



Doc#: 1423142003 Fee: \$48.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/19/2014 08:10 AM Pg: 1 of 8

Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff)
v. Unknown Heirs and Legatees)
Viola Johnson et al.,)
Defendant(s).)

No: 13 MI 403489
Re: 8449 S Euclid
Courtroom 1105, Richard J. Daley Center

ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call, the Court having jurisdiction over the defendant(s) and the subject matter, and being fully advised in the premises and having heard evidence and testimony.

IT IS HEREBY ORDERED THAT:

1. Defendant(s) Unknown Heirs and Legatees Viola Johnson his/her/their agents, heirs, successor or assigns, be permanently enjoined and restrained from renting, using, leasing, or occupying the entire premises until full compliance with the City of Chicago codes as stated in this cause and further order of court. Defendant(s) shall keep the subject property boarded and secured while it is subject to this injunction.
2. The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this permanent injunction.
3. This order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.

IT IS FURTHER ORDERED THAT this cause be continued to 9/16/2014 at 1:30 p.m., Courtroom 1105, Richard J. Daley Center, 50 W. Washington St., Chicago, without further notice.

HEARING DATE: 5/29/2014

By: [Signature]
Assistant Corporation Counsel
Mara S. Georges, Corporation Counsel #90909
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791
FORM HEAT.4004 rev. 11/2008

Associate Judge Pamela Hughes Gillette
MAY 29 2014
Circuit Court - 1953
Pamela Gillette
Judge Magistrate/Dileggi Courtroom 1105
Duplicate Original

Pink Copy for Defendant(s) (photocopy if required)
Yellow Copy for City of Chicago Department of Law
White Original for Court Records

UNOFFICIAL COPY**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT**

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

THE UNKNOWN HEIRS AND LEGATEES OF VIOLA
JOHNSON,
UNKNOWN OWNERS and
NONRECORD CLAIMANTS,

Defendants.

Case No.

13K1 403489

Address: 8449 S EUCLID AVE
CHICAGO, IL 60617

Amount claimed per day: \$2,000.00

Courtroom 1105

COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, THE CITY OF CHICAGO, a municipal corporation, by and through Stephen R. Patton, Corporation Counsel, complains of the defendants as follows:

COUNT I

Within the corporate limits of Chicago there is a parcel of real estate legally described as follows:

PIN(s): 20-36-315-016-0000

LOT 29 (EXCEPT THE SOUTH 1.45 FEET THEREOF) AND THE SOUTH 9.30 FEET OF LOT 30, IN BLOCK 9 OF CONSTANCE, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 38, TOWN 38, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN.

commonly known as 8449 S EUCLID AVE CHICAGO, IL 60617, (the "subject property") and located thereon is a 1 STORY BUILDING WITH 1 DWELLING UNIT(S) AND 0 NON-RESIDENTIAL UNIT(S).

That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the subject property on the date(s) herein set forth:

THE UNKNOWN HEIRS AND LEGATEES OF VIOLA JOHNSON, OWNER
UNKNOWN OWNERS and NONRECORD CLAIMANTS

On DECEMBER 4, 2013, and on each succeeding day, and on numerous other occasions, Defendants have failed to comply with the Municipal Code of Chicago as follows:

- 1) CN 132016
Failure to adequately heat dwelling unit adequately from September 15th to June 1st at a minimum temperature of 68 degrees at 8:30 a.m. and thereafter until 10:30 p.m. and 66 degrees at 10:30 p.m. and thereafter until 8:30 a.m. averaged throughout the family unit or rooming unit. (Municipal Code of Chicago, § 13-196-410)
NO HEAT
- 2) CN 046013
Failure to provide adequate heating facilities and allowing usage of portable heating equipment and gas appliances for heat by occupants. (13-196-400)
OCCUPANTS USING UNAPPROVED HEATING DEVICES.
- 3) CN 104075

UNOFFICIAL COPY

Failure to maintain windows and doors in sound condition and repair and substantially tight so as to completely exclude rain and substantially exclude wind from entering the premises. (13-196-550(f)).

MISSING WINDOWS.

4) CN 100203

Failure to provide hot water at a minimum temperature of 120 degrees Fahrenheit (13-196-420, 13-196-430, 11-8-690, 11-8-500 A)

NO HOT WATER.

That Michael Merchant is the Commissioner of Buildings of the City of Chicago and as such and pursuant to the Municipal Code of Chicago caused inspection(s) to be conducted by City inspectors who have knowledge of the facts stated in this complaint.

That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

WHEREFORE, Plaintiff prays:

For a judgment against the defendants, as provided under 13-12-020 of the Municipal Code of Chicago, in the amount of \$2,500.00 for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.

For a personal judgment against each defendant in an amount equal to the costs incurred by the City, including litigation costs, inspection costs, and attorneys' fees, in providing services reasonably related to defendants' violation(s) of the Municipal Code of Chicago pursuant to Section 1-20-020 of the Municipal Code of Chicago.

COUNT II

Plaintiff, THE CITY OF CHICAGO, a municipal corporation, realleges each allegation set forth in each paragraph of Count I as if fully set forth herein and further alleges:

That the levying of a fine is not an adequate remedy to secure the abatement of the municipal code violations set forth above and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.

That Michael Merchant, Commissioner of Buildings of the City of Chicago, has determined said building(s) and property do not comply with the minimum standards of health and safety set forth in the Building Code of the City of Chicago.

WHEREFORE, Plaintiff prays:

For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 65 ILCS 5/11-31-1 (a), 5/11-31-2 and 5/11-13-15 and Section 13-12-070 of the Municipal Code of Chicago.

For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.

For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 (a) of Chapter 65 of the Illinois Compiled Statutes, as amended.

UNOFFICIAL COPY

If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting City of Chicago a judicial deed to the property if declared abandoned.

If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.

For reasonable attorney fees and litigation and court costs.

For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

Respectfully Submitted,
STEPHEN R. PATTON
CORPORATION COUNSEL


By: STEVEN MCKENZIE
Assistant Corporation Counsel

City of Chicago
Corporation Counsel #90909

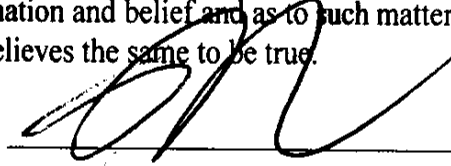
Building and License Enforcement Division
30 North LaSalle Street, Room 700
Chicago, Illinois 60602
(312) 744-8791

Property of Cook County Clerk's Office

UNOFFICIAL COPY

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements forth in this instrument are true and correct, except as to matters therein states to be on information and belief and as to such matters the undersigned certifies as a foresaid the he verily believes the same to be true.



Stephen R Patton
Corporation Counsel
Attorney for Plaintiff
BY: _____
Assistant Corporation Counsel
30 North LaSalle #700
Chicago IL 60602
Aty No 90909
(312) 744-8791

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SERVICE LIST

Re: 8449 S EUCLID AVE CHICAGO, IL 60617

THE UNKNOWN HEIRS AND LEGATEES OF VIOLA JOHNSON
8449 S EUCLID AVE
CHICAGO, IL 60617

THE UNKNOWN HEIRS AND LEGATEES OF VIOLA JOHNSON
C/O KAWANA L JOHNSON
11343 S HERMOSA AVE
CHICAGO, IL 60643

THE UNKNOWN HEIRS AND LEGATEES OF VIOLA JOHNSON
C/O CHARLES A JOHNSON
11343 S HERMOSA AVE
CHICAGO, IL 60643

Property of Cook County Clerk's Office