



15 M1 402058

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

THE CITY OF CHICAGO, a municipal
corporation,
Plaintiff,

v.

QUEEN SPENCER, ET AL.,

Defendants.

Case Number: 15 M1 402058

Re: 7019 S. JUSTINE ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 3/24/2016, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

- QUEEN SPENCER;
- HIP LOANS I, LLC; 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: 7019 S. JUSTINE ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 39 IN BLOCK 6 IN MARSTON AND AUGER'S SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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2. Located on the subject property is a TWO STORY FRAME SINGLE FAMILY DWELLING 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:
 - a. The building's masonry has loose or missing brick.
 - b. The building's siding may contain asbestos and is missing in sections.
 - c. The building's sashes are broken, missing, or inoperable.
 - d. The building's roof is fire damaged and has been altered.
 - e. The building's roof is dangerous and hazardous.
 - f. The building's rafters are fire damaged and have been altered.
 - g. The building's floor is warped.
 - h. The building's joists are over notched and have been damaged by smoke, fire, or water.
 - i. The building's joists are dangerous and hazardous.
 - j. The building's plaster is broken or missing and has been damaged by smoke, fire, or water.
 - k. The building's plumbing is stripped, inoperable, missing fixtures, and has been altered.
 - l. The building's heating system is stripped, inoperable, and missing a furnace.
 - m. The building's electrical system is stripped, inoperable, missing fixtures, and has exposed wiring.
 - n. The building's electrical service has been terminated at the building.

~~o.~~ _____

~~p.~~ _____

~~q.~~ _____

~~r.~~ _____

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. 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 U.S. BANK C/F II SALT FOX is dismissed as a party defendant.
- B. Defendants, Queen Spencer, and unknown owners and non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of February 24, 2016, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. 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.
- D. The remaining counts of the City's complaint are voluntarily withdrawn.
- E. 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.
- F. The authority granted in Paragraph E. above shall become effective IMMEDIATELY.
- G. 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.
- 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 instantaneously 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.

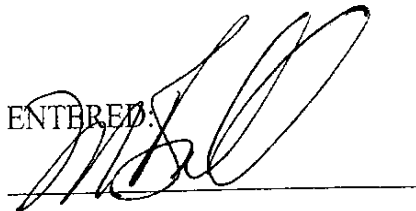
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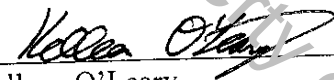
J. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.

K. This case is off call.

ENTERED:



PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON Corporation Counsel

By: 
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Assistant Corporation Counsel
Building and License Enforcement Division
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Associate Judge
Mark J. Ballard

MAR 24 2016

Circuit Court - 1742