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15 M1 401280



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Karen A. Yarbrough
Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY MUNICIPAL DEPARTMENT – FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

DONYEIL HOY, *ET AL.*,

Defendants.

Case Number: 15 M1 401280

Re: 5725 S. ABERDEEN ST.
CHICAGO, IL 60621

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 9/18/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

DONYEIL HOY;
LINDA WRIGHT; 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: 5725 S. ABERDEEN ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 38 IN BLOCK 2 IN JAMES U. BORDEN'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 (EXCEPT RAILROAD) OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

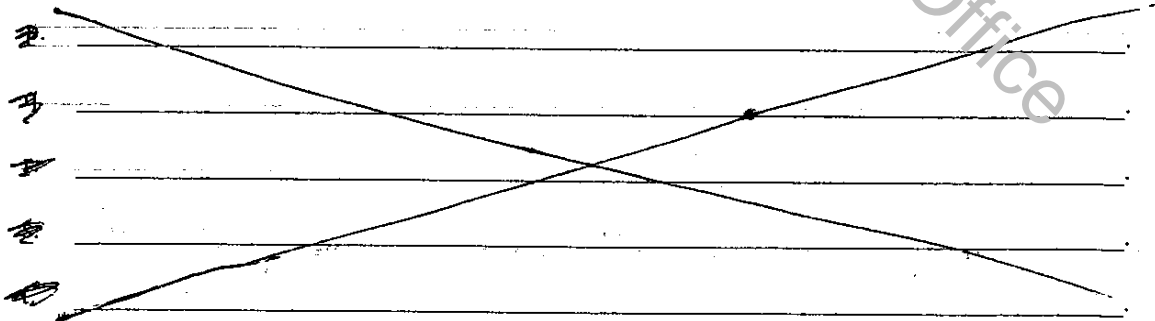
Permanent Index Number: 20-17-218-011-0000.

2. Located on the subject property is a TWO-STORY BRICK MULTIPLE UNIT DWELLING BUILDING. The last known use of the 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 is vacant and open.
 - b. The building's masonry has washed out mortar joints.
 - c. The building's window glazing is broken or missing.
 - d. The building's window sashes are broken, missing and inoperable and have smoke, fire or water damage.
 - e. The building's roof has a damaged membrane and water damage.
 - f. The building's stair system has damaged decking, damaged handrails, and smoke, fire or water damage.
 - g. The building's stair system has improper handrail height and improper tread and riser.
 - h. Sections of the building's flooring have smoke, fire, or water damage.
 - i. The building's plaster is broken or missing and has smoke, fire, or water damage.
 - j. The building's studs are missing.
 - k. The building has no working mechanical systems, including electrical, plumbing, and heating.
 - l. The building's electrical fixtures are missing, and exposing wiring.
 - m. The building has no ductwork or furnace.
 - n. The building's heating system is stripped, vandalized and is inoperable.
 - o. The building's plumbing fixtures are missing, stripped and inoperable.



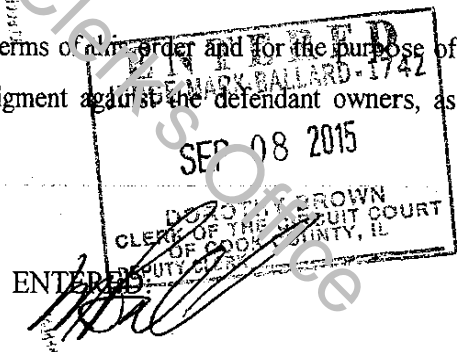
4. There has been no work in progress since the beginning of this case at the subject property.
5. The Court finds that it would take major reconstruction of a responsible owner to bring the subject building into full compliance with the Municipal Code, and that the subject building is beyond reasonable 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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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 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 his 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.



PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By: *Eric Hulst*

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