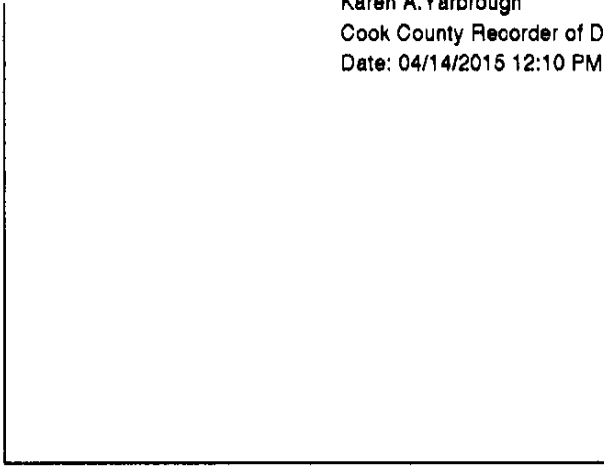


Duplicate Original

UNOFFICIAL COPY



Doc#: 1510441057 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 04/14/2015 12:10 PM Pg: 1 of 4



Space reserved for the Recorder's Office

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

**CITY OF CHICAGO,
a municipal corporation,
Plaintiff,**

v.

**Frank Coleman,
Defendants.**

No. 14 M1 401002

Re: 245 W. 108th St.

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on 3-23-15 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:

FRANK COLEMAN,
JP MORGAN CHASE BANK, N.A. S/I/I CHEMICAL BANK, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED JULY 1, 1994 RELATING TO OPTION ONE/CTS ARM TRUST 1994-2 RECORDED MAY 29, 1996 AS DOCUMENT NO. 96405336,
ALLEAN MICKEY A/K/A MICKEY ALLEAN,
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: **245 W. 108th St., Chicago IL 60628**, and

UNOFFICIAL COPY

legally described as follows:

LOT 30 IN BLOCK 1 IN BARLETT'S ROSELAND SUBDIVISION OF LOT 42 AND THE NORTH 1/2 OF LOT 47 (EXCEPT THE WEST 67 FEET OF SAID LOTS) IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of **25-16-408-005**.

2. Located on the subject property is a **GARAGE AND ONE STORY FRAME 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:

- a. THE BUILDING'S ELECTRICAL SYSTEM HAS EXPOSED WIRING.
- b. THE BUILDING'S ELECTRICAL SYSTEM HAS MISSING FIXTURES.
- c. THE BUILDING'S ELECTRICAL SYSTEM IS STRIPPED AND INOPERABLE.
- d. THE BUILDING'S FLOOR IS WARPED.
- e. THE BUILDING'S GLAZING SYSTEM IS BROKEN OR MISSING.
- f. THE BUILDING'S HEATING SYSTEM HAS MISSING DUCTWORK.
- g. THE BUILDING'S HEATING SYSTEM IS STRIPPED AND INOPERABLE.
- h. THE BUILDING'S HEATING SYSTEM IS VANDALIZED.
- i. ~~THE BUILDING'S MASONRY HAS HOLES.~~
- j. ~~THE BUILDING'S MASONRY HAS MISSING SIDING.~~
- k. ~~THE BUILDING'S MASONRY IS SMOKE, FIRE OR WATER DAMAGED.~~
- l. ~~THE BUILDING'S MASONRY IS WATER DAMAGED AND HAS ROTTING WOOD SIDING.~~
- m. THE BUILDING'S PLASTER IS BROKEN OR MISSING.
- n. THE BUILDING'S PLUMBING SYSTEM HAS MISSING FIXTURES.
- o. THE BUILDING'S PLUMBING SYSTEM IS STRIPPED AND INOPERABLE.
- p. ~~THE BUILDING'S ROOF IS WATER DAMAGED.~~
- q. ~~THE BUILDING'S ROOF HAS WEEDS GROWING OUT ON IT.~~
- r. ~~THE BUILDING'S SASHES ARE BROKEN, MISSING, OR INOPERABLE.~~
- s. ~~THE BUILDING'S STAIRS HAVE DAMAGED DECKING.~~
- t. ~~THE BUILDING'S STUDS ARE SMOKE, FIRE, OR WATER DAMAGED.~~

UNOFFICIAL COPY

u. THE BUILDING'S STUDS ARE DAMAGED WHERE PLUMBING ARE STRIPPED.

v. Ceilings have collapsed

w. Basement has 4 inches of ice

x. Water damage throughout

4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

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 22-25 of the Property Tax Code. The property tax certificate holder _____ is dismissed as a party defendant.

B. Defendants **Allean Mickey A/K/A Mickey Allean and UNKNOWN OWNERS and NONRECORD CLAIMANTS**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **February 27, 2015** are in default and all allegations in the complaint are deemed admitted against Defendants in default.

C. 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.

D. Pursuant to Count II of the City's Complaint, Defendant _____ shall pay a fine of _____ with execution to issue.

E. Counts III, V, VI, VII, VIII, and all the remaining counts of the City's Complaint are voluntarily withdrawn.

F. 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.

G. The authority granted in Paragraph F above shall be effective immediately.

H. Defendant owners are ordered to keep the property secure until it is demolished. The City is authorized to keep the property secure if the owners are unable to do so.

I. 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.

UNOFFICIAL COPY

- J. 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.
- K. 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.
- L. 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.

WHEREFORE, IT IS HEREBY ORDERED THAT:

Pamela Gillespie
 ENTERED Judge

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

By: [Signature]

MATTHEW E. SUHL
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Suite 700
 Chicago, Illinois 60602
 Phone: (312)742-1935 Facsimile: (312)744-1054
 ATTY NO. 90909

Assoc. Judge Pamela Hughes Gillespie

MAR 23 2015

Circuit Court-1953