



Doc#: 1513210009 Fee: \$42.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/12/2015 09:39 AM Pg: 1 of 3

Duplicate Original

Space Reserved for Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

SHAWN MOTON, ET AL.,

Defendants.

Case Number: 14 M1 402844

Re: 11410 S. State St.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 5/6/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

SHAWN MOTON,
PORTFOLIO RECOVERY ASSOCIATES, LLC,
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: 11410 S. STATE ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 5 IN SIGLE'S SUBDIVISION OF LOTS 1, 2, 3, 4 AND 5 OF BLOCK 7 IN FIRST ADDITION TO PULLMAN, BEING A SUBDIVISION OF THE EAST 775.5 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART DEEDED TO THE CHICAGO AND WESTERN INDIANA RAILROAD) IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 25-21-229-040.

UNOFFICIAL COPY

- 2 -

2. Located on the subject property is a . TWO-STORY FRAME BUILDING The last known use of the subject building was single-family 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:
 - a. The building has been found vacant and open, with an open catch basin on the exterior.
 - b. The building's masonry is missing siding.
 - c. The building's stair system has damaged handrails.
 - d. The building's studding is missing.
 - e. The building's glazing system is broken or missing.
 - f. The building's sashes are broken, missing or inoperable.
 - g. The building's plaster is broken or missing, and water damaged.
 - h. The building's flooring is warped.
 - i. The building's joists are over notched, and multiple joists are deflecting.
 - j. The building's electrical system is stripped and inoperable, with exposed wiring and missing fixtures.
 - k. The building's heating system is stripped and inoperable, and missing a furnace.
 - l. The building's plumbing system is stripped and inoperable, and missing fixtures.
 - m. The building's interior has evidence of drug paraphernalia.
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.

UNOFFICIAL COPY

- 3 -

- 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 Immediately.
- 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.
- 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.

I. off - call

ENTERED
 JUDGE MARY BROWN
 MAY 06 2015
 DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT
 OF COOK COUNTY, IL

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