

# UNOFFICIAL COPY

13 M1 403578



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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 01/12/2015 03:04 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.

JESUS SALTO, *ET AL.*,

Defendants.

Case Number: 13 M1 403578

Re: 4063 S. MAPLEWOOD AVE.

Courtroom 1109

### ORDER OF DEMOLITION

This cause coming on to be heard on, 1/8/2015, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Paton, Corporation Counsel, against the following named Defendants:

JESUS SALTO;  
MAUREEN STACK;  
JOSEPH O'LEARY;  
ARTURO GUERRERO;  
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: 4063 S. MAPLEWOOD AVE. Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 16 IN BLOCK 3 IN W.S. HALL'S SUBDIVISION OF THE NORTH 9 ACRES OF THE SOUTH 14 ACRES OF THE NORTH 28 ACRES OF THE SOUTH 60 ACRES OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-01-213-028-0000.

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2. Located on the subject property is a one-story, brick building and frame garage. The last known use of the subject building was 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 (1996) (Unsafe Buildings), in that:
  - a. The building located at subject property ("building") is vacant and open.
  - b. The building's glazing is broken or missing.
  - c. The building's masonry has step or stress fractures.
  - d. The building's masonry has holes and washed out mortar joints.
  - e. The building's sashes are broken, missing or inoperable.
  - f. The building's roof is missing shingles.
  - g. The building's roof is water damaged.
  - h. The building's stair system has damaged handrails.
  - i. The building's missing studding.
  - j. The building's rafters are cracked.
  - k. The building's joists are missing.
  - l. The building's electrical system is stripped and inoperable, missing fixtures, and has exposed wiring.
  - m. The building's plumbing system is stripped and inoperable and missing fixtures.
  - n. The building's heating system is stripped and inoperable, missing furnace, and vandalized.
  - o. The building's plaster is broken or missing.
  - p. The building's flooring is missing.
  - q. The building's garage is vacant and open.
  - r. The building's garage has damaged wall framing and roof system, creating a potential for collapse.

~~s. \_\_\_\_\_~~

~~t. \_\_\_\_\_~~

~~u. \_\_\_\_\_~~

~~v. \_\_\_\_\_~~

~~w. \_\_\_\_\_~~

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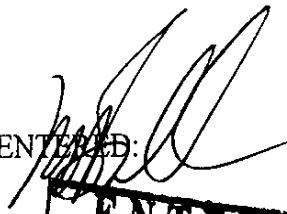
4. There has been no work in progress since the beginning of this case at the subject property.
5. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code, and that the subject building is beyond reasonable repair. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

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 seeking demolition authority.
- B. The remaining counts of the City's complaint are voluntarily withdrawn.
- C. 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 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.
- D. The authority granted in Paragraph C. above shall become effective immediately.
- E. 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. 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.
- G. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds that there is no just reason for delaying the enforcement or appeal of this order.
- H. 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.
- I. This case is off call.

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ENTERED: 

**ENTERED**  
 JUDGE MARK J. BALLARD-1742  
 JAN 08 2015  
 DOROTHY BROWN  
 CLERK OF THE CIRCUIT COURT  
 OF COOK COUNTY, IL  
 DEPUTY CLERK

PLAINTIFF, CITY OF CHICAGO  
 STEPHEN PATTON, Corporation Counsel

By:   
 Eric Hults  
 Assistant Corporation Counsel  
 Building and License Enforcement Division  
 30 N. LaSalle Street, Room 700  
 Chicago, Illinois 60602 / (312) 744-0210  
 Atty No. 90909

Clerk of Cook County Clerk's Office