



Doc#: 1505841101 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/27/2015 03:22 PM Pg: 1 of 4

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a municipal
corporation,

Plaintiff,

v.

DEUTSCHE BANK TRUST COMPANY
AMERICAS, AS TRUSTEE FOR
RESIDENTIAL ACCREDIT LOANS, INC.,
MORTGAGE ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2007-QA3, et al.

Defendants.

No. 14 M1 403057

Re: 1308 S CHRISTIANA

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 2/25/15 on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel of the City of Chicago, against the following named Defendants:

DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR RESIDENTIAL ACCREDIT LOANS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-QA3, EDMOND YOUNG INST LN, UNKNOWN OWNERS, and NONRECORD CLAIMANTS,

The Court being fully advised of the premises of this proceeding and having heard the testimony of the City's inspector, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 1308 S Christiana, Chicago, Illinois, and legally described as follows:

LOT 4 IN BLOCK 3 IN DOWNING, CORNING AND PRENTISS' DOUGLAS PARK ADDITION TO CHICAGO, A SUBDIVISION OF BLOCK 4 AND LOT 2 IN BLOCK 3 IN THE CIRCUIT COURT PARTITION OF THE EAST 1/2 OF THE NORTHEAST 1/4 AND THAT PART OF THE

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EAST 1/2 OF THE SOUTHEAST 1/4 LYING NORTH OF THE CENTER LINE OF OGDEN AVENUE OF SECTION 23, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-23-210-014.

- 2. Located on the subject property is a two-story brick multi-unit dwelling.
- 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) in that:

- The building's electrical service has been terminated.
- The building's electrical system has exposed wiring and is missing fixtures.
- The building's electrical system is stripped and inoperable.
- The building's floors are missing or warped in sections.
- The building's floors are smoke, fire or water damaged.
- The building's floors are saturated with water.
- The building's window glazing is broken or missing.
- The building's heating system is missing a furnace.
- The building's heating system is stripped and inoperable.
- ~~The building's joists are cracked and over notched.~~
- The building's joists are smoke, fire or water damaged.
- The building's joists are rotting and collapsing.
- ~~The building's masonry has holes and loose or missing brick.~~
- ~~The building's masonry has smoke, fire or water damage.~~
- ~~The building's masonry has step or stress fractures.~~
- The building's plumbing system has been stripped and vandalized.*
- There is water damage throughout the building.*
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- 4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

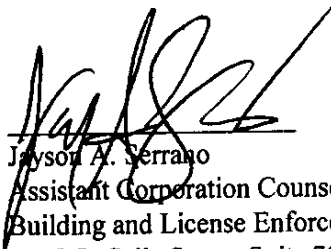
- A. An in rem judgment is entered in favor of Plaintiff City of Chicago and against defendants on Counts I and IV of the City's complaint seeking demolition authority.
- B. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.

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- 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 be effective immediately.
- E. Defendant owners are ordered to keep the property secure until it is demolished.
- F. The City's performance under the 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.
- I. The Court reserves jurisdiction of this cause to enforce the terms of this Order, for the purpose of ascertaining demolition costs for entry of money judgments against the defendant owners, and for the purpose of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.

PLAINTIFF, CITY OF CHICAGO
 Stephen R. Patton, Corporation Counsel

By:


 Jayson A. Serrano
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 Phone: (312)744-3326 Facsimile: (312)744-1054 ATTY NO. 90909

ENTERED

Judge


 Pamela Hughes Gillette

FEB 25 2015

Circuit Court-1953

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT-FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Counter Plaintiff,

v.

Deutsche Bank Trust Company
et al.,
Counter-Defendant(s).

No: 14 MI 403057
Re: 1308 S Christiana
Courtroom 11 11, Richard J. Daley Center

ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of Counter-Plaintiff, the Court having jurisdiction over the parties and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

- Counter-Defendant(s) Deutsche Bank Trust Company
and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, occupying, selling or otherwise transferring, in whole or in part, the ownership or controlling interest in the:
Subject Property
until the same has / have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. The above named Counter-Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
- The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of his permanent injunction.
- Pursuant to Illinois Supreme Court Rule 304(a), this order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.
-

HEARING DATE: 2 / 25 / 15

By: J Serrano
Assistant Corporation Counsel
Mara S. Georges, Corporation Counsel #90909
30 N. LaSalle, Room 700
Chicago, IL 60602 (312) 744-8791

Pamela Hughes
Judge
Courtroom 1111

FEB 25 2015
Circuit Court-1953

Pink Copy for Defendant(s) (photocopy if required)
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White Original for Court Records