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Doc#: 1505841117 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/27/2015 03:30 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.

FLOSSIE M BROWN, et al.

Defendants.

No. 14 M1 402989

Re: 1101 N LEAMINGTON

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 2/23/15 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:

**FLOSSIE M BROWN,
HARBOR FINANCIAL GROUP, LTD.,
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: **1101 N Leamington**, Chicago, Illinois, and legally described as follows:

LOT 26 IN BLOCK 3 IN WILLIAM A. BOND AND COMPANY'S FIRST ADDITION TO AUSTIN, BEING FRANK T. CRAWFORD'S SUBDIVISION OF BLOCKS 6 AND 7 IN COMMISSIONER'S SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4 AFORESAID, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-04-401-023.

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- 2. Located on the subject property are a brick garage and a one-story brick single family 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 is 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 radiators have been removed.
- The building's heating system is stripped and inoperable.
- ~~The building's joists are over-notched.~~
- ~~The building's joists are rotted with mold growth.~~
- The building's masonry has holes.
- The building's masonry has step or stress fractures and washed out mortar joints.
- The building's masonry is smoke, fire or water damaged.
- The building's plaster is broken or missing in sections.
- The building's plaster is smoke, fire or water damaged.
- The building's plumbing system is stripped and inoperable.
- The building's plumbing system is missing fixtures.
- ~~The building's rafters are cracked.~~
- The garage's fascia and soffits are water damaged.*
- There is an open catch basin.*
- There is junk and debris 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. Defendants UNKNOWN OWNERS and NONRECORD CLAIMANTS and FLOSSIE M BROWN, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of December 29, 2014, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. 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.
- C. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.

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- 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 be effective immediately.
- F. Defendant owners are ordered to keep the property secure until it is demolished.
- G. 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.
- H. 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.
- I. 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.
- J. 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

Pamela Hughes Gillette
 ENTERED Judge

Circuit Court - 1953
 FEB 23 2015
 Hon. Judge Pamela Hughes Gillette

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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,

No: 14 M1 402989

v.

Re: 1101 N Leumington

Flossie M Brown
et al.,
Counter-Defendant(s).

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) Flossie M Brown
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:

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 this 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 / 23 / 15

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

Pamela C. Huspi
Associate Judge Pamela Huspi, Clerk of Court
Courtroom 1111

FEB 23 2015
Circuit Court - 1953

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Yellow Copy for City of Chicago Department of Law
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