



Doc#: 1423741009 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/25/2014 09:44 AM Pg: 1 of 4

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

LEE A. GAYDEN, et al.

Defendants.

No. 13 M1 403012

Re: 1224 S INDEPENDENCE

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 8/20/14 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:

LEE A. GAYDEN,
MARCUS GAYDEN,
JP MORGAN CHASE BANK, NA, SUCCESSOR TO CHASE BANK, NA,
WHITE ELM, LLC,
MERCEDES H. PILCHER,
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: **1224 S Independence**, Chicago, Illinois, and legally described as follows:

THE SOUTH 15 FEET OF LOT 15 AND THE NORTH 12 1/2 FEET OF LOT 16 IN BLOCK 4 IN FRANK WELLS AND COMPANY'S BOULEVARD SUBDIVISION OF THE NORTHWEST 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 16-23-103-024.

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- 2. Located on the subject property is a three-story frame residential building with a brick garage.
- 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:

- The building's electrical service has been terminated.
- The building's electrical system is stripped and inoperable with missing fixtures.
- ~~The building's sub-flooring is scabbed.~~
- The building's glazing is broken or missing.
- The building's heating system is stripped and inoperable with a missing furnace.
- The building's heating system is missing ductwork.
- ~~The building's joists are over-notched.~~
- ~~The columns are scabbed in the basement of the building.~~
- The building's plaster is broken or missing.
- The building's plumbing is stripped or inoperable with missing fixtures.
- The building's roof is missing downspouts in sections.
- The building's roof is missing a scuttle cap.
- The building's sash is broken, missing, or inoperable.
- ~~The building's stair has improper foundations, tread, and riser.~~
- ~~The building's stair has no joist hangers.~~
- The building's front stair is out of level with a scabbed column at its base and rotted or scabbed structural membrane.
- The building's studding is altered.
- There is junk + debris throughout the building*
- There is drug paraphernalia at the building*
- The rear porch is severely rottd, columns are buckling, separating from building*
- Skylight leaking between 2nd + 3rd floor*
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- 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:

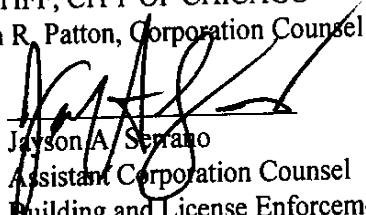
- A. Defendants MERCEDES H. PILCHER, UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of July 30, 2014, are in default and all allegations in the complaint are deemed admitted against Defendants in default.

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- 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 instantly 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 314(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.

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

By:


 Jayson A. Serrano
 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


 ENTERED

Judge

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

THE CITY OF CHICAGO, a municipal corporation,
Counter-Plaintiff,

v.
Lee Gayden

et al.,
Counter-Defendant(s).

No: 13 MI 403012
Re: 1224 S Independence
Courtroom 11 11, Richard J. Daley Center

ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of Counter-Plaintiff, the Court having jurisdiction over the parties and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

- Counter-Defendant(s) Lee Gayden + Marcus Gayden and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, occupying, selling or otherwise transferring, in whole or in part, the ownership or controlling interest in the: Subject Property until the same has / have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. The above named Counter-Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
- The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this permanent injunction.
- Pursuant to Illinois Supreme Court Rule 304(a), this order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.
- JP Morgan Chase's Motion to be dismissed is entered and continued

HEARING DATE: 8 / 20 / 14

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

Amelia Hughes Gillespie

AUG 20 2014 Amelia Gillespie
Judge Courtroom
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