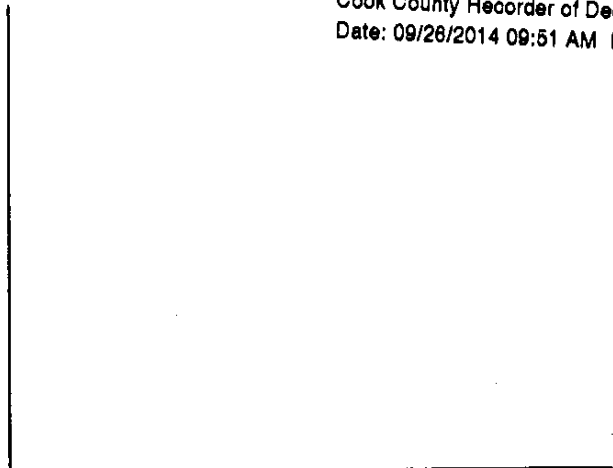




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Cook County Recorder of Deeds
Date: 09/26/2014 09:51 AM Pg: 1 of 4



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

CITY OF CHICAGO,
a municipal corporation,
Plaintiff,

v.

Niccole Graves.,
Defendants.

No. 14 M1 400226

Re: 8149 S. Avalon Ave.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 7/30/14 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:

- NICCOLE GRAVES,
- FIRST STATE BANK OR NORTHWEST ARKANSAS,
- ARGENT MORTGAGE COMPANY, LLC,

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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: **8149 S. Avalon Ave., Chicago, Illinois**, and legally described as follows:

LOT 17 AND THE NORTH 9 FEET OF LOT 18 IN BLOCK 3 IN E. B. SHOGREN AND COMPANY'S AVALON PARK SUBDIVISION, BEING A SUBDIVISION OF LOTS 1 TO 25 AND 27 TO 46, ALL INCLUSIVE IN BLOCK 3, LOTS 1 TO 19, 21 TO 31, 33 TO 38, AND 42 TO 46, ALL INCLUSIVE IN BLOCK 4, LOTS 1 TO 46, ALL INCLUSIVE IN BLOCK 5 AND LOTS 1 TO 46, ALL INCLUSIVE IN BLOCK 6 IN PIERCE'S PARK, A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of **25-35-217-015**.

2. Located on the subject property is a **GARAGE AND TWO-STORY BRICK CONSTRUCTION BUILDING**.
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, is missing fixtures and is stripped and inoperable.
 - c. The building's flooring is warped and missing in sections.
 - d. The building's glazing is broken or missing.
 - e. The building's heating system is missing a furnace and ductwork, is vandalized, stripped and inoperable.
 - f. The building's joists are cracked.
 - g. The building's masonry has step or stress fractures and washed out mortar joints.

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- h. The building is missing siding.
- i. The building's plaster is broken or missing.
- j. The building's plumbing is missing fixtures, stripped and inoperable.
- k. The building's sash is broken, missing or inoperable.
- l. The building's stairs have damaged decking and handrails, improper foundations and handrail height, and lack joist hangers.
- m. The building's studs have damaged headers.
4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.
- A. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, inter alia, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder _____ is dismissed as a party defendant.
- B. Defendants **UNKNOWN OWNERS and NONRECORD CLAIMANTS and NICOLE GRAVES** , having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **JULY 7, 2014** are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. 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.
- D. Pursuant to Count II of the City's Complaint, Defendant _____ shall pay a fine of _____ with execution to issue.
- E. Counts III, V, VI, VII, VIII, and all the remaining counts of the City's Complaint are voluntarily withdrawn.
- F. 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.
- G. The authority granted in Paragraph F above shall be effective immediately.


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- H. Defendant owners are ordered to keep the property secure until it is demolished.
- I. 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.
- J. 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.
- K. 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.
- L. 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.

WHEREFORE, IT IS HEREBY ORDERED THAT:


 ENTERED Judge

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

By: 
 MATTHEW E. SUHL

Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 Phone: (312)742-1935 Facsimile: (312)744-1054
 ATTY NO. 90909

ENTERED
 JUDGE MARK J. BALLARD-1742
 JUL 30 2014
 DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT
 OF COOK COUNTY, IL
 DEPUTY CLERK