



Doc#: 1518845046 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 07/07/2015 11:50 AM Pg: 1 of 4

THIS INSTRUMENT WAS PREPARED BY,
AND SHOULD BE RETURNED TO:
The City of Chicago Department of Law
Building and License Enforcement Division
30 N LaSalle, Suite 700
Chicago, IL 60602

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

CITY OF CHICAGO,
a municipal corporation

Plaintiff

v.

918 N. DRAKE CONDOMINIUM ASSOCIATION,
et. al.

Defendants

) Case No. 15-M1-401045

) Address: 918 N. DRAKE AVE.
) Chicago, IL 60651

) Courtroom 1109
) Richard J. Daley Center

**ORDER DECLARING DECONVERSION PURSUANT TO THE ILLINOIS
CONDOMINIUM ACT, SECTION 765 ILCS 605/14.5, OF THE CONDOMINIUM AT**

This cause coming to be heard on the set call, the Court having jurisdiction over the defendant(s) and the subject matter, being fully advised in the premises and having heard evidence and testimony:

1. This Court hereby makes the following findings of fact as of June 29, 2015:
 - a. The subject property has serious violations of the City of Chicago Municipal Code as described in the preceding paragraphs, specifically: the building is vacant and open, the parapets at all elevations have washed out mortar and spalling bricks, the east areaway wall has shifting bricks and both walls are leaning—a dangerous and hazardous condition, the east elevation balcony has washed out mortar and shifting bricks, the exterior wall at the north elevation has washed out mortar and spalling bricks, and the rear porch has fire damage, missing ledger beam bolts, rim joists nailed to the beams, missing pickets at the basement, and unverified footings.

RECORDING FEE 44-
DATE 7/7/15 COPIES 6X
OK BY RUNSTO

UNOFFICIAL COPY

- b. In addition, there has been a recording of more condominium units on the parcel than physically exist, specifically: The basement has been illegally converted into a dwelling unit without plans or permits.
2. Based on the above-stated findings of fact, this Court finds that the property at 918 N. DRAKE AVE. is a distressed condominium property pursuant to 765 ILCS 605/14.5(a)(1).
 3. This Court further finds that the property at 918 N. DRAKE AVE. is not viable as a condominium pursuant to 765 ILCS 605/14.5(c)(2).
 4. The current unit owners are the fee title owners of the individual condominium units in 918 N. DRAKE CONDOMINIUM ASSOCIATION ("Association"), the Association and condominium units being established by virtue of a DECLARATION OF CONDOMINIUM OWNERSHIP, recorded on 7/26/06, in the Office of the Recorder of Deeds, of Cook County, Illinois, as Document 0620712078, and legally described as follows ("Property"):

Underlying PIN: 16-02-415-036-0000

Unit PINs: 16-02-415-043-1001, 16-02-415-043-1002, 16-02-415-043-1003

LEGAL DESCRIPTION:

UNITS 101, 201, 301 OF LOT 496 AND THE SOUTH FIVE FEET OF LOT 497 IN DICKEY'S THIRD ADDITION TO CHICAGO, IN THE SOUTHEAST ¼ OF SECTION TWO, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

5. Each of the current owners is the owner in fee simple of the unit(s) set forth below, and each unit is assigned the percentage interest in the common elements as follows:

UNIT	PIN	OWNER	% INTEREST IN COMMON ELEMENTS
101	16-02-415-043-1001	David L. Schillo	33.21%
201	16-02-415-043-1002	David L. Schillo	32.50%
301	16-02-415-043-1003	Z Financial G Properties, LLC	34.29%
			<u>100.00%</u>

6. Pursuant to 765 ILCS 605/14.5(c)(2), this Court hereby makes the following Declaration:
 - a. That the property at 918 N. DRAKE AVE. is no longer a condominium, effective immediately;
 - b. That 918 N. DRAKE AVE. is deemed to be owned in common by each of the unit owners, as indicated above;

UNOFFICIAL COPY

- c. That the undivided interest in the properties which shall appertain to each unit owner shall be the percentage of undivided interest previously owned by the owner in the common elements, as listed in the declaration of condominium and indicated above;
- d. That any liens affecting any unit shall be deemed to be attached to the undivided interest of the unit owner in the property.

7. Community Initiatives, Inc. ("CII, Inc." or "the Receiver") located at 222 S Riverside Plaza, Suite 2200, Chicago, IL, 60606, phone number 312-258-8155, is hereby appointed as a General Receiver to repair, preserve, and rehabilitate the subject premises, with powers granted and duties imposed, to include the following pursuant to 765 ILCS604/14.5(e):

- a. To have full power and authority to operate, manage and conserve the property;
- b. To delegate managerial functions to a person in the business of managing real estate of the kind involved who is financially responsible and prudently selected;
- c. To secure, clean, board and enclose, and keep secure, clean, boarded and enclosed, the property or any portion of the property;
- d. To secure tenants and execute leases for the property, the duration and terms of which are reasonable and customary for the type of use involved, and the leases shall have the same priority as if made by the owner of the property;
- e. To collect the rents, issues, and profits, including assessments which have been or may be levied;
- f. To insure the property against loss by fire or other casualty;
- g. To employ counsel, custodians, janitors and other help;
- h. To pay taxes which may have been or may be levied against the property;
- i. To maintain or disconnect, as appropriate, any essential utility to the property;
- j. To make repairs and improvements necessary to comply with building, housing, and other similar codes;
- k. To hold receipts as reserves as reasonably required for the foregoing purposes; and
- l. To appeal tax assessments for affected condominium units in front of the Cook County Assessor, the Cook County Board of Review, and the Illinois Property Tax Appeal Board.
- m. To exercise the other powers as are granted to the receiver by the appointing court.

8. The Receiver has further authority to record a copy of this Declaration in the office of the Cook County Recorder of Deeds against both the individual units and owners and the general property.

9. The Receiver has further authority to forward this Declaration to Cook County Assessor's Office.

10. The City's oral motion to set this matter for a hearing to authorize the Receiver to market and sell the deconverted condominium property pursuant to 765 ILCS 605/14.5(d) is hereby granted. All parties are granted 14 days thereafter to object or otherwise respond to the City's motion to allow the sale of the deconverted property, with a hearing to take place on the next court date.

UNOFFICIAL COPY

IT IS FURTHER ORDERED THAT this cause is continued to
in courtroom **1109**, Daley Center, without further notice.

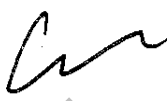
7/21/2015 at 9:30 AM
 JUDGE MARK J. BALLARD - 1742
 JUN 29 2015
 WENDY BROWN
 CLERK OF THE COURT
 COOK COUNTY, IL
 DEPUTY CLERK

HEARING DATE: **6/29/2015**

Judge Ballard

1109

By: _____


 Greg Janes, Senior Corporation Counsel
 Stephen R. Patton, Corporation Counsel #90909
 30 N. LaSalle, Room 700
 Chicago, IL 60602 (312) 744-9555

Property of Cook County Clerk's Office