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

CITY OF CHICAGO, a municipal
corporation,

Plaintiff,

v.

CUBICO, LLC, et al.

Defendants.

No. 13 M1 402874

Re: 1249 S. SPAULDING

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 4/16/14 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:

**CUBICO, LLC,
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: **1249 S. Spaulding**, Chicago, Illinois, and legally described as follows:

LOT 25 IN SUB-BLOCK 1 IN BLOCK 2 IN PRESCOTTS DOUGLAS PARK ADDITION TO CHICAGO, A SUBDIVISION OF BLOCKS 1, 2, 5 AND 10 OF CIRCUIT COURT PARTITION OF THE EAST 1/2 OF THE NORTHEAST 1/4 AND THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 LYING NORTH OF THE CENTERLINE OF OGDEN AVENUE OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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This parcel has a Permanent Index Number of 16-23-206-021.

2. Located on the subject property is a garage and two-story brick residential 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 COMED SERVICE TERMINATED AT BUILDING.
 - 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 BEEN ALTERED.
 - e. THE BUILDING'S FLOOR IS SMOKE, FIRE, OR WATER DAMAGED.
 - f. THE BUILDING'S FLOOR HAS BEEN ALTERED.
 - g. THE BUILDING'S HEATING SYSTEM HAS MISSING FURNACE.
 - h. THE BUILDING'S HEATING SYSTEM IS STRIPPED AND INOPERABLE.
 - i. THE BUILDING'S JOISTS ARE SMOKE, FIRE OR WATER DAMAGED.
 - j. THE BUILDING'S JOISTS ARE SATURATED AND ROTTED.
 - k. THE BUILDING'S MASONRY IS DANGEROUS AND HAZARDOUS.
 - l. THE BUILDING'S MASONRY IS SMOKE, FIRE OR WATER DAMAGED.
 - m. THE BUILDING'S MASONRY HAS WASHED OUT MORTAR JOINTS.
 - n. THE BUILDING'S MASONRY HAS MISSING COPING TILES AND MISSING COLUMN.
 - 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 BEEN ALTERED.
 - r. THE BUILDING'S PLUMBING SYSTEM IS STRIPPED AND INOPERABLE.
 - s. THE BUILDING'S PLUMBING SYSTEM HAS BEEN ALTERED.
 - t. THE BUILDING'S ROOF HAS MISSING DOWNSPOUT.
 - 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.
 - x. THE BUILDING'S STAIRS ARE DANGEROUS AND HAZARDOUS.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

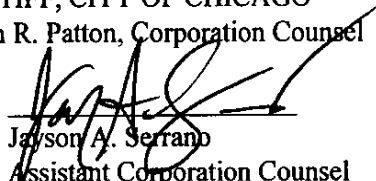
- A. An in rem judgment is entered in favor of Plaintiff City of Chicago and against defendants on Counts I and IV of the City's complaint seeking demolition authority.
- B. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- C. Pursuant to the judgment entered above, 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.

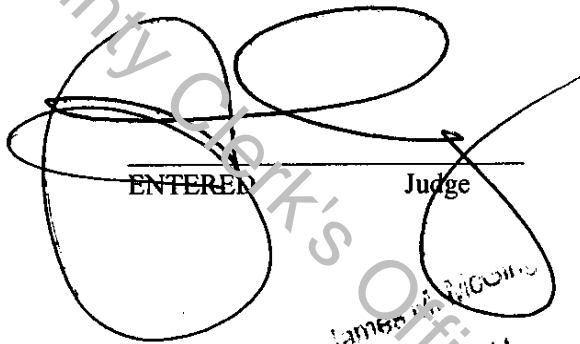
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- D. The authority granted in Paragraph C above shall be effective immediately.
- E. Defendant owners are ordered to keep the property secure until it is demolished.
- F. The City's performance under the Order will result in a statutory in rem lien 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.
- G. 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.
- H. 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.
- I. 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.

PLAINTIFF, CITY OF CHICAGO
 Stephen R. Patton, Corporation Counsel

By:


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 ATTY NO. 90909


 ENTERED _____ Judge
 Judge James M. Higgins
 APR 1 8 2014
 Circuit Court 1925