



Doc#: 1412741175 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/07/2014 01:13 PM Pg: 1 of 4

Duplicate Original

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

CITY OF CHICAGO, a municipal corporation,
Plaintiff

v.

) Case No.: 13 M1 401679

UNKNOWN HEIRS AND LEGATEES OF
JOHN R. ERBY,

) Address: 6224 S ST. LAWRENCE AVE
) CHICAGO IL 60637

FAIR DEAL OF ILLINOIS, INC. D/B/A FAIR
DEAL OF ILLINOIS,

) Courtroom 1107

LIEN LOGIC,

Unknown owners and non-record claimants,
Defendants

ORDER DECLARING PROPERTY ABANDONED PURSUANT TO THE
UNSAFE PROPERTY STATUTE, 65 ILCS 5/11-31-1(b) (2010)

This cause coming on to be heard on the Petition for Abandonment, Plaintiff, City of Chicago, a municipal corporation ("City"), Corporation Counsel, against the following named Defendants:

UNKNOWN HEIRS AND LEGATEES OF JOHN R. ERBY,
FAIR DEAL OF ILLINOIS, INC. D/B/A FAIR DEAL OF ILLINOIS,
LIEN LOGIC,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

The Court having heard the evidence at hearing and being fully advised in the premises finds that:

1. The Court has jurisdiction over the parties, as follows:

UNKNOWN HEIRS AND LEGATEES OF JOHN R. ERBY- defaulted by publication (default date 12/16/2013)

UNOFFICIAL COPY

FAIR DEAL OF ILLINOIS, INC. D/B/A FAIR DEAL OF ILLINOIS – served 6/12/2013

LIEN LOGIC, – served 6/24/2013

UNKNOWN OWNERS – defaulted by publication (default date 12/26/2013)

NONRECORD CLAIMANTS – defaulted by publication (default date 12/26/2013)

2. **UNKNOWN HEIRS AND LEGATEES OF JOHN R. ERBY** are the record owner(s) of the subject property.
3. The Court has jurisdiction of the subject matter, which is the premises located at the following address: **6224 S ST. LAWRENCE AVE, Chicago, Cook County, Illinois** (“subject property”), legally described as: **THE SOUTH 20 FEET OF LOT 5 AND THE NORTH 10 FEET OF LOT 6 IN BLOCK 10 IN THE RESUBDIVISION OF THE WASHINGTON PARK CLUB ADDITION TO CHICAGO, A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS**
 Permanent Index Number: **20-15-419-021-0000**
4. Located on the subject property is a **TWO STORY BRICK BUILDING** (the “subject building”). The last known use of the subject building was **RESIDENTIAL**.
1. This Court hereby makes the following findings of fact as of **MARCH 6, 2014**, as follows:
 - a. The subject property is delinquent on the property taxes for **2008, 2009, 2010, AND 2011**. The total amount of delinquent taxes is **\$ 14,049.22**. Additionally, the subject property has unpaid water bills since **AUGUST 18, 2009**. The total amount owed to the Department of Water is **\$ 841.04**
 - b. The property is unoccupied by persons legally in possession and is vacant.
 - c. The subject property has violations of the City of Chicago Municipal Code making the building dangerous or unsafe.
 1. With respect to each **OWNER** only, failed to remove exposed electrical wiring and maintain electrical system in safe and sound condition. (18-27-300.4, 18-27-410.22, 13-196-590, 13-196-641) **EXPOSED WIRING**
 2. With respect to each **OWNER** only, failed to repair or replace defective and/or missing electrical fixtures and maintain electrical system in safe and sound condition. (18-27-210.70, 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, 18-27-560.7, 13-196-590, 13-196-641) **MISSING FIXTURES, STRIPPED AND INOPERABLE**
 3. With respect to each **OWNER** and **MORTGAGEE**, failed to maintain the exterior of a building so that all exterior windows and doors are in sound condition and

