



Doc#: 1530341077 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/30/2015 03:29 PM Pg: 1 of 4

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

METROPOLITAN BANK AND TRUST COMPANY AS TRUSTEE FOR TRUST NUMBER 2084, et al.

Defendants

No. 14 M1 403590

Re: 3817 W. FILLMORE

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 10/28/15 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:

METROPOLITAN BANK AND TRUST COMPANY AS TRUSTEE FOR TRUST NUMBER 2084,
ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES,
THELMA HENNING,
LONGSTREET CAPITAL FUNDING, 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:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **3817 W. Fillmore**, Chicago, Illinois, and legally described as follows:

LOT 48 IN GARFIELD BOULEVARD SYNDICATE ADDITION TO CHICAGO, BEING A SUBDIVISION OF SUBBLOCK 1 IN BLOCK 7 IN CIRCUIT COURT PARTITION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 39-NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of 16-14-324-019.

2. Located on the subject property is a frame garage and two-story brick multi-unit residence.

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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 is missing fixtures.
- 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.
- The building's window glazing is broken or missing.
- The building's window glazing has cracked panes.
- The building's heating system is missing ductwork and a furnace.
- The building's heating system is stripped and inoperable.
- The building's joists are ~~over-notched~~ *cracked in sections.*
- The building's joists have ~~smoke, fire or water~~ damage.
- The building's masonry has holes ~~and washed out mortar joints.~~
- The building's exterior walls are missing siding.
- The building's masonry has ~~smoke, fire or water~~ damage.
- The building's masonry has shear or stress fractures.
- The building's plaster is broken or missing.
- The building's plaster has ~~smoke, fire or water~~ damage.
- The building's plumbing is missing fixtures.
- The building's plumbing is stripped and inoperable.
- The building's rafters have fire damage.
- ~~The building has evidence of squatter and drug activity.~~

- Exterior stair system is fire damaged.*
- Building's siding is missing in sections.*
- Building's roof is fire damaged.*
- Interior is full of junk and debris.*
- Electrical system has exposed wiring.*

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 holder LONGSTREET CAPITAL FUNDING, LLC is dismissed as a party defendant.

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- 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 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.
- 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.

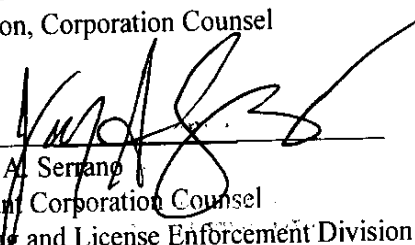
Assistant Judge Pamela Hughes Gillespie

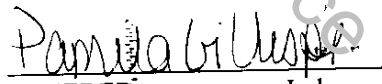
OCT 28 2015

Circuit Court-1953

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)744-0210
 Facsimile: (312)744-1054
 ATTY NO. 90909


 ENTERED Judge

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

THE CITY OF CHICAGO, a municipal corporation,
~~Counter-Plaintiff,~~

No: 14 MI 403590

v. Metropolitan Bank and
Trust Company
et al.,
~~Counter-Defendant(s).~~

Re: 3817 W. Fillmore

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 ~~Cour~~ Plaintiff, the Court having jurisdiction over the parties and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

1. ~~Counter-Defendant(s)~~ Thelma Henning
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.
2. The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this permanent injunction.
3. 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.
4. Violation of this order will result in a
minimum fine of \$500.

Appointed by Pamela Hughes

OCT 28 2015

HEARING DATE: 10/28/15

Pamela Gilgus Court-1953
Judge Courtroom III

By: Sayson Serrano
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