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Case Number 13 M1 403509

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Doc#: 1507241052 Fee: \$44.00

Karen A. Yarbrough

Cook County Recorder of Deeds
Date: 03/13/2015 11:57 AM Pg: 1 of 4

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

THE CITY OF CHICAGO, a municipal corporation, Plaintiff,

v.

VEGGIE DINER, LLC., £7.4L.,

Defendants.

Case Number: 13 M1 403509

Re: 3410 N. Halsted St.

Courtroom 1111

Agreed opper of DEMOLITION effective on 5/26/15

This cause coming on to be heard or Narch 22, 2015, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), complaint seeking demolicies 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 ("s ibje t property"), legally described as:

LOT 93 IN FEINBERG'S SHERIDAN DRIVE ADDITION IN THE SOUTHWEST 1/4 CV 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:

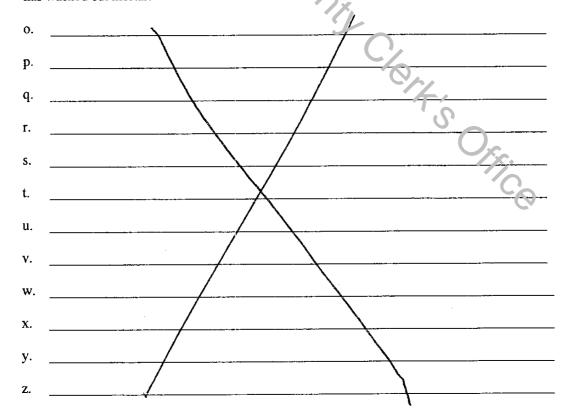
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- a. The building(s) located on the subject property ("the building") is vacant.
- b. The building's electrical systems are stripped and inoperable.
- c. The building's heating systems are stripped and inoperable.
- d. The building's plumbing systems 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 sashe; are broken, missing, or inoperable.
- 1. 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.



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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 to abate the dangers and hazards posed by the building.

### 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 In CS 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 02 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 inclunter 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.

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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:

anda Gillape

PLAINTIFF, CITY OF CHICAGO STEPHEN PATTO'N, Corporation Counsel

aker

Assistant Corporation Counsel

Building and License Enforcement Division

30 N. LaSalle Street, Room 700

Chicago, Illinois 60602 / (312) 742-0342

Atty No. 90909

204 COUNTY CLOPA'S OFFICE ende May Pamele Hughas Gillecpia

Circuit Court - 1953