



Doc#: 1527941004 Fee: \$44.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 10/06/2015 09:27 AM Pg: 1 of 4

Space reserved for the Recorder's Office

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

CITY OF CHICAGO, a municipal corporation,	)	
	)	
Plaintiff,	)	No. 15 M1 400167
v.	)	
	)	Re: 2322 S. KOSTNER
UNKNOWN HEIRS AND LEGATEES OF WILLIE MAE CALDWELL, et al.	)	
	)	
Defendants.	)	Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 9-30-15 on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel of the City of Chicago, against the following named Defendants:

UNKNOWN HEIRS AND LEGATEES OF WILLIE MAE CALDWELL,  
JOAN W CALDWELL,  
FRANKLIN CREDIT RECOVERY FUND XXI LP,  
SI RESOURCES, LLC,  
SABRE GROUP, LLC F/K/A SABRE INVESTMENTS, LLC,  
UNKNOWN OWNERS, and NONRECORD CLAIMANTS,

The Court being fully advised of the premises of this proceeding and having heard the testimony of the City's inspector, finds that:

- The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **2322 S. Kostner**, Chicago, Illinois, and legally described as follows:

LOT 10 IN JOHN F. HEIN'S SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-27-102-073.

# UNOFFICIAL COPY

2. Located on the subject property is a one-story brick multi-unit residential building.
3. The Court having heard testimony and evidence finds that the building located on the subject property is dangerous, hazardous, unsafe and beyond reasonable repair under the Unsafe Buildings Statute, 65 ILCS 5/11-31-1 (1996) in that:

- The building's electrical service has been terminated.
- The building's electrical system has exposed wiring and is missing fixtures. *in sections.*
- The building's electrical system is stripped and inoperable.
- The building's floors have ~~smoke, fire or~~ water damage.
- The building's floors are warped in sections.
- The building's window glazing is broken or missing.
- The building's masonry has ~~smoke, fire or~~ water damage.
- The building's masonry has step or stress fractures.
- The building's masonry has washed out mortar joints.
- The building's masonry has holes and loose or missing brick.
- The building's exterior walls are missing siding.
- The building's plaster is broken or missing in sections.
- The building's plaster has ~~smoke, fire or~~ water damage.
- ~~The building's plumbing is missing fixtures.~~
- The building's roof is missing shingles.
- The building's roof has water damage.
- The building's sashes are broken, missing or inoperable.
- The building's sashes have ~~smoke, fire or~~ water damage.
- The building's stairs have damaged decking and handrails.

- Missing joist hangers.
- Large amount of vegetation at exterior.
- Collapsing gutter.
- Large amount of interior junk and debris.
- Mold in the interior.

4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, *inter alia*, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holders SI RESOURCES,

# UNOFFICIAL COPY

LLC and SABRE GROUP, LLC F/K/A SABRE INVESTMENTS, LLC are dismissed as party defendants.

- B. An in rem 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.
- C. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- D. 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.
- E. The authority granted in Paragraph D above shall be effective immediately.
- F. Defendant owners are ordered to keep the property secure until it is demolished.
- G. The City's performance under the 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.
- H. 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 instantly 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.
- I. 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.
- J. The Court reserves jurisdiction of this cause to enforce the terms of this Order, for the purpose of ascertaining demolition costs for entry of money judgments against the defendant owners, and for the purpose of hearing foreclosure proceedings, as defined by the applicable statutes and ordinances.

PLAINTIFF, CITY OF CHICAGO  
Stephen R. Patton, Corporation Counsel

By: \_\_\_\_\_

Jayson A. Serrano  
Assistant Corporation Counsel  
Building and License Enforcement Division  
30 N. LaSalle Street, Suite 700  
Chicago, Illinois 60602  
Phone: (312)744-3326 Facsimile: (312)744-1054 ATTY NO. 90909

ENTERED

SEP 30 2015

Circuit Court-1953

# UNOFFICIAL COPY

Dup. Orig



This space reserved for the Recorder of Deeds

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS MUNICIPAL DEPARTMENT-FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,  
 County Plaintiff, )  
 v. Unknown Heirs and )  
 Legatees of Willie Mae )  
 Caldwell et al., )  
 Counter-Defendant(s). )

No: 15 M1 400167  
 Re: 2322 S. Kostner  
 Courtroom 11 11, Richard J. Daley Center

### ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of ~~County~~ Plaintiff, the Court having jurisdiction over the parties and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

- ~~Counter-Defendant(s)~~ Unknown Heirs and Legatees of Willie Mae Caldwell and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, occupying, selling or otherwise transferring, in whole or in part, the ownership or controlling interest in the: Subject Property until the same has / have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. The above named ~~Counter-Defendant(s)~~ and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
- The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this permanent injunction.
- Pursuant to Illinois Supreme Court Rule 304(a), this order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.
- Violation of this order will result in a fine of a minimum of \$500.00.

HEARING DATE: 9, 30, 15

By: Jayson Serrano  
 Assistant Corporation Counsel  
 Mara S. Georges, Corporation Counsel #90909  
 30 N. LaSalle, Room 700  
 Chicago, IL 60602 (312) 744-8791

Associate Judge Pamela Hughes Gillespie  
Pamela  
 Judge SEP 30 2015  
 Courtroom 1111  
 Circuit Court - 1953

2 of 3

Pink Copy for Defendant(s) (photocopy if required)  
Yellow Copy for City of Chicago Department of Law  
White Original for Court Records