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Karen A. Yarbrough
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IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT - FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

EH POOLED 111, LP ET AL,
Defendants.

Case Number: 14 M1 402381

Re: 6048 S. SANGAMON ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on **DECEMBER 18, 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:

EH POOLED 111, LP; and
UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding and having heard the 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: **6048 S. SANGAMON ST.**, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 1 IN THE RESUBDIVISION OF THE SOUTH 1/2 OF LOT 8 AND ALL OF LOTS 9 AND 10 IN BLOCK 4 IN MINNICK'S SUBDIVISION OF THE EAST 1/4 OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-17-412-040.

2. Located on the subject property is a ~~FRAME GARAGE~~, TWO STORY BRICK DWELLING, AND A REAR COACH HOUSE BUILDING. The last known use of the subject building was RESIDENTIAL.
3. The Court 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 masonry has step or stress fractures, and washed out mortar joints.

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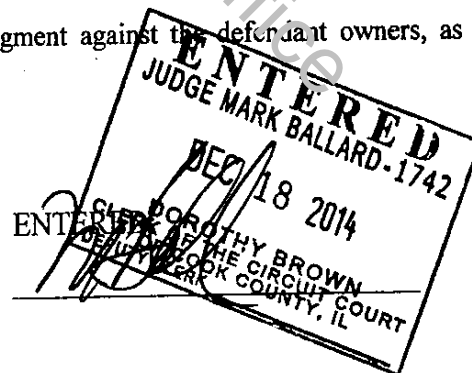
- b. The building's roof has a damaged membrane.
 - c. The building's glazing is broken or missing.
 - d. The building's sashes are broken, missing, or inoperable.
 - e. The building's flooring is missing in sections.
 - f. The building's joists are cracked and missing.
 - g. The building's plaster is broken or missing.
 - h. The building's stair system has damaged decking, damaged handrails, and improper treads and risers.
 - i. The building's stair system has no ledger bolts and is partially collapsed.
 - j. The building's electrical, heating, and plumbing systems have been vandalized and therefore inoperable.
 - k. The building has been found vacant and open.
 - l. The garage has been found vacant and open.
 - m. The building is located across the street from Nicholson Technology Academy.
 - n. Located on the premises is a rear coach house.
 - o. The coach house is vacant and open.
 - p. The coach house has no working mechanical systems, including electrical, heating and plumbing.
 - q. The coach house has damaged plaster and damaged ceilings and partition walls.
 - r. The coach house's porches are in a state of collapse.
 - s. The coach house's roof leaks.
 - t. The coach house has missing flooring and rotted floor joists.
 - u. The coach house is structurally sound.
 - v. The hall structures sit across from a public school.
 - w. _____
4. The 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 12/18/14 to abate the dangers and hazards posed by the building.

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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 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.
- 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 commences.
- 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 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.
- 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.
- 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 owners, as defined by the applicable statutes and ordinances.



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PLAINTIFF, CITY OF CHICAGO
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