

UNOFFICIAL COPY



1407141178

Doc#: 1407141178 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/12/2014 12:36 PM Pg: 1 of 3

uplicate Original

SDM

This space reserved for the Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v. Suburban Bank + Trust Company

et al.,
Defendant(s).

No: 11 MI 402365

Re: 7627 S. Lowe

Courtroom 11 07, Richard J. Daley Center

ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of Plaintiff, the Court having jurisdiction over the defendant(s) and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

1. Defendant(s) De W. Morrells & Dorothy Morrells
and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, or occupying the: entire subject property
until the same have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
 2. The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this injunction.
- [] The above-named Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall not and keep the subject property in compliance with the vacant building requirements in the Municipal Code of Chicago (sections 13-12-125 through 13-12-150), including the requirements that the property be insured and registered with the City (information at www.cityofchicago.org/buildings) and keep the exterior of the premises clean and free of debris and weeds.

✗ This matter is hereby off call

Pursuant to Ill. S.Ct. Rule 304(a), this order is final and appealable, there being no just reason for delaying enforcement or appeal.

HEARING DATE: 3 / 6 / 2014

By: [Signature]
Attorney for Plaintiff
Corporation Counsel #90909
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791

FORM BLE 9002 rev. 12/2011

Judge Lauretta Higgins Wolfson

MAR 06 2014
Judge [Signature] Circuit Court 1930 Courtroom 1107
Higgins Wolfson

Pink Copy for Defendant(s) (photocopy if required)

Yellow Copy for City of Chicago Department of Law

White Original for Court Records

410

UNOFFICIAL COPY**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT**

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

SUBURBAN BANK AND TRUST COMPANY AS
SUCCESSOR TO BEVERLY BANK, AS
TRUSTEE UNDER TRUST AGREEMENT
DATED 4/11/78 KNOWN AS TRUST NUMBER
8-6048,

QUENTIN ELLIS,

MDG FUND-1 LLC,

UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

11M1 402365

Case Number:

Amount claimed per day (Count I): \$6,500.00

Amount claimed per day (Count V) \$1,000.00

Amount claimed per day (Count VI) \$1,000.00

Re: 7627 S LOWE AVE
CHICAGO IL 60620

Courtroom 1103

**CITY OF CHICAGO'S
COMPLAINT FOR EQUITABLE AND OTHER RELIEF**

Plaintiff, THE CITY OF CHICAGO ("the City"), by and through its attorney, Stephen R. Patton, Corporation Counsel, and the undersigned attorney, complains of the defendants as follows:

GENERAL ALLEGATIONS

Nature of the Case

1. The City brings this action pursuant to its police power as a home rule unit under Article VII of the Illinois Constitution, which includes "the power to regulate for the protection of the public health, safety, morals and welfare." Ill. Const. art. VII, § 6(a). As a further grant of authority, the City brings this action pursuant to the Unsafe Property Statute, 65 ILCS 5/11-31-1(a) *et seq.* (West 2010), and the Injunction Statute for Building and Zoning Violations, 65 ILCS 5/11-13-15 (West 2010). In addition, the City brings this action under its Improperly Maintained Buildings and Structures Subject to Nuisance Abatement Proceedings ("Building Nuisance Abatement") Ordinance, Municipal Code of Chicago § 13-12-145 (2011) and other provisions of the Municipal Code of Chicago. In bringing this action the City seeks equitable relief, civil penalties, attorney's fees, and costs.

The Parties and the Property at Issue

2. The City is a municipal corporation organized and existing under the laws of the State of Illinois.
3. Within the corporate limits of Chicago, there is a parcel of real estate legally described as:

THE SOUTH 20 FEET OF LOT 24 AND THE NORTH 10 FEET OF LOT 23
BLOCK 9 IN STORKE'S SUBDIVISION OF AUBURN IN THE WEST 1/2 OF
THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 14

2011 SEP -1 PM 2:00
CLERK OF THE CIRCUIT COURT OF COOK COUNTY
RECEIVED

UNOFFICIAL COPY

EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS.

This parcel is commonly known as 7627 S LOWE AVE, Chicago, Cook County, Illinois ("subject property"), and has a permanent index number of 20-28-310-008-0000.

4. Located on the subject property is a TWO STORY BRICK building. The last known use of the building was MULTI-UNIT RESIDENTIAL.
5. At all times relevant to this complaint, the defendants owned, managed, controlled, collected rents from, contributed to the ongoing violations at, or had a legal or equitable interest in the subject property. More specifically:
 - a. Defendant SUBURBAN BANK AND TRUST COMPANY AS SUCCESSOR TO BEVERLY BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED 4/11/78 KNOWN AS TRUST NUMBER 8-6048 has the following interest in the subject property: RECORD OWNER (AS LAND TRUSTEE).
 - b. Defendant QUENTIN ELLIS has the following interest in the subject property: TRUST BENEFICIARY AND LAST KNOWN TAXPAYER.
 - c. Defendant MDG FUND-1 LLC has the following interest in the subject property: TAX PURCHASER (2007 AND 2008 - REDEMPTION DATE 2/21/2012).
 - d. Defendants also include UNKNOWN OWNERS and NONRECORD CLAIMANTS.

Dangerous and Unsafe Conditions

6. On May 27, 2011, and on each succeeding day thereafter, continuing to the present, defendants failed to comply with the Municipal Code of Chicago as follows:
 - a. Failed to enclose and secure a vacant building. (13-12-125, 13-12-135) BUILDING VACANT AND OPEN.
 - b. Failed to remove exposed wiring. (18-27-300.4)
 - c. Failed to repair or replace defective and/or missing electrical fixtures. (18-27-410.22, 18-27-410.23, 18-27-410.24, 18-27-240.27, 18-27-410.36, 18-27-410.37, 18-27-410.38, 18-27-410.39)
 - d. Failed to maintain floor free of holes, wide cracks which might admit rodents or which constitute a possible accident hazard, and loose, warped, protruding, or rotting floor boards. (13-196-540, 13-196-641)
 - e. Failed to supply each window with window panes which are without open cracks or holes. (13-196-550(a), 13-196-641)