UNOFFICIAL COPY

good repair, so that: windows and doors fit tightly within their frames; window and door frames are constructed and maintained in such relation to the adjacent wall construction as to prevent rain from entering the building; windows and doors are equipped with properly functioning locking hardware; and any window which has broken, cracked, or missing glass or glazing is repaired or boarded in a manner prescribed by code. (13-12-135(b)(3), 13-196-550, 13-196-641, 13-12-126(b)(1)). **GLAZING- BROKEN OR MISSING, SASH- BROKEN MISSING OR INOPERABLE, SMOKE FIRE OR WATER DAMAGED**

4. With respect to each OWNER only, failed to maintain every supply facility, piece of equipment, and utility, including the heating system, in safe and sound condition. (13-196-590, 13-196-641) **MISSING DUCTWORK, MISSING FURNACE**
5. With respect to each OWNER, failed to maintain the exterior of a building so that all exterior walls are free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or the interior spaces and are protected against the entry of rodents or other animals. (13-12-135(b)(2), 13-196-530(b), 13-196-530(d) , 13-196-641). With respect to each MORTGAGEE, failed to maintain and secure the exterior of the building and keep the exterior of the property free of vermin and rodents. (13-12-126(b)(8), 13-12-126(b)(11)). **MASONRY- HOLES, WASHED OUT MORTAR JOINTS**
6. With respect to each OWNER, failed to maintain all plumbing fixtures without leaking pipes and completely drain or continuously heat all pipes for water to prevent them from freezing and maintain or repair plumbing system in accordance with the original design so that no hazard to life, health or property is created by such plumbing system. (13-12-135(c)(3), 13-196-590, 13-196-641, 18-29-102.2). With respect to each MORTGAGEE, failed to winterize a building by cleaning all toilets and completely draining all plumbing systems. (13-12-126(b)(7)) **MISSING FIXTURES, STRIPPED AND INOPERABLE**
7. With respect to each OWNER, failed to maintain the exterior of a building so that every outside stair or step is in sound condition and good repair and every porch, stoop, deck, veranda, balcony and walk is in sound condition. (13-12-135(b)(6), 13-52-010, 13-196-040, 13-196-570, 13-196-641). With respect to each MORTGAGEE, failed to reasonably maintain the exterior of a building and the structural integrity of stairs and steps that lead to the main entrance(s) of the building. (13-12-126(b)(6), 13-12-126(b)(8), 13-52-010, 13-196-040). **DAMAGED DECKING, DAMAGED HANDRAILS**

2. The City of Chicago filed a Petition for Abandonment on **FEBRUARY 28, 2014**. The petition was served on all parties via certified mail, as follows:

FAIR DEAL OF ILLINOIS, INC. D/B/A FAIR DEAL OF ILLINOIS – delivered MARCH 4, 2014.


LIEN LOGIC– delivered MARCH 4, 2014.

UNOFFICIAL COPY

- 3. There is no party having an interest of record in the property who possesses the intent to demolish the dangerous or unsafe building or put the building in a safe condition.
- 4. The City has petitioned the court for the conveyance of a judicial deed to the City of Chicago, which will operate to extinguish all existing ownership interests in, liens on, and other interest in the property, including tax liens, and shall extinguish the rights and interests of any and all holders of a bona fide certificate of purchase of the property for delinquent taxes.

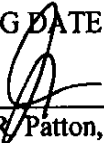
WHEREFORE IT IS FURTHER ORDERED THAT:

- A. Based on the above-stated findings of fact, this Court finds that the property at 6224 S St. Lawrence is abandoned pursuant to 65 ILCS 5/11-31-1(d) (2010).
- B. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order.
- C. The Court reserves jurisdiction of this cause to enforce the terms of this order.
- D. This matter is continued to June 5, 2014 at 11:00 a.m. in Courtroom 1107 for a determination as to whether a judicial deed shall issue to convey the subject property to the City.
- E. The receiver is authorized to clean the exterior of the property.

ENTERED

 Lauretta Higgins Wilson
 MAY 01 2014

Circuit Court 1938

HEARING DATE:



 Stephen R. Patton, Atty. #90909
 Corporation Counsel
 Attorney for Plaintiff
 By: Julie Ladores
 30 North LaSalle Street, Suite 700
 Chicago, Illinois 60602
 (312) 744-2638

Duplicate Original