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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 01/13/2015 12:30 PM Pg: 1 of 3

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

ADDISON CRUZ, *et al.*

Defendants.

Case Number: 12 M1 400865

Re: 6435 S. ROCKWELL ST.
CHICAGO IL 60629

Courtroom 1107

ORDER OF NUISANCE ABATEMENT FORFEITURE

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

ADDISON CRUZ,
RB CONSULTING, INC.,
KIRAN VALLABH,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS.

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

1. The Court has jurisdiction over the parties as follows:
ADDISON CRUZ, service by publication (default date April 30, 2012),
RB CONSULTING, INC., service by publication (default date April 30, 2012),
KIRAN VALLABH, appearance filed through attorney on July 17, 2013,
UNKNOWN OWNERS, service by publication (default date April 30, 2012),
NONRECORD CLAIMANTS, service by publication (default date April 30, 2012).
2. ADDISON CRUZ was the last known record owner of the subject property.
3. The Court has jurisdiction of the subject matter, which is the premises located at the following address:
6435 S. ROCKWELL ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

LEGAL DESCRIPTION:

#410

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LOT 29 IN BLOCK 13 IN COBE AND MCKINNON'S 63RD STREET SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 13 AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER(S): 19-24-212-012-0000.

4. Located on the subject property is a FRAME GARAGE AND TWO-STORY BRICK FRONT BUILDING (the "subject building.") The last known use of the subject building was SINGLE FAMILY RESIDENTIAL.
5. There has been no evidence of work in progress since the beginning of this case at the subject property, and ADDISON CRUZ has not shown he/she has readily available and sufficient assets to make repairs necessary to bring the building into compliance with applicable laws.
6. By a preponderance of the evidence, the subject building is a public nuisance as defined by 13-12-145 of the Municipal Code of Chicago (the Building Nuisance Abatement Ordinance) in that the owner has failed to show it has readily available and sufficient assets to make repairs necessary to bring the building into compliance with applicable laws.
7. As the subject building constitutes a public nuisance as defined in subparagraphs 3 of section 13-12-145 of the Municipal Code of Chicago, there is a rebuttable presumption that the issuance of an order of forfeiture or assignment of all of the defendants' rights, title and interest in the real estate is appropriate. No evidence has been presented to rebut this presumption.
8. In light of the magnitude of the harm caused or which can reasonably be expected to be caused by the nuisance and the extent to which the Defendants have failed to take effective measures to abate the nuisance, the assignment to a third party designated by the city of all of the defendants' rights, title and interest in the real estate as authorized by the Municipal Code is reasonable and proper.
9. The City has designated MANAGE CHICAGO, INC., for assignment.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants RB CONSULTING, INC., and ~~KIRAN VALLABH~~ having been duly served and having failed to answer or otherwise plead are held in default, and all the allegations of the complaint are deemed admitted against them.
- B. Defendants ^{Adison Cruz and} UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date April 30, 2012, are in default and all allegations in the complaint are deemed admitted against said defendants.
- C. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on Counts IV of the City's complaint seeking forfeiture of the subject property to a responsible third party designated by the City.
- D. Counts II, III, V, and VI of the City's complaint are voluntarily dismissed without prejudice, *and Count I is dismissed as to Kiran Vallabh without prejudice*
- E. Pursuant to the authority granted this Court in Section 13-12-145 of the Municipal Code of Chicago, this Court hereby forfeits and assigns all right title and interest of ADDISON CRUZ, RB CONSULTING, INC., and KIRAN VALLABH to MANAGE CHICAGO, INC., a third party designated by the City, effective JANUARY 8, 2015.

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F. 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.

G. The Court reserves jurisdiction of this cause to enforce the terms of this order.

H. This matter is continued to FEBRUARY 26, 20 15 for entry of a judicial deed conveying the subject property pursuant to the forfeiture and assignment ordered in paragraph F, above. **Judge John M. Allegritti**

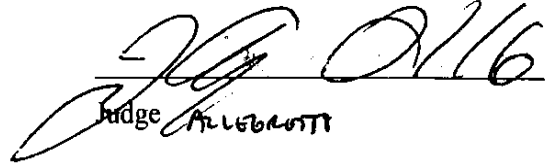
I. **CLELAND LARRY, JR. IS DISMISSED WITHOUT PREJUDICE, AS HAVING A TRUST IN THE PROPERTY.** **JAN 08 2015**

ENTERED: **Circuit Court - 2116**



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Judge ALLEGRI

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