

UNOFFICIAL COPY

Case Number 14 MI 400035



Doc#: 1429441040 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/21/2014 09:58 AM Pg: 1 of 3

Duplicate Original

Space Reserved for Record

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

CLEOTHA ROBINSON ET AL.,
Defendants.

Case Number: 14 MI 400035

Re: 6609 S. OAKLEY AVE.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on **OCTOBER 9, 2014**, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), complaint seeking demolition authorization, by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

CLEOTHA ROBINSON; and
RUBY ROBINSON; and
NATIONSTAR MORTGAGE, LL.; and
SUNTRUST MTG. INC.; 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: **6609 S. OAKLEY AVE.**, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 44 (EXCEPT THE SOUTH 19 FEET THEREOF) AND THE SOUTH 22 FEET OF LOT 45 IN BLOCK 51 IN SOUTH LYNNE, A SUBDIVISION OF THE NORTH 1/2 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-19-125-004-0000.

2. Located on the subject property is a **FRAME GARAGE AND ONE STORY BRICK BUILDING**. The last known use of the subject building was **residential**.

UNOFFICIAL COPY

Case Number 14 M1 400035

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) (Unsafe Buildings), in that:
- a. The building's masonry has washed out mortar joints and step or stress fractures.
 - b. The building's roof has a damaged membrane, missing shingles, and fire and water damage.
 - c. The building's rafters are fire damaged.
 - d. The building's sashes are broken, missing, or inoperable.
 - e. The building's glazing is broken or missing, and has cracked panes.
 - f. The building's joists are smoke, fire, or water damaged.
 - g. The building's electrical, heating, and plumbing systems have been vandalized and are therefore inoperable.
 - h. The building's plaster is broken or missing, and smoke, fire, or water damaged.
 - i. The building's flooring has warped flooring and is smoke, fire, or water damaged.
 - j. The garage has been found vacant and open.
 - k. The building has been found vacant and open.
 - l. The building is located near Claremont Academy Elementary School and Luke O'Toole School, both Chicago Public Schools.
 - m. The garage is full of junk & debris, deteriorated, and has cracked base on supporting wall
 - n. The 2nd fl is severely fire damaged, causing charring of the structural members; the conv.
 - o. ceiling panel is severely fire damaged; the interior stairwell's structural integrity has been severely
compromised
4. The Court finds that it would take major reconstruction by a responsible owner to bring the building into full compliance with the Municipal Code of Chicago. Further, the Court finds that the building located thereon poses a dangerous and hazardous threat to the public health, safety and welfare, and is beyond reasonable repair. Accordingly, the Court finds that demolition of the building is the least restrictive means available as of 10/9/14 to abate the dangers and hazards posed by the building.

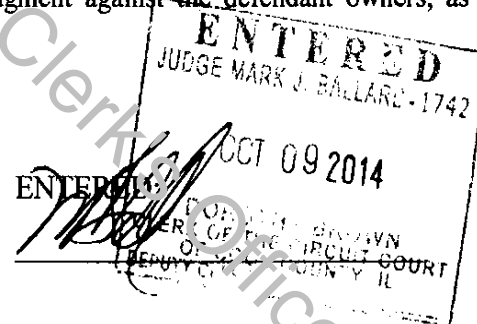
WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts I and IV of the City's complaint. Accordingly, the City is authorized to demolish the building located on the subject property pursuant to Counts I and IV of the City's complaint.
- B. Counts II, III, V, VI, and VIII are voluntarily withdrawn without prejudice.

UNOFFICIAL COPY

Case Number 14 M1 400035


- C. 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.
- D. Defendants with either possession or control of the subject property and their successors and assigns shall be permanently enjoined from renting, using, leasing, or occupying the Subject Property until demolition of the subject property commences.
- E. Pursuant to 65 ILCS 5/11-31-1 and the City's police powers under Article VII of the Illinois Constitution and Section 13-12-130 of the Municipal Code of Chicago, the City is authorized to immediately demolish the building situated on the subject property and is entitled to a lien for the costs of demolition, court costs and other costs enumerated by statute. Thus, 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. Pursuant to Illinois Supreme Court Rule 304(a), as to the order of demolition, this is a final and appealable order and judgment, the Court finding no just reason to delay the enforcement or appeal of this final order and judgment.
- G. 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.



PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By:


 Keith Martin
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602 / (312) 744-7634
 Atty No. 90909