



Doc#: 1511841055 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 04/28/2015 12:33 PM 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.

LAWRENCE W. NOBLES, JR., ET AL.
Defendants.

Case Number: 14 M1 401306

Re: 4030 W. Kamerling Ave.

Courtroom 1111

ORDER OF DEMOLITION

EFFECTIVE MAY 19 2015

This cause coming to be heard on 4/21/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

LAWRENCE W. NOBLES, JR.;
JPMC SPECIALTY MORTGAGE, LLC F/K/A WM SPECIALTY MORTGAGE, 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: 4030 W. Kamerling Ave., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 1 IN BLOCK 1 IN ERNST F. WENDELL'S SUBDIVISION OF LOTS 35 TO 39 AND THE WEST 20 FEET OF LOT 40 IN BLOCK 1 IN DEMAREST AND KAMERLING'S GRAND AVENUE SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-03-223-024-0000.

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

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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:
- a. The building(s) located on the subject property ("the building") is vacant ~~and open~~.
 - b. Commonwealth Edison terminated services to the building.
 - c. The building's electrical systems are stripped and inoperable.
 - d. The building's electrical systems are missing fixtures.
 - e. The building's electrical systems have exposed wiring.
 - f. The building's heating systems are missing a furnace.
 - g. The building's heating systems have been vandalized.
 - h. The building's plumbing systems are stripped and inoperable.
 - i. The building's plumbing systems are missing fixtures.
 - ~~j. The building's flooring is warped.~~
 - k. The building's flooring has smoke, fire, and/or water damage.
 - l. The building's glazing is broken or missing.
 - m. The building's joists have smoke, fire, and/or water damage.
 - n. The building's masonry has loose or missing brick.
 - o. The building's masonry has smoke, fire, and/or water damage.
 - p. The building's masonry has step or stress fractures and washed out mortar joints.
 - q. The building's plaster is broken or missing. *with graffiti*
 - r. The building's plaster has smoke, fire, and/or water damage.
 - s. The building's roof has a damaged membrane. *and leaking*
 - t. The building's roof has water damage.
 - u. *extensive junk and debris at front and rear exterior*
 - v. *rear porch is water damaged*
 - w. *basement flooring is warped*
 - x. _____
 - y. _____

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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. 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.
- 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 become effective on 5/19/15.
- E. 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.
- 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 *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.
- 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 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:

Pamela Gillen
Associate Judge Pamela Huggins Gillen

APR 21 2015
Circuit Court-1953

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

Cook County Clerk's Office