NORTH HALF OF LOT FORTY THREE (43) IN BLOCK SIX (6) IN JAMES A. STODDARD'S SUBDIVISION OF PART OF THE SOUTH THREE QUARTERS OF THE NORTH WEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED ON APRIL 2, 1887, IN BOOK 26 OF PLATS, PAGE 10 AS DOCUMENT 812802, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of **25-04-206-007**.

2. Located on the subject property is a **ONE-STORY FRAME 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) 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 ELECTRICAL SYSTEM HAS METERS NOT REGISTERING.
 - e) THE BUILDING'S GLAZING IS BROKEN OR MISSING.
 - f) THE BUILDING'S HEATING SYSTEM HAS MISSING DUCTWORK.
 - g) THE BUILDING'S HEATING SYSTEM HAS MISSING FURNACE.
 - h) THE BUILDING'S HEATING SYSTEM IS STRIPPED AND INOPERABLE.

UNOFFICIAL COPY

- i) THE BUILDING'S HEATING SYSTEM IS VANDALIZED.
 - j) THE BUILDING'S HEATING SYSTEM IS STRIPPED FROM BASEMENT UNIT.
 - k) THE BUILDING'S MASONRY IS SMOKE, FIRE, OR WATER DAMAGED.
 - l) THE BUILDING'S MASONRY HAS STEP OR STRESS FRACTURES.
 - m) THE BUILDING'S MASONRY HAS WASHED OUT MORTAR JOINTS.
 - n) THE BUILDING'S MASONRY HAS WATER DAMAGED FASCIAS.
 - o) THE BUILDING'S PLASTER IS BROKEN OR MISSING.
 - p) THE BUILDING'S PLASTER IS SMOKE, FIRE, OR WATER DAMAGED.
 - q) THE BUILDING'S PLASTER HAS MOLD ON SURFACE IN BASEMENT.
 - r) THE BUILDING'S PLUMBING SYSTEM HAS MISSING FIXTURES.
 - s) THE BUILDING'S PLUMBING SYSTEM IS STRIPPED AND INOPERABLE FROM BASEMENT UNIT.
 - t) THE BUILDING'S ROOF IS DAMAGED BY TREE LIMB.
 - u) THE BUILDING'S SASHES ARE BROKEN, MISSING, OR INOPERABLE.
 - v) THE BUILDING'S STAIRS HAVE DAMAGED DECKING.
 - w) THE BUILDING'S STAIRS HAVE DAMAGED HANDRAILS.
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-

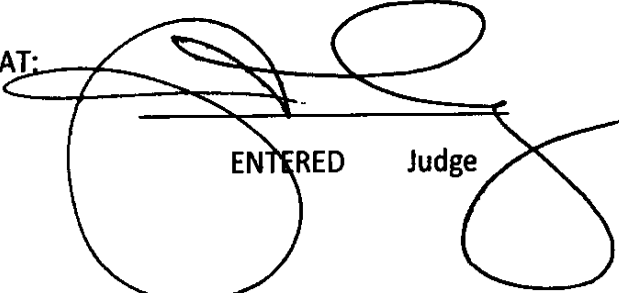
UNOFFICIAL COPY

- 100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder **US BANK CUST SASS MUNIVI** is dismissed as a party defendant.
- B. Defendants **UNKNOWN OWNERS and NONRECORD CLAIMANTS and UNKNOWN HEIRS AND LEGATEES OF RAS C. SMITH.**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **DECEMBER 2, 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.
- 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.

UNOFFICIAL COPY


- 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

Property of Cook County Clerk's Office

Judge James M. McGing

FEB X 3 2014

Circuit Court 1926