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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 10/27/2014 10:37 AM Pg: 1 of 3

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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

JPMORGAN CHASE BANK, NA ET AL.,  
Defendants.

Case Number: 13 M1 402282

Re: 6405 S. DAMEN AVE.

Courtroom 1109

Agreed ORDER OF DEMOLITION, stayed to 1/22/15

This cause coming on to be heard on **OCTOBER 23, 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:

JPMORGAN CHASE BANK, NA, SUCCESSOR IN INTEREST BY PURCHASE FROM FDIC; and  
UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding and having heard the <sup>parties' agreement</sup> ~~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: **6405 S. DAMEN AVE.**, Chicago, Cook County, Illinois ("subject property"), legally described as:

**LOT 46 IN BLOCK 25 IN SOUTH LYNNE BEING 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: 20-19-208-002.**

2. Located on the subject property is a **TWO -STORY BRICK SINGLE-FAMILY DWELLING**. The last known use of the subject building was **residential**.
3. The Court <sup>parties' agree</sup> ~~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 walls have step or stress fractures and washed out mortar joints.
  - b. Sections of the building's glazing are broken or missing.

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- c. The roof has damaged membranes.
- d. The sash is broken, missing, or inoperable.
- e. The stairs have damaged decking.
- f. The building's mechanical systems have missing fixtures and are stripped and inoperable.
- g. There is exposed electrical wiring throughout the building.
- h. The building's heating system has been vandalized and is missing ductwork and a furnace.
- i. Sections of the flooring are missing or warped throughout the building.
- j. Sections of plaster are broken or missing throughout the building.
- k. The building has a cracked rafter.
- l. The building's joists are cracked, undersized, over-notched, and over-spanned.
- m. \_\_\_\_\_
- n. \_\_\_\_\_
- o. \_\_\_\_\_

4. The <sup>parties agree</sup> 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 10/23/14 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. The judgment entered on \_\_\_/\_\_\_/2014 in the amount of \$ \_\_\_\_\_ plus \$ \_\_\_\_\_.00 court costs for a total of \$ \_\_\_\_\_.00 against Defendant(s) \_\_\_\_\_, which consists of \$ \_\_\_\_\_.00 in litigation costs, \$ \_\_\_\_\_.00 in board up/independent access authority costs, and a fine of \$ \_\_\_\_\_.00 pursuant to Count(s) \_\_\_\_\_ of the City's complaint, shall stand as final judgment. Leave to enforce said judgment is stayed until \_\_\_/\_\_\_/2012. Execution shall issue on the judgment thereafter. If payment is mailed it must be postmarked on or before the above date and sent ATTN: Kristina Mokryzki, 30 N. LaSalle St., Ste. 700, Chicago, IL 60602
- C. Counts III, V, VI, and VIII are voluntarily withdrawn without prejudice.


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- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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.

**FILED**  
 JUDGE MARK J. BALLARD-1742  
 OCT 23 2014  
 DO NOT ENTERED  
 CLERK OF THE CIRCUIT COURT  
 OF COOK COUNTY, ILL.  
 DEPUTY CLERK

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

Defendant JP Morgan Chase Bank N.A.  
 By:   
 Matt Grace  
 Attorney for Defendant