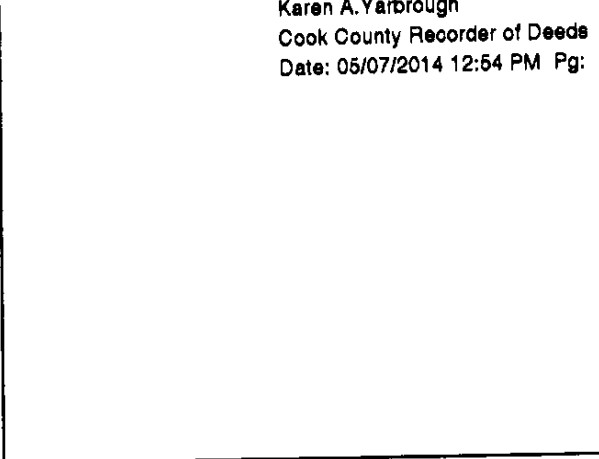


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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/07/2014 12:54 PM Pg: 1 of 5



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

CITY OF CHICAGO,
a municipal corporation,
Plaintiff,

v.

Wayne E. Brown., et al.

Defendants.

No. 13 M1 402397

Re: 8348 S. Anthony Ave.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 3/12/14 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:

WAYNE E. BROWN,

HARBOR FINANCIAL GROUP, LTD.,

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:

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1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **8348 S. Anthony Ave., Chicago, Illinois**, and legally described as follows:

THE SOUTHEASTERLY 2 1/2 FEET OF LOT 10, LOT 11 AND THE NORTHWESTERLY 5 FEET OF LOT 12, IN BLOCK 3 IN CONSTANCE, BEING A SUBDIVISION BY WALLACE C. CLEMENT OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of **20-36-306-009**.

2. Located on the subject property is a **GARAGE AND ONE-STORY ORDINARY SINGLE FAMILY 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 IS MISSING FIXTURES.
 - c. THE BUILDING'S ELECTRICAL SYSTEM IS STRIPPED AND INOPERABLE.
 - d. THE BUILDING'S FLOORING IS DANGEROUS AND HAZARDOUS.
 - e. THE BUILDING'S FLOORING IS MISSING.
 - f. THE BUILDING'S FLOORING IS SMOKE, FIRE, OR WATER DAMAGED.
 - g. THE BUILDING'S FLOORING IS WARPED.
 - h. THE BUILDING'S GLAZING SYSTEM IS BROKEN OR MISSING.
 - i. THE BUILDING'S HEATING SYSTEM IS MISSING DUCTWORK.
 - j. THE BUILDING'S HEATING SYSTEM IS MISSING FURNACE.
 - k. THE BUILDING'S HEATING SYSTEM IS STRIPPED AND INOPERABLE.

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- l. THE BUILDING'S HEATING SYSTEM IS VANDALIZED.
- m. THE BUILDING'S JOISTS ARE CRACKED.
- n. THE BUILDING'S JOISTS ARE DANGEROUS AND HAZARDOUS.
- o. THE BUILDING'S JOISTS ARE MISSING.
- p. THE BUILDING'S JOISTS ARE SMOKE, FIRE, OR WATER DAMAGED.
- q. THE BUILDING'S MASONRY HAS STEP OR STRESS FRACTURES.
- r. THE BUILDING'S MASONRY HAS WASHED OUT MORTAR JOINTS.
- s. THE BUILDING'S PLASTER IS BROKEN OR MISSING.
- t. THE BUILDING'S PLUMBING SYSTEM HAS MISSING FIXTURES.
- u. THE BUILDING'S PLUMBING SYSTEM IS STRIPPED AND INOPERABLE.
- v. THE BUILDING'S ROOF HAS DAMAGED MEMBRANE.
- w. THE BUILDING'S SASHES ARE BROKEN, MISSING, OR INOPERABLE.
- x. THE BUILDING'S STAIRS HAVE DAMAGED DECKING.
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 21-10 of the Property Tax Code and that property tax certificate holders are subject, inter alia, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holders **ROCK ELM, LLC.** and **WHITE ELM, LLC.**, are dismissed as party defendants.
- B. Defendants **UNKNOWN OWNERS** and **NONRECORD CLAIMANTS.**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **FEBRUARY 13, 2014** are in default and all allegations in the complaint are deemed admitted against Defendants in default.

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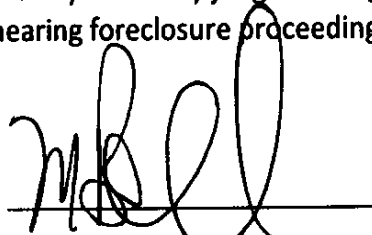
- C. An in rem judgment is entered in favor of Plaintiff City of Chicago and against defendants on Counts I and IV of the City's complaint seeking demolition authority.
- D. Pursuant to Count II of the City's Complaint, Defendant _____ shall pay a fine of _____ with execution ~~to~~ issue.
- E. Counts 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.

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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

ENTERED
JUDGE MARK J. BALLARD-1742
MAR 12 2014
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

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