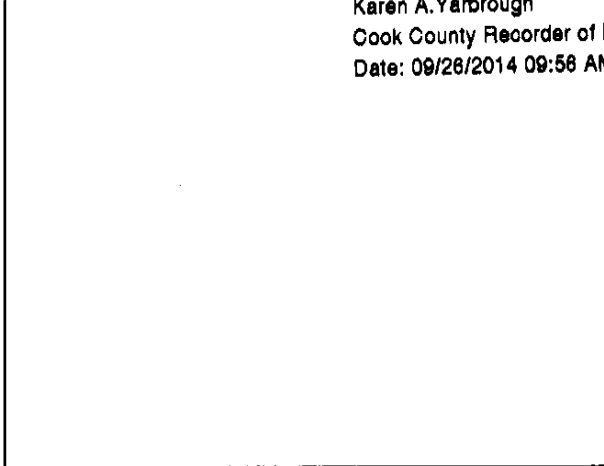




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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 09/26/2014 09:58 AM Pg: 1 of 1



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

CITY OF CHICAGO,	)	
	)	No. 14 M1 400263
a municipal corporation,	)	
	)	Re: 10401 S. Wentworth
Plaintiff,	)	
	)	
v.	)	
	)	Courtroom 1111
Aere Fund III, LLC.,	)	
	)	
Defendants.	)	

ORDER OF DEMOLITION

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

- AERE FUND III, LLC.,
- RES DISTRESSED ASSET FUND IX, LLC.,
- REO PARTNERS, LLC.,
- PROV163, LLC.,

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LINDA ROSS,

WHEELER-DEALER, LTD., A/K/A WHEELER FINANCIAL, INC.

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: **10401 S. Wentworth, Chicago, Illinois**, and legally described as follows:

LOT 16 IN ORBIN A. AAMES' SUBDIVISION OF THE WEST 1/2 OF LOT 9 IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 25-16-207-001.

2. Located on the subject property is a **TWO-STORY FRAME RESIDENTIAL 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. *This property is abandoned in a residential neighborhood very close to a school.*  
~~a. The building on the property in question is vacant and open.~~

- b. The electrical system is deteriorated.
- c. The roofing is deteriorated.
- d. The exterior walls are deteriorated with mold and water damage.
- e. The sashes, frames, doors, and trim are deteriorated.
- f. ~~The exterior porch system is deteriorated with undersized supports, missing balisters, damaged decking, and rotted wood.~~
- g. The front concrete steps brick wing walls are dangerous and hazardous with loose bricks, stress fractures, and open mortar joints.
- h. The glazing is broken.

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i, There is structural damage from a vehicle impact.  
 i. ~~There is no entry to the interior.~~ PS

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, RES DISTRESSED ASSET FUND IX, LLC., LINDA ROSS, REO PARTNERS, LLC.**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **June 16, 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 I 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.
- 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

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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:

Pamela Gillispie

ENTERED Judge

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

By:

[Signature]

MATTHEW E. SUHL

Assistant Corporation Counsel  
Building and License Enforcement Division  
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Phone: (312)742-1935

Facsimile: (312)744-1054

ATTY NO. 90909

*Amelia Lyle Pamela Hughes Gillispie*

JUL 14 2014

Circuit Court - 1953