



Doc#: 1507241052 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/13/2015 11:57 AM Pg: 1 of 4

Duplicate Original

Space Reserved for Record

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
VEGGIE DINER, LLC., ET AL.,
Defendants.

Case Number: 13 M1 403509
Re: 3410 N. Halsted St.
Courtroom 1111

Agreed ORDER OF DEMOLITION effective on 5/26/15

This cause coming on to be heard on ~~March 17~~¹⁰ 2015, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), complaint seeking demolition authorization, by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

VEGGIE DINER, LLC,
GOLD COAST BANK,
MICKEY HORNICK,
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: 3410 N. Halsted St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 93 IN FEINBERG'S SHERIDAN DRIVE ADDITION IN THE SOUTHWEST 1/4 SECTION 20, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 14-20-413-075.

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

- 2. 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) (Unsafe Buildings), in that:

UNOFFICIAL COPY

Case Number 13 M1 403509

- a. The building(s) located on the subject property ("the building") is vacant.
- b. The building's electrical systems are stripped and inoperable.
- c. The building's heating systems are stripped and inoperable.
- d. The building's plumbing systems are stripped and inoperable, and are missing fixtures.
- e. The building's flooring is warped.
- f. The building's glazing is broken or missing.
- g. The building's joists are over notched and have smoke, fire, and/or water damage.
- h. The building's masonry has holes, is missing siding, and has smoke, fire, and/or water damage.
- i. The building's rafters are fire damaged.
- j. The building's roof is missing shingles, rotted, and fire and water damaged.
- k. The building's sashes are broken, missing, or inoperable.
- l. The building's stair system has improper foundations and handrail height.
- m. The building's stair system has damaged handrails.
- n. The building's studding has smoke, fire, and/or water damage.

The building's original foundation columns have been altered, and the perimeter of the foundation wall has washed out mortar.

o. _____

p. _____

q. _____

r. _____

s. _____

t. _____

u. _____

v. _____

w. _____

x. _____

y. _____

z. _____

UNOFFICIAL COPY

3. The Court finds that it would take major reconstruction by a responsible owner to bring the building into full compliance with the Municipal Code of Chicago. Further, the Court finds that the building located thereon poses a dangerous and hazardous threat to the public health, safety and welfare, and is beyond reasonable repair. Accordingly, the Court finds that demolition of the building is the least restrictive means available as of 5/26/15 to abate the dangers and hazards posed by the building.
4. Defendant, Veggie Diner LLC., shall demolish the subject property on or before 5/26/15 pursuant to a valid wreck and level permit issued by the City of Chicago Department of Buildings, and shall obtain final approval and written sign-offs on all permits by the City of Chicago Department of Buildings.

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. Accordingly, the City is authorized to demolish the building located on the subject property pursuant to Counts I and IV of the City's complaint.
- 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 be effective on 5/26/15
- E. Defendants with either possession or control of the subject property and their successors and assigns shall be permanently enjoined from renting, using, leasing, or occupying the Subject Property until demolition of the subject property commences
- 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 in a manner 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.

UNOFFICIAL COPY

Case Number 13 M1 403509

H. 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.

ENTERED:

Pamela Gillespie

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: Nina Yabes
Nina Yabes
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 742-0342
Atty No. 90909

Jamie L. Ross
for Viggro Law, LLC

~~Entered by~~ Pamela Hughes Gillespie

MAR 10 2015

Circuit Court-1953