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Doc#: 1435645049 Fee: \$44.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/22/2014 12:13 PM Pg: 1 of 4

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AMENDED AGREED ORDER OF DEMOLITION STAYED TO FEBRUARY 5, 2015

P.I.N.: 20-07-431-033-0000

Address: 5428 S. Ashland Avenue, Chicago, IL

Legal Description:

LOT 12 (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 7) IN BLOCK 1 IN E. GADVIN'S SUBDIVISION OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLNOIS.

UNOFFICIAL COPYIN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,)	
Plaintiff,)	Case Number: 13 M1 400821
)	
v.)	Re: ⁵⁴²⁸ 5429 S. ASHLAND AVE.
)	
YERUSHA, LLC <i>ET AL.</i> ,)	Courtroom 1109
Defendants.)	

AMENDED AGREED ORDER OF DEMOLITION
STAYED TO FEBRUARY 5, 2015

This cause coming on to be heard on OCTOBER 30, 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:

CHICAGO TITLE LAND TRUST CO., AS SUCCESSOR TRUSTEE TO LASALLE BANK,
U/T/A 8/23/2005, TR #134708; and
YERUSHA, LLC; and
CHARLES DREW; and
ABC BANK F/K/A AUSTIN BANK OF CHICAGO; and
RTC TAX SERVICE; and
UNKOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding having heard the parties' agreement that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 5428 S. ASHLAND AVE., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 12 (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 7) IN BLOCK 1 IN E. GALVIN'S SUBDIVISION OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLNOIS.

Permanent Index Number: 20-07-431-033-0000.

2. Located on the subject property is a TWO-STORY BRICK MULTIPLE UNIT DWELLING AND STORE BUILDING. The last known use of the subject building was MIXED-USE COMMERCIAL AND RESIDENTIAL.

3. That the building located on the subject property is dangerous, hazardous and unsafe under the Unsafe Buildings Statute 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:

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- a. The building's electrical, heating, and plumbing systems have been vandalized and are therefore inoperable.
- b. The building's masonry has holes, step and stress fractures, washout-out mortar joints, and is partially collapsed
- c. The building's roof has damaged membranes.
- d. The building's joists are cracked or missing and water damaged.
- e. The building's stair system has damaged decking.
- f. The building's windows have broken or missing glazing, as well as broken, missing or inoperable sashes.
- g. Plaster is broken or missing from the interior walls of the building.
- h. Sections of flooring are missing or warped in places throughout the interior of the building
- i. The basement stairs _____.

4. That it would take major reconstruction by a responsible owner to bring the building into full compliance with the Municipal Code of Chicago. Further, that the building located thereon poses a dangerous and hazardous threat to the public health, safety and welfare. Accordingly, that demolition of the building is the least restrictive means available as of 10/30/14 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, VII and VIII are voluntarily withdrawn without prejudice.
- C. Defendants with either possession or control of the subject property shall immediately remove 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.
- 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 demolish the building situated on the subject property and is entitled to a lien for the costs

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Case Number 13 MI 400821

of demolition, court costs and other costs enumerated by statute. Thus, the City's performance under this order will result in statutory in rem lien that attaches only to the subject parcel of real estate. If the City seeks a personal judgment against **Yerusha, LLC and/or Charles Drew**, 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. *or any party to this action that subsequently acquires title to the property M/R*

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, **Yerusha, LLC and/or Charles Drew**, as defined by applicable statutes and ordinances *or any party to this action that subsequently acquires title to the property M/R*

[Handwritten Signature]

None protest as of 11-30-14

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

DEFENDANTS, YERUSHA, LLC and
CHARLES DREW

By: *[Handwritten Signature]*

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

By: *[Handwritten Signature]*

Flamm & Teibloom, Ltd.
20 North Clark, Suite 2200
Chicago, Illinois 60602
(312) 236-8400

[Handwritten Signature]
Atty for ADI

DEC 18 2014
CLERK OF COUNTY CLERK'S Office
JUDGE MARK BALLARO-1742