



13 M1 400576

Doc#: 1510441137 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 04/14/2015 04:01 PM Pg: 1 of 3

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

JAMES ATHANASOPOULOS, ET AL.,
Defendants.

Case Number: 13 M1 400576

Re: 5250 S. ABERDEEN ST.
CHICAGO, IL

Courtroom 1111

Stay of Execution
until 7/6/15

Agreed

ORDER OF DEMOLITION

This cause coming on to be heard on, 4/2/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

JCA FUND II, LLC, and James Athanasopoulos db/a 5250 S. Aberdeen GP
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 5250 S Aberdeen St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 28 IN HAMBLETON'S SUBDIVISION OF LOTS 51 TO 60, BOTH INCLUSIVE, IN HINCKLEY'S SUBDIVISION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers: 20-08-409-043-0000

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

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2. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:
 - a. The building is vacant and the rear door is open *at basement.*
 - b. The interior of the building has been vandalized;
 - c. All plumbing fixtures are missing or vandalized;
 - d. All electrical fixtures are missing or vandalized;
 - e. All forced air units (furnaces) on all three levels are missing;
 - f. The interior plumbing walls have been vandalized including the kitchen and bathrooms;
 - g. There is junk and debris throughout the Subject Property.
 - h. _____
 - i. _____
 - j. _____
 - k. _____
 - l. _____
3. There has been no work in progress since the beginning of this case at the subject property.
4. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code, and that the subject building is beyond reasonable repair. The Court further finds that demolition of the subject building 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 non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of **February 26, 2015**, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on **Counts V and VIII** of the City's complaint seeking demolition authority.
- C. The remaining counts of the City's complaint are voluntarily withdrawn.
- 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.

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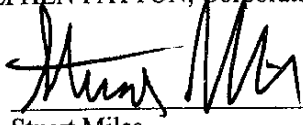
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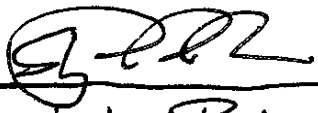
- E. The authority granted in Paragraph D. above shall become effective 7/6/15.
- F. The City's performance under this order will result in a statutory in rem lien that attaches only to the subject parcel of real estate. If the City seeks a personal judgment against any individual party to this action, 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 and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.
- J. This case is off call.

ENTERED:

Pamela Gillespie

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: 
 Stuart Miles
 Assistant Corporation Counsel
 Building and License Enforcement Division
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Veronica Judge Pamela Hughes Gillespie
 APR 02 2015
 Clerk's Office
 Circuit Court-1953