

# UNOFFICIAL COPY



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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 09/18/2015 02:33 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.

LENA KOUVELIS, *ET AL.*,

Defendants.

Case Number: 14 M1 402761

Re: 5144 S. Wolcott Ave.

Courtroom 1109

### AGREED ORDER OF DEMOLITION

This cause coming to be heard on September 10, 2015, on the complaint of the Plaintiff, City of Chicago, a municipal corporation (“City”), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

LENA KOUVELIS;

GUS KOUVELIS; and

UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding and the parties having stipulated finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 5144 S. Wolcott Ave., Chicago, Cook County, Illinois (“subject property”), legally described as:

LOT 34 IN BLOCK 3 IN WHITE AND COLEMAN'S SUBDIVISION OF BLOCKS 41 TO 44 IN STINE'S AND WHITNEY'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6 AND THE NORTH 1/2 OF THE WEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-07-401-041.

2. Located on the subject property is a two-story frame 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:

### BUILDING

- A. The building(s) located on the subject property ("the building") is vacant.
- B. Large sections of the building's exterior siding are missing.
- C. The front and rear stair systems do not meet minimum safety standards under the Code.
- D. The roof is damaged and missing shingles.
- E. The building has no working mechanical systems, including electrical, plumbing, and heating.
- F. The building is missing electrical and plumbing fixtures.
- G. The building has no duct work or a furnace.
- H. The building's roof rafters are cracked and water damaged.
- I. Portions of the building's flooring are missing or warped at several locations.
- J. The building's interior partition walls are damaged.
- K. The building's interior is water damaged.

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.

5. *Solely* For the purposes of this matter and any future litigation, Administrative Hearing, or other proceeding involving the City of Chicago, Defendants Lena Kouvelis and Gus Kouvelis are the owners of the subject property and have full control over the subject property. Defendants Lena Kouvelis and Gus Kouvelis are legally authorized to enter into this Agreed Order of Demolition without the participation of any other defendant to this lawsuit.

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.

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- 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 December 31, 2015.
- 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. Defendants Lena Kouvelis and Gus Kouvelis agree to pay, in addition to Defendant's own costs, all litigation costs incurred by the City to date in this action, in the amount of \$498.00, payable to the City of Chicago, 30 N. LaSalle St., Suite 700, Chicago, IL 60602, Attn: Kristina Mokrzycki, on or before October 27, 2015.
- I. Defendants Lena Kouvelis and Gus Kouvelis must keep the subject property vacant and secure pending demolition.
- J. 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.

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K. This matter is off-call.

ENTERED  
 SEP 10 2015  
 JUDGE ROSS CHLAD-1742  
 COURT CLERK  
 COUNTY, IL

PLAINTIFF, CITY OF CHICAGO  
 STEPHEN PATTON, Corporation Counsel

By: *D O K*  
 Daniel O'Keefe  
 Assistant Corporation Counsel  
 Building and License Enforcement Division  
 30 N. LaSalle Street, Room 700  
 Chicago, Illinois 60602 (312) 744-7634  
 Atty No. 90909

DEFENDANTS, LENA KOUVELIS AND GUS KOUVELIS

By: *[Signature]*  
 Lena Kouvelis  
 Owner  
*Richard Klason,  
 attorney for  
 Lena Kouvelis*

By: *[Signature]*  
 Gus Kouvelis  
 Owner  
*Richard Klason  
 attorney for  
 Gus Kouvelis*