

UNOFFICIAL COPY

Duplicate
Original



Doc#: 1414842066 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/28/2014 11:17 AM Pg: 1 of 3

Space reserved for the Recorder's Office

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

CITY OF CHICAGO, a municipal
corporation,

Plaintiff,

v.

CLIFFORD NELSON, et al.

Defendants.

No. 13 M1 403010

Re: 1665 S. MILLARD

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 5/21/14, 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:

**CLIFFORD NELSON,
GOLDMAN SACHS MORTGAGE CO. D/B/A GOLDMAN SACHS MORTGAGE COMPANY, L.P.,
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: **1665 S. MILLARD**, Chicago, Illinois, and legally described as follows:

UNOFFICIAL COPY

THE NORTH 6 FEET OF LOT 1 IN BLOCK 4 AND THE SOUTH 31 FEET OF LOT B IN THE RESUBDIVISION OF BLOCKS 1 TO 5 INCLUSIVE AND VACATED IN LANSING'S SECOND ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOTS 2,3,4,17,18, AND 19(EXCEPT THE WEST 146.17 FEET OF SAID LOTS 4 AND 17)IN J.H. KEDZIE'S SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-23-315-002; 16-23-315-003.

2. Located on the subject property is a TWO STORY BRICK building. The last known use was RESIDENTIAL.
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 is vacant and open.
 - b. The building's electrical system has exposed wiring.
 - c. The building's electrical system has missing fixtures.
 - d. The building's flooring is warped.
 - e. The building's glazing is broken or missing.
 - f. The building's heating system is vandalized.
 - g. The building's joists are over notched.
 - h. The building's joists are smoke, fire, or water damaged.
 - i. The building's masonry has loose or missing brick.
 - j. The building's plaster is broken or missing.
 - k. The building's plaster has smoke, fire, or water damage.
 - l. The building's plumbing is stripped and inoperable with missing fixtures.
 - m. The building's rafters are water logged.
 - n. The building's roof has a damaged membrane.
 - o. The building's roof has water damage.
 - p. The building's sash is broken, missing, or inoperable.
 - q. The building's stair has improper foundations.
 - r. The building's stair has improper handrail heights.
 - s. The building's stair has improper treads and risers.
 - t. The building is missing studding.
 - u. The building's interior is damaged due to roof leakage
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. Defendants UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of April 21, 2014, are in default and all allegations in the complaint are deemed admitted against Defendants in default.

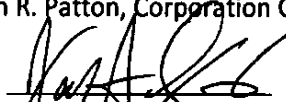
UNOFFICIAL COPY

- B. 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.
- C. Counts II, 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 immediately
- F. Defendant owners are ordered to keep the property 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 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.
- 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.

ENTERED Judge

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

By:


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

MAY 21 2014

Circuit Court 1025