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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

NICKODEMUS SISNEROS, *ET AL.*,
Defendants.

Case Number: 14 M1 402306

Re: 6417 S. Maplewood Ave.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 4/9/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

NICKODEMUS SISNEROS;
LEONORE SISNEROS;
OAK PARK INVESTMENTS, INC.;
MANOR CARE OF PALOS HEIGHTS IL, LLC; and
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: 6417 S. Maplewood Ave., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 35 IN BLOCK 14 IN COBE AND MCKINNON'S 63RD STREET SUBDIVISION OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 13, AND THE NORTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 24, ALL IN TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-24-213-005.

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2. Located on the subject property is a two-story brick building. The last known use of the subject building was residential.
3. 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:

BUILDING

- A. The building's masonry has holes, missing siding, step or stress fractures, washed out mortar joints, and smoke, fire, or water damage.
 - B. The building's masonry has a front brick column being pushed out of place by the steel under the front balcony.
 - C. The building's roof has a damaged membrane.
 - D. The building's glazing is broken or missing.
 - E. The building's joists are smoke, fire, or water damaged.
 - F. The building's flooring is smoke, fire, or water damaged.
 - G. The building's plaster is rotten or missing, and is smoke, fire, or water damaged.
 - H. The building's electrical, heating, and plumbing systems have been vandalized and are therefore inoperable.
 - I. The building is vacant.
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. 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. 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 22-35 of the Property Tax Code. The property tax certificate holder **OAK PARK INVESTMENTS, INC.** is dismissed as a party defendant.
- B. 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. The remaining counts 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 become effective immediately.
- 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.

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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.

ENTERED
 JUDGE MARK J. BALLARD-1742
 APR 09 2015
 ENTERED
 JUDITH BROWN
 CLERK OF THE CIRCUIT COURT
 OF COOK COUNTY, IL
 DEPUTY CLERK

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: *Da O'K*
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