

14 M1 403765



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Karen A. Yarbrough
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**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT - FIRST DISTRICT**

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

PRICE SLOAN CORPORATION, *ET AL*,
Defendants

Case Number: 14 M1 403765

Re: 5409-5411 S. HALSTED ST.
CHICAGO, IL 60609

Courtroom 1109

Agreed ORDER OF DEMOLITION; Stayed until 11/10/15.

This cause coming on to be heard on, 8/11/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

- PRICE SLOAN CORPORATION;
- LOUISE WATKINS;
- WINTRUST BANK; and
- UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

agrees settlement orders

The Court being fully advised of the premises of this proceeding and having heard the evidence that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 5409-5411 S. HALSTED ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOTS 4 AND 5 IN BLOCK 6 IN H.B. BRYANT'S ADDITION TO CHICAGO, A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-09-324-003-0000.

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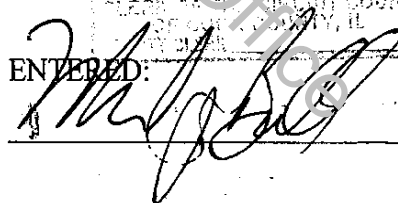
2. Located on the subject property is a GARAGE AND TWO-STORY MULTIPLE UNIT DWELLING AND COMMERCIAL BUILDING. The last known use of the subject building was COMMERCIAL and RESIDENTIAL.
3. The subject building is dangerous, unsafe and beyond reasonable repair under the terms of the Illinois Municipal Code, 65 ILCS 5/11-31-1 (1996) (Unsafe Buildings), in that:
 - a. The building's window glazing is broken or missing.
 - b. The building's joists are smoke, fire, water damaged, posing a dangerous and hazardous condition.
 - c. The building's masonry has washed out mortar joints, step or stress fractures, and missing siding.
 - d. The building's masonry is loose or missing brick and is partially collapsed.
 - e. The building's masonry has smoke, fire, or water damage, posing a dangerous and hazardous condition.
 - f. The building's sections of gutter and downspout are collapsed.
 - g. The building's roof is water damaged, posing a dangerous and hazardous condition.
 - h. The building's roof has a damaged membrane.
 - i. The building's window sashes are broken, missing, and inoperable.
 - j. The building's window sashes have smoke, fire or water damage.
 - k. The building's stair system has improper handrail height, tread and riser.
 - l. The building's stair system has smoke, fire, or water damage.
 - m. The building's southeast corner parapet has collapsed.
 - n. The building's rear roof area is collapsed, posing a dangerous and hazardous condition.
 - o. _____
 - p. _____
4. There has been no work in progress since the beginning of this case at the subject property.
5. 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.

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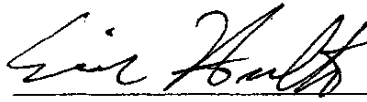
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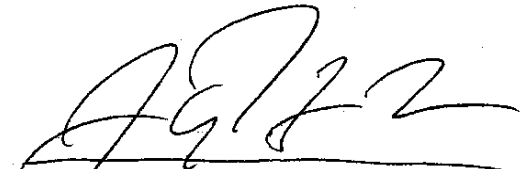
WHEREFORE, IT IS HEREBY ORDERED THAT:

- 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 11/10/15.
- 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.
- 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. This case is off call.

AUG 11 2015
 SOLOMON BROWN
 CLERK OF THE CIRCUIT COURT
 OF THE COUNTY OF COOK, ILL.
 ENTERED: 

PLAINTIFF, CITY OF CHICAGO
 STEPHEN PATTON, Corporation Counsel

By: 
 Eric Hults
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602 / (312) 744-0210
 Atty No. 90909


 James A. Tyson, Jr.
 Counsel for Price Sloan
 Corp