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

CITY OF CHICAGO, a municipal corporation )  
Plaintiff, )  
v. )  
KENNETH GRAIL, et al. )  
Defendant(s) )

CASE NO: 14 M1 401126  
Property Address: 901-03 W. 35<sup>th</sup> Street  
CHICAGO, IL  
Room: 1105, Richard J. Daley Center  
Lien Amount: \$9,038.90

**CLAIM FOR RECEIVER'S LIEN**

The claimant, City of Chicago, a municipal corporation, by the authority granted by Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2, hereby files its claim for lien against the following described property.

**Legal:** LOTS 1 AND 2 IN BLOCK 2 OF GAGE, LEMOYNE, HUBBARD AND OTHER'S SUBDIVISIONS OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**Commonly Known as:** 901-03 W. 35<sup>TH</sup> STREET, CHICAGO, IL 60609

**P.I.N.:** 17-32-403-015-0000

The aforesaid lien arises out of City of Chicago vs. KENNETH GRAIL, et al., Case No. 14M1401126 filed in the Circuit Court of Cook County, in which a receiver was appointed for said property by Court Order dated 04/05/2014. The receiver incurred expenses approved by the Court, pursuant to an order entered 11/04/2014. Pursuant thereto, the receiver issues a certificate in the amount of \$9,038.90 and bearing interest at 10% annum for costs and fees, which was transferred and assigned to the City of Chicago.

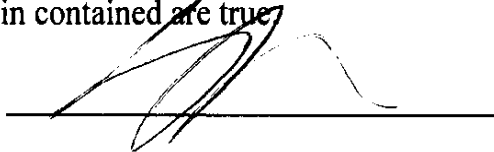
Claimant, City of Chicago, by an Assignment dated 11/05/2014 claims a lien on the above cited

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real estate for the amount of \$9,038.90 plus statutory interest of 10%. The City hereby reserves the right to amend this lien from time to time to include additional costs and fees. Pursuant to 35 ILCS 200/22-35 the advances made by the City to this property must be paid by tax purchaser prior to obtaining a tax deed for this property.

City of Chicago, a Municipal Corporation  
Stephen R. Patton, Corporation Counsel

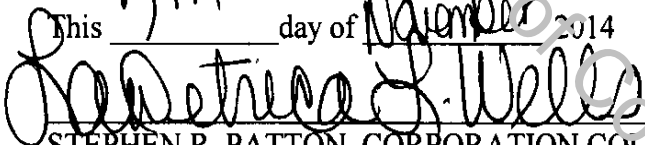
Steven Q. McKenzie, Assistant Corporation Counsel, being first duly sworn on oath, deposes and says that he is the authorized agent for the City of Chicago, that he has read the foregoing Claim for Lien, knows the content thereof, and that all statements therein contained are true.



SUBSCRIBED AND SWORN TO BEFORE ME

BY Steven Q. McKenzie

This 7<sup>th</sup> day of November, 2014



STEPHEN R. PATTON, CORPORATION COUNSEL #90909  
30 North LaSalle, Suite 700 Chicago, IL 60602 (312) 744-8791



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## HEAT IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEPARTMENT – FIRST DISTRICT

|   |   |                                     |
|---|---|-------------------------------------|
| CITY OF CHICAGO, a municipal corporation, | ) | Case No: 14-M1-401126               |
|   | ) |                                     |
| Plaintiff,                                | ) | Property Address:                   |
| v.  | ) | 901-03 West 35 <sup>th</sup> Street |
| Kenneth Grail, et al                      | ) | <u>CHICAGO, IL. 60609</u>           |
|   | ) |                                     |
| Defendant (s)                             | ) | Courtroom: <u>1105</u>              |
|   | ) | Richard J. Daley Center             |

### RECEIVER'S CERTIFICATE

The undersigned Globetrotters Engineering Corporation was appointed heat receiver by the court on April 15, 2014 and ordered to restore heat and hot water to the premises. For value received, the receiver in his official capacity and not individually promises to pay to bearer the sum of \$9,038.90 on or before ninety (90) days after the date this certificate, with interest accruing at the rate of ten percent (10%) per annum until this receiver's certificate is fully paid, both principal and interest payable in such banking house or trust company in the City of Chicago, Illinois, as the legal holder of this receiver's certificate may appoint in writing or in the absence of such appointment, at the office of the Building and Housing Division of the City of Chicago's Law Department.

