



Doc#: 1412541015 Fee: \$44.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 05/05/2014 09:32 AM Pg: 1 of 4

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

CITY OF CHICAGO, a municipal  
corporation,

Plaintiff,

v.

JOSEPH EKOWA, et al.

Defendants.

No. 13 M1 401786

Re: 5216 W FERDINAND

Courtroom: 1111

AGREED ORDER OF DEMOLITION

This cause coming to be heard on April 28, 2014, 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:

JOSEPH EKOWA,  
THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR  
THE CERTIFICATES HOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2006-OA2  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-OA2,  
VILLAGE SITES, INC.,  
UNKNOWN OWNERS, and NONRECORD CLAIMANTS,

The Court being fully advised of the premises of this proceeding and, aware of the owner's desire to settle this matter by agreement, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **5216 W Ferdinand**, Chicago, Illinois, and legally described as follows:

LOT 24 AND THE EAST 3 FEET OF LOT 23 IN BLOCK 2 IN STEVENS ADDITION TO CHICAGO, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-09-120-031.

# UNOFFICIAL COPY

2. Located on the subject property is a two-story frame residential building.
3. The Court, being aware of the parties' agreement 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 service has been terminated.
  - b. The Building's electrical system is stripped and inoperable.
  - c. The Building's heating system is stripped and inoperable with a missing furnace and missing ductwork.
  - d. The Building's plaster has been altered.
  - e. The Building's plumbing is stripped and inoperable.
  - f. The Building's plumbing system has been altered.
  - g. The Building's roof is missing downspouts.
  - h. The Building's stair system has damaged handrails.
  - i. The Building's studding has been altered.
  - j. The Building's window sashes are broken, missing, or inoperable.
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. Pursuant to Count II, Defendant Joseph Ekowa agrees to pay a fine of \$1,500.00, payable to the City on or before January 31, 2015. However, should Joseph Ekowa tender \$1,000.00 to the City on or before July 31, 2014, the City agrees to waive the additional \$500.00 fine.
- C. Counts III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- 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 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.
- E. The authority granted in Paragraph D above shall be effective **on and including August 1, 2014**.
- F. Defendant owners are ordered to keep the property vacant and secure until it is demolished.
- G. 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.
- H. 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 instantly so that said premises will be completely vacant and free of personal property before

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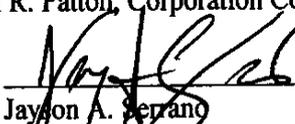
demolition is commenced. The City's Department of Human Services is authorized to assist in the relocation of any tenants.

- I. 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.
- J. 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.
- K. If at any time should Defendant be in a position to complete repairs of the subject property, Defendant may petition the Court for an extension of this stay of demolition, with notice to the City, directed to:

**Jayson A. Serrano**  
 Assistant Corporation Counsel  
 City of Chicago Department of Law  
 30 North LaSalle Street, Suite 700  
 Chicago, IL 60602  
 Phone: 312/ 744-3326  
 Facsimile: 312/ 744-1054

ENTERED Judge  
 Judge James M. McGing  
 APR 28 2014  
 Circuit Court 1926

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

By:   
 Jayson A. Serrano  
 Assistant Corporation Counsel – Building and License Enforcement Division  
 30 N. LaSalle Street, Suite 700  
 Chicago, Illinois 60602  
 Phone: (312)744-3326 Facsimile: (312)744-1054  
 ATTY NO. 90909

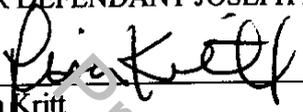
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## AGREED ORDER OF DEMOLITION SIGNATURE PAGE

*City of Chicago v. Joseph Ekowa, et al., 13 MI 401786  
5216 W Ferdinand*

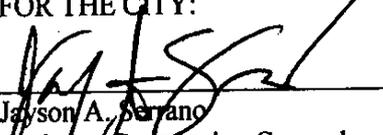
The parties to the cause referenced above, wishing to manifest their ascent to the terms contained in the attached agreed order, sign below:

FOR DEFENDANT JOSEPH EKOWA:

  
\_\_\_\_\_  
Lisa Krit  
Attorney at Law  
2000 W. Carroll Ave  
Suite 502  
Chicago, IL 60612  
312-296-3617

4/28/14  
Date

FOR THE CITY:

  
\_\_\_\_\_  
Jayson A. Serrano  
Assistant Corporation Counsel  
Building and License Enforcement Division  
50 N. LaSalle Street, Suite 700  
Chicago, Illinois 60602  
(312)744-3326

4/28/14  
Date

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