

Duplicate Original



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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 07/10/2014 04:35 PM Pg: 1 of 3

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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

MAURICE STEWART, ET AL.,  
Defendants.

Case Number: 13 M1 403602

Re: 6606 S. RHODES AVE.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 7/11/14, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

MAURICE 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: 6606 S. Rhodes Ave., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 36 IN THE NORTH 1/2 OF BLOCK 6 IN MCCHESENEY'S RESUBDIVISION OF THE NORTH 1/2 OF BLOCK 1, 2, 3, 4, 5, 6, AND 7 IN MCCHESENEY'S HYDE PARK HOMESTEAD ASSOCIATION SUBDIVISION OF THE SOUTH QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY.

Permanent Index Number: 20-22-226-017-0000.

2. Located on the subject property is a two story, multiple family, brick building. The last known use of the subject building was residential.

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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:
- a. The building at subject property ("building") is vacant *and open and adjacent to an occupied commercial structure.*
  - b. The building's glazing is broken or missing.
  - c. The building's masonry has step or stress fractures.
  - d. The building's masonry has washed out mortar joints.
  - e. The building's sashes are broken, missing or inoperable.
  - f. The building's sashes are smoke, fire, or water damaged.
  - g. The building's roof is missing shingles.
  - h. The building's roof is water damaged *and has large holes exposing the interior to the elements.*
  - i. The building's stair system has damaged decking and handrails.
  - j. The building's electrical system is stripped and inoperable and has exposed wiring.
  - k. The building's heating system is stripped and inoperable, missing ductwork and missing furnace.
  - l. *At the rear the masonry is severely eroded and in imminent danger of collapse.*
  - m. *The rear porch is severely water damaged and the lookouts are pulling away from the building.*
  - n. *The floor joists and rafters are severely deteriorated due to fire and water damage.*
  - o. \_\_\_\_\_
  - p. \_\_\_\_\_
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:

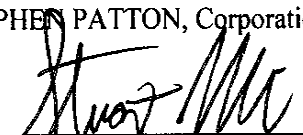
- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on **Counts I and IV** of the City's complaint seeking demolition authority.
- B. The remaining counts of the City's complaint are voluntarily withdrawn.

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- 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 the 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  
 Assistant Corporation Counsel  
 Building and License Enforcement Division  
 30 N. LaSalle Street, Room 700  
 Chicago, Illinois 60602 / (312) 744-0210  
 Atty No. 90909

ENTERED  
 JUDGE MARK J. CALL RD. 1742  
 JUL 01 2014  
 DOROTHY BROWN  
 CLERK OF THE CIRCUIT COURT  
 OF COOK COUNTY, IL  
 DEPUTY CLERK