This receiver's certificate is issued under and by virtue of an order of the Circuit Court of Cook County, Illinois, entered on November 4, 2014 in the above-entitled cause, and pursuant to Illinois Compiled Statutes, chapter 5/11-31-2. This receiver's certificate is freely transferable and shall constitute a first lien in accordance with Illinois Compiled Statutes, chapter 65, section 5/21-31-2 and the foregoing order, upon the premises legally described as follows:

**SEE ATTACHED**

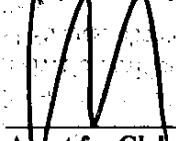
Permanent Index Number: 17-32-403-015-0000

This receiver's certificate, together with the interest thereon, in no manner constitutes a personal obligation or liability of the receiver.

The holder of the receiver's certificate shall release the same receiver's certificate and the lien thereof by proper instrument, upon full and final payment of the underlying indebtedness evidenced by this receiver's certificate, either before or after maturity thereof. In the event the holder refuses to execute and deliver a release, the receiver may petition the court to order the holder to issue a release.

### **ASSIGNMENT**

For the sum of one dollar (\$1.00) and for other good and valuable consideration, David Feller does hereby sell, assign and transfer to the City of Chicago, the foregoing receiver's certificate.

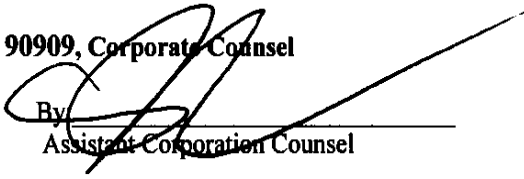
Dated: 11/5/14 

**David Feller, Agent for Globetrotters Engineering Corporation**

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The undersigned, an Assistant Corporation Counsel, is the authorized agent of the City of Chicago in this transaction.

**Stephen R. Patton No. 90909, Corporate Counsel**

By   
Assistant Corporation Counsel

**David Feller, Receiver  
C/o Global Centers  
300 S. Wacker Drive  
Suite 400  
Chicago, IL. 60606  
(312) 697-3556**

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

|  |   |  |
|--|---|--|
| <b>CITY OF CHICAGO, a municipal corporation,</b> | ) | <b>Case No: 14 - M1 - 401126</b>                   |
|  | ) |  |
| <b>Plaintiff,</b>                                | ) | <b>Address: 901-03 West 35<sup>th</sup> Street</b> |
|  | ) |  |
| <b>V.</b>  | ) | <b>Chicago, IL. 60609</b>                          |
|  | ) |  |
| <b>Kenneth Grail, et al</b>                      | ) |  |
|  | ) |  |
| <b>Defendant(s).</b>                             | ) | <b>Courtroom: 1105</b>                             |
|  | ) | <b>Richard J. Daley Center</b>                     |

**ORDER FOR RECEIVER'S CERTIFICATE**

This cause coming on to be heard on the receiver's petition for the court's approval of his final accounting and for authorization to issue a receiver's certificate, with due notice being given to all parties and, with the court being fully advised in the premises,

**THE COURT FINDS:**

1. That on April 15, 2014, Globetrotters Engineering Corporation was appointed limited receiver for the purpose of restoring heat and hot water to the premises.
2. The receiver performed services as detailed in the accounting for fees and expenses from April 15, 2014 through and including November 4, 2014.
3. The receiver's accounting states that in the course of fulfilling its duties it incurred out of pocket costs totaling \$1,548.90 and \$7,490.00 in fees were billed for a combined total of \$9,038.90.
4. Defense council Jennifer Frick was in court and has no objections to the receivers accounting.
5. After thorough consideration of the Motion and attached exhibits, \$1,548.90 in out of pocket costs and \$7,490.00 in fees for a total of \$9,038.90 is reasonable compensation for work completed.

**IT IS ORDERED:**

- A. Globetrotters Engineering Corporation's costs and fees of \$9,038.90 are hereby approved and the request to issue a receiver's certificate in that amount. Interest shall accrue on unpaid amounts from the date of this order is entered at 10% per annum.
- B. The certificate issues pursuant to the provisions of the Illinois Compiled Statutes, Chapter 65, Section 5/11-31-2.

Hearing Date: November 4, 2014

**Entered:**

Stephen R. Patton No. 90909

Corporation Counsel

Attorney for the Plaintiff

By: 

Assistant Corporation Counsel  
30 N. LaSalle Street, Suite 700  
Chicago, IL 60602  
(312) 744-8791

Judge Allan W. Masters  
Judge Masters, Room 1105

2014

Circuit Court - 1837

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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

KENNETH GRAIL,  
CHICAGO TITLE LAND TRUST COMPANY, TR #  
1315108, DTD 4/9/51,  
UNKNOWN OWNERS and  
NONRECORD CLAIMANTS,

Defendants.

Case No.

**14M1 401126**

Address: 901-03 W 35TH ST  
CHICAGO, IL 60609

Amount claimed per day: \$3,000.00

Courtroom 1105

**COMPLAINT FOR EQUITABLE AND OTHER RELIEF**

Plaintiff, THE CITY OF CHICAGO, a municipal corporation, by and through Stephen R. Patton, Corporation Counsel, complains of the defendants as follows:

**COUNT I**

1. Within the corporate limits of Chicago there is a parcel of real estate legally described as follows:

PIN(s): 17-32-403-015-0000

LOTS 1 AND 2 IN BLOCK 2 OF GAGE, LEMOYNE, HUBBARD AND OTHERS  
SUBDIVISIONS OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 32,  
TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

commonly known as 901-03 W 35TH ST CHICAGO, IL 60609, (the "subject property") and located thereon is a 3 STORY BUILDING WITH 5 DWELLING UNIT(S) AND 2 NON-RESIDENTIAL UNIT(S).

2. That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the subject property on the date(s) herein set forth:

KENNETH GRAIL, TRUST BENEFICIARY

CHICAGO TITLE LAND TRUST COMPANY, TR # 1315108, DTD 4/9/51, TRUSTEE

UNKNOWN OWNERS and NONRECORD CLAIMANTS

3. On APRIL 9, 2014, and on each succeeding day, and on numerous other occasions, Defendants have failed to comply with the Municipal Code of Chicago as follows:

- 1) CN197087

Install carbon monoxide detector within 40 feet of every sleeping room in residential structure. (13-64-190, 13-64-210) A carbon monoxide detector is needed whenever there is a heating appliance on the premises that burns fossil fuel such as gas, oil, or coal, or air that is circulated through a heat exchanger. Install according to manufacturer instructions. A hard wired model requires an electrical wiring permit. In a single family residences, be sure the detector is on or below the lowest floor with a place to sleep. In a multiple dwelling residence heated by a boiler, install a detector in the same room as the boiler. Otherwise, each apartment follows single family guidelines. The owner is responsible for installation and written instructions to the tenants, the tenant is responsible for testing, maintenance and batteries.

