



Doc#: 1601941033 Fee: \$46.00
Karen A. Yarbrough
Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
BELNARG LLC, et al.
Defendants.

No. 14 M1 402590
Re: 6336-6344 W. BELMONT
Courtroom: 1111

AGREED ORDER OF DEMOLITION

This cause coming to be heard on 1-11-16 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:

BELNARG LLC,
SIGNATURE BANK,
BAROUD WESTERN LLC,
UNKNOWN HEIRS AND LEGATEES OF JOHN STARK,
ROCK OAK, 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, or
- aware of the owner's desire to settle this matter by agreement finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **6336-6344 W. Belmont**, Chicago, Illinois, and legally described as follows:

LOTS 99 AND 100 IN CHARLES BOOTH'S BELMONT AVENUE ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE SOUTH 10 ACRES OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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This parcel has Permanent Index Numbers of: 13-20-328-012, 13-20-328-013, 13-20-328-014, 13-20-328-015.

2. Located on the subject property are two one-story brick commercial buildings.

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:

or

Being aware of the parties' agreement 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 6340-6344 building's electrical service has been terminated.
- The 6340-6344 building's electrical system is stripped and inoperable.
- The 6340-6344 building's electrical system is missing fixtures.
- The 6340-6344 building's floors have smoke, fire or water damage.
- The 6340-6344 building's floors are warped.
- The 6340-6344 building's heating system is missing ductwork and a furnace.
- The 6340-6344 building's joints have smoke, fire or water damage.
- The 6340-6344 building's masonry has holes and loose or missing brick.
- The 6340-6344 building's masonry is partially collapsed and altered.
- The 6340-6344 building's plaster is broken or missing.
- The 6340-6344 building's plaster has smoke, fire or water damage.
- The 6340-6344 building's plumbing is missing fixtures.
- The 6340-6344 building's plumbing is stripped and inoperable.
- The 6340-6344 building's rafters have water damage.
- The 6340-6344 building's roof has a damaged membrane.
- The 6340-6344 building's sashes are broken, missing or inoperable.
- The 6340-6344 building is missing studding.
- The 6336 building's electrical service has been terminated.
- The 6336 building's electrical system is missing fixtures and has exposed wiring.
- The 6336 building's electrical system is stripped and inoperable.
- The 6336 building's window glazing is broken or missing.
- The 6336 building's heating system is missing a furnace.
- The 6336 building's heating system is stripped and inoperable.
- The 6336 building's plaster is broken or missing.
- The 6336 building's plumbing is missing fixtures.
- The 6336 building's plumbing is stripped and inoperable.
- The 6336 building's sashes are broken, missing or inoperable.
- The 6336 building is missing studding.

4. Demolition of the subject property, as a whole, 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. 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 ROCK OAK, LLC is dismissed as a party defendant.
- 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 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 VI 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 4/26/16.
- 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.

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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.

Pamela Gilluspi

ENTERED Judge

PLAINTIFF, CITY OF CHICAGO
Stephen R. Patton Corporation Counsel

By:

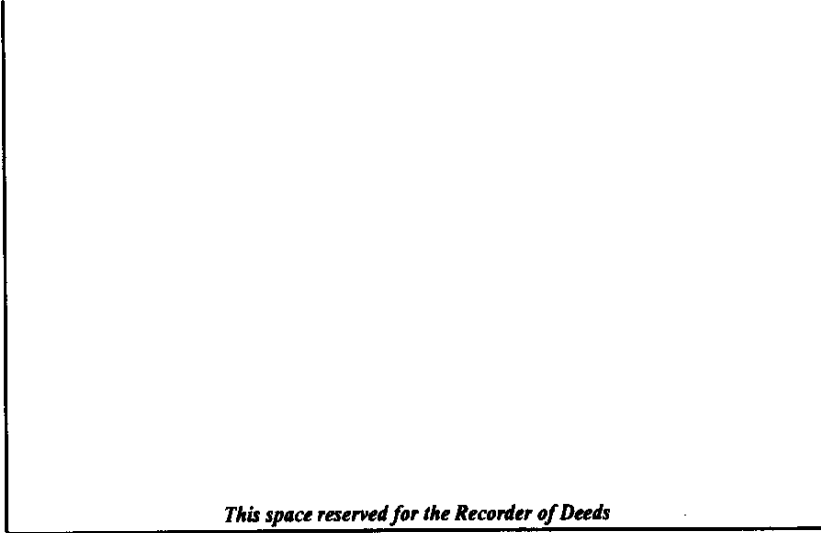
Jayson A. Serrano
Jayson A. Serrano, Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Suite 700, Chicago, Illinois 60602
Phone: (312)744-0210
Facsimile: (312)744-1054
ATTY NO. 90909

FILED
JAN 23 2013
CLERK OF COURT

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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,

v. Belnarg, LLC
et al.,
~~Counter~~-Defendant(s).

No: 14 M1 402590

Re: 6336-6344 W. Belmont

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 ~~Counter~~-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) Belnarg, LLC
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.

HEARING DATE: 1 / 11 / 16

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

Pamela Gillispie
Judge
Courtroom 1111

Pink Copy for Defendant(s) (photocopy if required)

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