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Doc#: 1618841033 Fee: \$42.00
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Date: 07/06/2016 10:55 AM Pg: 1 of 3

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

GRANDEE DUNCAN, ET AL.,

Defendants.

Case Number: 15 M1 403293

Re: 5617 S. LAFLIN ST.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming to be heard on 6/30/15, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

GRANDEE DUNCAN; 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: 5617 S. Laflin St., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 42 IN BLOCK 3 IN SNOW AND DICKINSON'S GARFIELD BOULEVARD ADDITION, BEING A SUBDIVISION OF BLOCKS 1,2,7, AND 8 IN SNOWDON'S SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING LOTS 6,7,18 AND 19 IN BLOCK 7 AND LOTS 6,7,18 AND 19 IN BLOCK 8, ALSO BLOCKS 9,10,15 AND 16 IN SNOWDON'S SUBDIVISION AFORESAID), IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-17-110-007.

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

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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:

BUILDING

- A. The building(s) located on the subject property ("the building") is vacant.
 - B. The building's sashes are broken, missing or inoperable.
 - C. The building's sashes are smoke, fire or water damaged.
 - D. The building's masonry has step or stress fractures and washed out mortar joints.
 - E. The building's roof has damaged membrane.
 - F. The building's stairs have damaged decking and handrails.
 - G. The building's stairs have smoke, fire or water damage.
 - H. The building's glazing is broken or missing.
 - I. The building's plaster is broken or missing.
 - J. The building's plaster has smoke, fire or water damage.
 - K. The building's flooring is missing, warped, and has smoke, fire or water damage.
 - L. The building's heating system is missing ductwork and missing a furnace.
 - M. The building's heating system has been vandalized.
 - N. The building's plumbing is stripped, inoperable and missing fixtures.
 - O. The building's electrical system has exposed wiring and is missing fixtures.
 - P. The building's studs are smoke, fire or water damaged.
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.
- 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.

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- D. The authority granted in Paragraph C above shall become effective immediately.
- 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.
- 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.

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: 

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ENTERED


