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Doc#: 1431733112 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 11/13/2014 04:01 PM Pg: 1 of 4

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

JEMM MANAGEMENT, LLC, *et al.*

Defendants.

Case Number: 11 M1 402900

Re: 8142 S. BURNHAM AVE.
CHICAGO, IL 60617

Courtroom 1107

ORDER AUTHORIZING DEMOLITION BY THE CITY OF CHICAGO

This cause coming to be heard on NOVEMBER 6, 2014 on the complaint of THE CITY OF CHICAGO (“the City”), by and through its attorney, Stephen R. Patton, Corporation Counsel, against the following:

JEMM MANAGEMENT, LLC,
MARK TRAHAN,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,
 (“Defendants”).

The Court having heard evidence and testimony and being fully advised in the premises finds that:

1. The Court has jurisdiction of the subject matter, which is the real estate located at 8142 S. BURNHAM AVE, CHICAGO, COOK COUNTY, ILLINOIS (“subject property”), legally described as:

LOT 15 IN BLOCK 1 IN COLBURN PARK, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 21-31-123-035-0000.

2. Located on the subject property is a ONE STORY FRAME BUILDING (“subject building”). The last known use of the subject building was RESIDENTIAL.

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3. The subject building is dangerous, unsafe, and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1, in that the following violations of the Municipal Code of Chicago exist at the subject property and the defendants:
- a. Failed to enclose and secure a vacant building. (13-12-125, 13-12-135) OPEN AT FRONT & REAR DOORS.
 - b. Failed to repair or replace defective and/or missing electrical fixtures. (18-27-410.22, 18-27-410.23, 18-27-410.24, 18-27-410.27, 18-27-410.36, 18-27-410.37, 18-27-410.38, 18-27-410.39)
 - c. Failed to remove exposed wiring. (18-27-300.4)
 - d. Failed to install and maintain every facility, piece of equipment or utility, and every chimney and chimney flue in a safe and sound working condition. (13-196-590, 13-196-641) FURNACE MISSING; HEATING SYSTEM STRIPPED & INOPERABLE.
 - e. Failed to maintain each window sash in good condition so that it fits reasonably tight within its frame. (13-196-550(b), 13-196-641) SASHES BROKEN, MISSING, AND/OR INOPERABLE.
 - f. Failed to maintain exterior walls free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls. (13-196-530(b), 13-196-641) WASHED OUT MORTAR JOINTS
 - g. Failed to maintain exterior walls free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls. (13-196-530(b), 13-196-641) MISSING SECTIONS OF MASONRY AND SIDING
 - h. Failed to maintain exterior walls free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls. (13-196-530(b), 13-196-641) MASONRY HAS STEEL AND/OR STRESS FRACTURES
 - i. Failed to maintain interior walls and ceilings free of holes, large cracks, flaking, peeling, chipped or loose paint, plaster or structural material. (13-196-540(c), (13-196-540(d), (13-196-541) BROKEN AND/OR MISSING PLASTER.
 - j. Failed to keep every interior and exterior stairway and every porch in safe condition and sound repair. (13-196-050, 13-196-570, 13-196-641) DAMAGED DECKING & HANDRAILS.
 - k. THE BUILDING'S PLUMBING SYSTEM IS STRIPPED AND INOPERABLE.
 - l. THE BUILDING'S ROOF MEMBRANE IS DAMAGED.
 - m. THE BUILDING IS MISSING FLOORING.
4. The subject building is beyond reasonable repair and it would take major reconstruction by a responsible owner to bring the subject building into full compliance with the Municipal Code.
5. Demolition of the subject building is the least restrictive alternative available to effectively abate the dangerous and unsafe conditions at the subject property as of NOVEMBER 6, 2014.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of AUGUST 25, 2014 are in default and all allegations in the complaint are deemed admitted against said defendants.

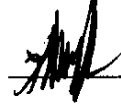
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- B. An *in rem* judgment on Count III of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- C. Counts I, II, IV, V, and VI of the Complaint are voluntarily dismissed, on the City's oral motion.
- D. Pursuant 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 subject 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. Such authority shall be effective IMMEDIATELY.
- E. The City's performance under this order shall result in a statutory *in rem* lien that attaches to the subject property only. If the City seeks a personal judgment against any Defendant(s), it shall proceed by separate motion directed to such Defendant(s).
- F. Any and all Defendants with either possession or control of the subject property shall immediately remove any and all persons occupying the subject building and any and all personal property from the subject property so that the subject property is completely vacant and free of persons and personal property before demolition is commenced.
- G. All Defendants and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, occupying, selling or otherwise transferring, in whole or in part, the ownership or controlling interest in the entire premises until the same has / have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction or until the property is demolished.
- H. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order.
- I. The Court reserves jurisdiction of this cause to enforce the terms of this Order and for the purpose of ascertaining demolition costs and other costs for entry of money judgment(s) against the defendant owners and for the purposes of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.

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J. This matter is off-call.

ENTERED:

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By:  _____

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Judge Leonard's Office

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Circuit Court 1938

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