903 APT 2 - CARBON MONOXIDE DETECTOR MISSING.

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- 2) CN 132016  
Failure to adequately heat dwelling unit adequately from September 15th to June 1st at a minimum temperature of 68 degrees at 8:30 a.m. and thereafter until 10:30 p.m. and 66 degrees at 10:30 p.m. and thereafter until 8:30 a.m. averaged throughout the family unit or rooming unit. (Municipal Code of Chicago, § 13-196-410)  
903 APT 3F - GAS SHUT-OFF.
- PL154027
- 3) Supply adequate hot water with minimum temperature of 120 degrees F. (13-196-430)  
903 APT 3F - NO HOT WATER DUE TO GAS BEING SHUT-OFF.
- 4) CN 197019  
Install and maintain approved smoke detectors. (13-196-100 thru 13-196-160) Install a smoke detector in every dwelling unit. Install one on any living level with a habitable room or unenclosed heating plant, on the uppermost ceiling of enclosed porch stair, and within 15 feet of all sleeping rooms. Be sure detectors are installed at least 4 inches from the wall, 4-12 inches from the ceiling and not above doors or windows.  
HALLWAY AT 901 & 903 APT 2 - SMOKE DETECTOR MISSING INTERIOR STAIRWAY.

4. That Felicia Davis is the Acting Commissioner of Buildings of the City of Chicago and as such and pursuant to the Municipal Code of Chicago caused inspection(s) to be conducted by City inspectors who have knowledge of the facts stated in this complaint.
5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

WHEREFORE, Plaintiff prays:

- A. For a judgment against the defendants, as provided under 13-12-020 of the Municipal Code of Chicago, in the amount of \$3,000.00 for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.
- B. For a personal judgment against each defendant in an amount equal to the costs incurred by the City, including litigation costs, inspection costs, and attorneys' fees, in providing services reasonably related to defendants' violation(s) of the Municipal Code of Chicago pursuant to Section 1-20-020 of the Municipal Code of Chicago.

## COUNT II

6. Plaintiff, THE CITY OF CHICAGO, a municipal corporation, realleges each allegation set forth in each paragraph of Count I as if fully set forth herein and further alleges:
7. That the levying of a fine is not an adequate remedy to secure the abatement of the municipal code violations set forth above and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.
8. That Felicia Davis, Acting Commissioner of Buildings of the City of Chicago, has determined said building(s) and property do not comply with the minimum standards of health and safety set forth in the Building Code of the City of Chicago.

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WHEREFORE, Plaintiff prays:

- A. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 65 ILCS 5/11-31-1 (a), 5/11-31-2 and 5/11-13-15 and Section 13-12-070 of the Municipal Code of Chicago.
- B. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- C. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 (a) of Chapter 65 of the Illinois Compiled Statutes, as amended.
- D. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting City of Chicago a judicial deed to the property if declared abandoned.
- E. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- F. For reasonable attorney fees and litigation and court costs.
- G. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

Respectfully Submitted,  
STEPHEN R. PATTON  
CORPORATION COUNSEL

By:   
STEVEN MCKENZIE  
Assistant Corporation Counsel

City of Chicago  
Corporation Counsel #90909

Building and License Enforcement Division  
30 North LaSalle Street, Room 700  
Chicago, Illinois 60602  
(312) 744-8791



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## SERVICE LIST

Re: 901-03 W 35TH ST CHICAGO, IL 60609

**KENNETH GRAIL**  
903 W 35TH ST FRNT 2  
CHICAGO, IL 60609

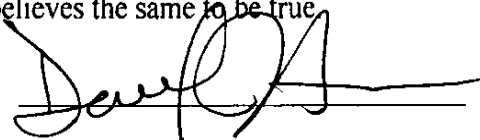
**CHICAGO TITLE LAND TRUST COMPANY, TR # 1315108, DTD 4/9/51**  
171 N CLARK ST, 5TH FLOOR  
CHICAGO, IL 60601

Property of Cook County Clerk's Office

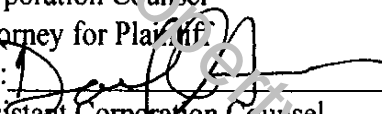
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## CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements forth in this instrument are true and correct, except as to matters therein states to be on information and belief and as to such matters the undersigned certifies as a foresaid the he verily believes the same to be true.



Stephen R Patton  
Corporation Counsel  
Attorney for Plaintiff

BY:   
Assistant Corporation Counsel  
30 North LaSalle #700  
Chicago IL 60602  
Aty No 90909  
(312) 744-8791

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