



Doc#: 1434901200 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/15/2014 02:31 PM Pg: 1 of 3

DUPLICATE ORIGINAL

This space reserved for the Recorder of Deeds.

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

USA RENTAL FUND, LLC, *et al.*

Defendants.

Case Number: 13 M1 401642

Re: 347 W. 116TH ST.
CHICAGO, IL 60628

Courtroom 1107

**ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO**

This cause coming to be heard on DECEMBER 11, 2014, on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Stephen R. Patton, Corporation Counsel, against the following:

USA RENTAL FUND, LLC,
UNKNOWN HEIRS AND LEGATEES OF PATRICIA BLACK,
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 347 W. 116TH ST., CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOTS 6 AND 7 IN BLOCK 2 IN GAZZAM GANO'S ADDITION TO PULLMAN,
BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4
OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF
THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP
37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 25-21-408-003-0000.

UNOFFICIAL COPY

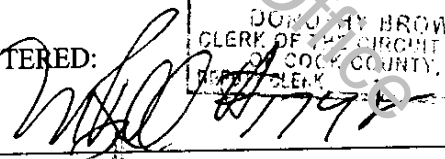
2. Located on the subject property is a TWO-STORY FRAME BUILDING ("subject building"). The last known use of the subject building was SINGLE FAMILY RESIDENTIAL.
3. The subject building is dangerous, unsafe, and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1, in that the following violations of the Municipal Code of Chicago exist at the subject property and the defendants:
 - a. With respect to each OWNER, failed to secure a vacant building so that all openings are closed and secured using doors, glazed windows, commercial-quality steel security panels, or filled with the same material as the surrounding wall, as applicable, provided that openings greater than one square foot in area may not be boarded with plywood, except as specifically permitted by the Department of Buildings. (13-12-135(d)). With respect to each MORTGAGEE, failed to secure a vacant building's doors and windows so that all such openings are closed and secured, using doors, windows without broken or cracked panes, commercial-quality metal security panels, filled with the same material as the surrounding wall, or board with plywood installed in accordance with rules issued by the Commissioner of Buildings. (13-12-126(b)(1)). PROPERTY IS VACANT AND OPEN.
 - b. With respect to each OWNER only, failed to repair or replace defective and/or missing electrical fixtures and maintain electrical system in safe and sound condition. (18-27-210.70, 18-27-410.22, 18-27-410.23, 18-27-410.24, 18-27-240.27, 18-27-410.36, 18-27-410.37, 18-27-410.38, 18-27-410.39, 18-27-560.7, 13-196-500, 13-196-641). COMED SERVICE TERMINATED AT POLE, MISSING FIXTURES.
 - c. With respect to each OWNER, failed to maintain the exterior of a building so that all foundations, basements, cellars, and crawlspaces are in sound and watertight condition, adequate to support the building, and protected against the entry of rodents or other animals. (13-12-135(b)(1), 13-196-530, 13-196-641). With respect to each MORTGAGEE, failed to maintain and secure the exterior of the building and keep the exterior of the property free of vermin and rodents. (13-12-126(b)(8), 13-12-126(b)(11)). MISSING SIDING, STEP OR STRESS FRACTURES, WASHED OUT MORTAR JOINTS.
 - d. With respect to each OWNER only, failed to maintain every wall and ceiling within a building in safe and sound condition and good repair. (13-12-135(c)(2), 13-196-540, 13-196-641). BROKEN OR MISSING PLASTER.
 - e. With respect to each OWNER and MORTGAGEE, failed to maintain the exterior of a building so that all portions of the roof are adequately supported and maintained in weather tight condition and all gutters, downspouts, scuppers, and appropriate flashing are in good repair and adequate to remove water. (13-12-135(b)(4), 13-196-530(c), 13-196-641, 13-12-126(b)(6)). RAFTER-CRACKED, ROOF- DAMAGED MEMBRANE, MISSING SHINGLES.
 - f. With respect to each OWNER and MORTGAGEE, failed to maintain the exterior of a building so that all exterior windows and doors are in sound condition and good repair, so that: windows and doors fit tightly within their frames; window and door frames are constructed and maintained in such relation to the adjacent wall construction as to prevent rain from entering the building; windows and doors are equipped with properly functioning locking hardware; and any window which has broken, cracked, or missing glass or glazing is repaired or boarded in a manner prescribed by code. (13-12-135(b)(3), 13-196-550, 13-196-641, 13-12-126(b)(1)). BROKEN MISSING OR INOPERABLE SASH.


UNOFFICIAL COPY

- 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.

J. ~~There shall stand in default of the~~ The execution to issue of the default judgment against USA Rental Fund in the amount of \$14,060.00 shall stand in default of the defendant.

APR 17 2014
 DEC 11 2014
 DONOVAN BROWN
 CLERK OF THE CIRCUIT COURT
 OF COOK COUNTY, ILL.
 DEPUTY CLERK

ENTERED: 

By: 

MICHAEL J. KNIGHT
 Assistant Corporation Counsel
 City of Chicago Department of Law
 Building and License Enforcement Division
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602
 Phone: (312) 744-8791

#90909

DUPLICATE ORIGINAL