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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

DAMON STEWART, ET AL.,

Defendants.

Case Number: 11 M1 401380

Re: 6711 S. CARPENTER ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 6/19/14, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen K. Patton, Corporation Counsel, against the following named Defendants:

- DAMON STEWART; and
- UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding and having heard the evidence finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 6711 S. Carpenter St., Chicago, Cook County, Illinois ("subject property"), legally described as:

THE NORTH 15 FEET OF LOT 43 AND THE SOUTH 15 FEET OF LOT 44 IN BLOCK 1, IN LEE'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-20-403-004-0000.

2. Located on the subject property is a two story, multiple unit, brick building. The last known use of the subject building was residential.
3. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:

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- a. The building located at the Subject Property ("building") has been found vacant and ~~empty~~ adjacent *to an occupied structure.*
- b. The building's glazing is broken or missing.
- c. The building's sashes are broken, missing, or inoperable.
- d. The building's electrical service has been terminated.
- e. The building's electrical system is stripped and inoperable, with exposed wiring and missing fixtures.
- f. The building's plumbing system is stripped and inoperable, with missing fixtures.
- g. The building's heating system is vandalized, stripped, and inoperable, and missing ductwork and a furnace.
- h. The building's plaster is broken or missing.
- i. The building's plaster is smoke, fire, or water damaged.
- j. The building's flooring is warped and missing in some sections *at the bathroom floor*
- k. The building's flooring is ~~smoke~~ or water damaged.
- l. The building's joists are ~~crack and over~~ *water damaged.*
- m. The building's stair system has damaged decking and damaged handrails.
- n. The building's stair system has improper handrail heights and improper foundations.
- o. *There is a partially open catch basin on the exterior*
- p. *There is mold throughout the basement.*
- q. *There is junk and debris throughout the property.*
- r. */*
- s. */*

- 4. There has been no work in progress since the beginning of this case at the subject property.
- 5. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code, and that the subject building is beyond reasonable repair. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. 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.

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- B. The remaining counts 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.
- D. The authority granted in Paragraph C. above shall become effective immediately.
- E. The City's performance under this 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.
- F. 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.
- G. 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 its enforcement or appeal of this order.
- H. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.
- I. This case is off call.

ENTERED:

PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By: Stuart Miles

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