

15 M1 401985



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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

CHICAGO TITLE LAND TRUST CO., TRUST
#8002350758, DATED 4130108, ET AL.,

Defendants.

Case Number: 15 M1 401985

Re: 6534 S. WOLCOTT AVE.

Courtroom 1109

Agreed ORDER OF DEMOLITION with a stay until 6/9/16

This cause coming on to be heard on, APRIL 14, 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:

- CHICAGO TITLE LAND TRUST CO., TRUST #8002350758, DATED 4130108;
- GLACIER PROPERTY GROUP LLC;
- MATZLIACH INVESTMENTS LLC and
- UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

The Court being fully advised of the premises of this proceeding ^{stipulates} and ~~having heard the evidence~~ that:

- The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 6534 S. WOLCOTT AVE., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 14 (EXCEPT THE NORTH 15 1/2 FEET THEREOF) AND THE NORTH 16 1/2 FEET OF LOT 15 IN BLOCK 39 IN SOUTH LYNNE, BEING A SUBDIVISION OF THE NORTH 1/2 OF SECTION 19, TOWNSHIP 39 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 sashes have smoke, fire, or water damage.
 - b. The building's siding is missing.
 - c. The building's windows are broken.
 - d. The building's stairs have damaged decking and handrails.
 - e. The building's stairs have improper tread and risers.
 - f. The building's flooring is warped.
 - g. The building is missing studs.
 - h. The building's joists are cracked and have been damaged by smoke, fire, or water.
 - i. The building's plaster is broken or missing and has been damaged by smoke, fire, or water.
 - j. The building's plumbing is stripped and inoperable.
 - k. The building's plumbing is dangerous and hazardous.
 - l. The building's heating system has been stripped, vandalized, and is inoperable.
 - m. The building's furnace is missing.
 - n. The building's electrical system is missing fixtures, stripped, inoperable, and has exposed wiring.
 - ~~o. _____~~
 - ~~p. _____~~
 - ~~q. _____~~
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 WHEELER-DEALER LTD., D/B/A WHEELER FINANCIAL, INC. is dismissed as a party defendant.
- B. Defendants, 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 10, 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 June 9, 2016.
- 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 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 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.

Defendant will keep the property vacant and secure.

ENTERED:

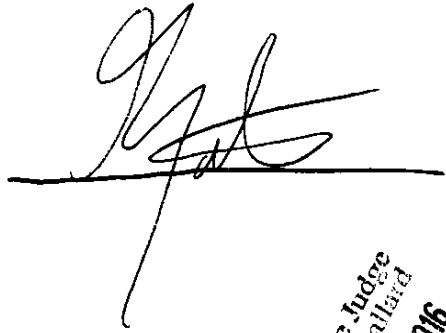
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PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

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 Atty No. 90309



Associate Judge
 Mark J. Ballard
 APR 14 2016
 Circuit Court - 1742

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