



Doc#: 1615241113 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/31/2016 02:55 PM Pg: 1 of 4

Duplicate original

Space Reserved for Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

UNKNOWN HEIRS AND LEGATEES OF OTIS
BROWN, ET AL.,

Defendants.

Case Number: 15 M1 403448

Re: 1408 E. 91ST ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 5/25/16, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

- UNKNOWN HEIRS AND LEGATEES OF OTIS BROWN;
- COOK COUNTY TREASURER'S OFFICE;
- ROCK OAK, 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:

- The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 1408 E. 91ST ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

THE EAST 22 FEET OF LOT 38 AND LOT 39 (EXCEPT THE EAST 11 FEET THEREOF) IN BLOCK 22 IN SECOND ADDITION TO CALUMET GATEWAY, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 25-02-223-029.

UNOFFICIAL COPY

2. Located on the subject property is a ONE-STORY BRICK BUILDING. The last known use of the subject building was SINGLE-FAMILY 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 has been found vacant and open.
 - b. The building's electrical system is stripped and inoperable, with exposed water in the basement.
 - c. The building's flooring is warped.
 - d. The building's floor is buckled throughout the first floor.
 - e. The building's heating system is rotted out on the bottom from standing water.
 - f. The building's joists have rotten columns that are supporting the main beam.
 - g. The building's masonry has loose or missing bricks.
 - h. The building's masonry has step or stress fractures.
 - i. The building's masonry has washed out mortar joints.
 - j. The building's masonry has extensive water damage near the foundation.
 - k. The building's plaster is broken or missing.
 - l. The building's plumbing system is stripped and inoperable.
 - m. The building's sashes are broken, missing, or inoperable.
 - n. The building's studding has smoke, fire, or water damage.
 - o. The building's studding has water damaged partitions in the basement.
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.

UNOFFICIAL COPY

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. 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. The remaining counts 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 become effective immediately.
- F. 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.
- G. 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.
- H. 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.

UNOFFICIAL COPY

I. 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: *MSB*

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: *Nina Yabes*
Nina Yabes
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 742-0342
Atty No. 90909

JUDGE MARK I. BALDARO-1742
MAY 20 2016
DOROTHY BRIDGMAN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

of Cook County Clerk's Office