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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.

DEUTSCHE BANK NATIONAL TRUST CO., AS
TRUSTEE FOR AMERIQUEST MORTGAGE
SECURITIES INC. ASSET-BACKED PASS-
THROUGH CERTIFICATES, SERIES 2003-6, ET
AL.,

Defendants.

Case Number: 15 M1 400177

Re: 6447 S. Fairfield Ave.

Courtroom 1109

ORDER OF DEMOLITION, Effective 1/26/15

This cause coming to be heard on 11/17/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

DEUTSCHE BANK NATIONAL TRUST CO., AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC. ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2003-6; and UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

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

- 1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 6447 S. Fairfield Ave., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 29 (EXCEPT SOUTH 8 FEET 3-3/8 INCHES THEREOF AND LOT 30 (EXCEPT NOTH 10 FEET 10 3/8 INCHES THEREOF) IN BLOCK 10 IN AVONDALE, BEING A SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-24-209-017.

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2. Located on the subject property is a garage and two-story brick building. The last known use of the subject building was 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:

FRONT BUILDING

- A. The building(s) located on the subject property ("the building") is vacant.
- B. The building is full of junk and debris.
- C. The building has no working mechanical systems, including electrical, plumbing, and heating.
- D. The building's electrical fixtures are missing, exposing electrical wiring.
- E. The building has no furnace.
- F. The building's heating system has been vandalized and is stripped and inoperable.
- G. The building's plumbing fixtures are missing, stripped and are therefore inoperable.
- H. Sections of the building's flooring are warped and have smoke, fire, or water damage at various locations.
- I. The building's window glazing is broken or missing.
- J. The building's masonry has washed out mortar joints, smoke, fire or water damage, and missing siding.
- K. The building's plaster is broken or missing and has smoke, fire, or water damage.
- L. The building's window sashes are broken, missing or inoperable and have smoke, fire or water damage.
- M. The building's stair system has damaged decking and handrails.
- N. The building's stair system has improper handrail height, tread and riser and has smoke, fire or water damage.
- O. The building's studs are missing.

GARAGE

- P. The building's garage is vacant.
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.

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.

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- 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 1/26/15.
- 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.

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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.

ENTERED



PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By:



Daniel O'Keeffe
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-7634
Atty No. 90909

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ENTERED
JUDGE MARK J. BALLARD-1742
NOV 17 2015
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK