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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.

ED PALUBINSKAS, *ET AL.*,

Defendants.

Case Number: 14 M1 402005

Re: 8342 S. Baltimore

Courtroom 1109

### ORDER OF DEMOLITION

This cause coming to be heard on 1/14/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

ED PALUBINSKAS;

U.S. BANK C/F IL SALT FOX; 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: 8342 S. Baltimore Ave., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 20 (EXCEPT THE SOUTHEASTERLY 2 FEET THEREOF) IN BLOCK 9 IN CIRCUIT COURT PARTITION OF THE SOUTHEAST 1/4 (EXCEPTING LANDS BELONGING TO SOUTH CHICAGO RAILROAD COMPANY) OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING LAND BELONGING TO THE SOUTH CHICAGO RAILROAD COMPANY), IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 21-31-401-005.

2. Located on the subject property is a two-story frame building. The last known use of the subject building was residential.

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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(s) located on the subject property ("the building") is vacant and open.
  - b. Commonwealth Edison terminated electrical services to the building.
  - c. The building's electrical systems have exposed wiring.
  - d. The building's heating systems are stripped and inoperable.
  - e. The building's heating systems are missing a furnace and ductwork.
  - f. The building's heating systems have been vandalized.
  - g. The building's plumbing systems are stripped and inoperable.
  - h. The building's plumbing systems are missing fixtures.
  - i. The building's flooring is missing in places and warped in places.
  - j. The building's flooring has smoke, fire, and/or water damage.
  - k. The building's glazing is broken or missing.
  - l. The building's joists have smoke, fire, and/or water damage.
  - m. The building's joists are cracked.
  - n. The building's masonry has holes, missing sections, and missing siding.
  - o. The building's masonry has smoke, fire, and/or water damage.
  - p. The building's plaster is broken or missing.
  - q. The building's plaster has smoke, fire, and/or water damage.
  - r. The building's rafters are cracked.
  - s. The building's roof has a damaged membrane.
4. 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. The Court further finds that demolition of the subject building is the least restrictive alternative available to effectively abate the conditions now existing there.

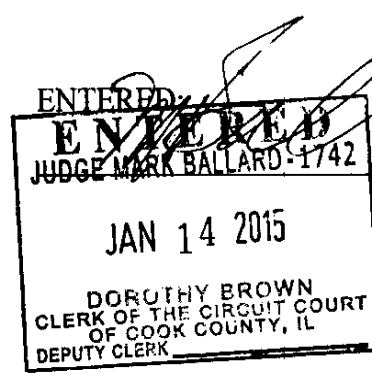
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WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, *inter alia*, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder U.S. BANK C/F IL SALT FOX is dismissed as a party defendant.
- B. 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.
- C. The remaining counts of the City's complaint are voluntarily withdrawn.
- D. 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.
- E. The authority granted in Paragraph D. above shall become effective immediately.
- F. 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.
- G. 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.
- H. 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.

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- I. 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.



PLAINTIFF, CITY OF CHICAGO  
STEPHEN PATTON, Corporation Counsel

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