



15 M1 400554

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Karen A. Yarbrough
Cook County Recorder of Deeds
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IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT - FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v.
JEFF BV-VACANT, LLC, ET AL.,
Defendants.

Case Number: 15 M1 400554
Re: 7140 S. YALE AVE.
Courtroom 1109

AGREED ORDER OF DEMOLITION WITH A STAY UNTIL 11/15/16

This cause coming on to be heard on, 8/16/16, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen K. Patton, Corporation Counsel, against the following named Defendants:

MARIO VANKINSCOTT;
TWANNA VANKINSCOTT and
UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

THE PARTIES STIPULATE

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: 7140 S. YALE AVE., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 4 IN BLOCK 7 IN EGGLESTON'S SECOND SUBDIVISION BEING THE NORTH 1/2 OF THE NORTHEAST 1/4 (EXCEPT THE NORTH 1/2 OF THE NORTH 1/2 OF SAID NORTHEAST 1/4 HERETOFORE SUBDIVIDED AS EGGLESTON'S SUBDIVISION) IN SECTION 28, 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 COACH HOUSE AND TWO-STORY FRAME MULTIPLE UNIT 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 is vacant.
 - b. The building's masonry has washed out mortar joints, step or stress fractures and missing siding.
 - c. The building's window glazing is broken or missing.
 - d. The building's window sashes are broken and missing and are therefore inoperable.
 - e. The building's roof is missing shingles.
 - f. The building's stair system has damaged decking, handrails, and headers.
 - g. Sections of the building's flooring are missing.
 - h. The building's joists are cracked.
 - i. The building's plaster is broken or missing.
 - j. The building has no working mechanical systems, including electrical, plumbing, and heating.
 - k. The building's electrical fixtures are stripped, inoperable, exposing electrical wiring.
 - l. The building has no ductwork or a furnace.
 - m. The building's heating system is vandalized, stripped and is inoperable.
 - n. The building's plumbing fixtures are stripped and inoperable.
 - o. The building's studs are missing.
 - p. The coach house is vacant and open.
 - q. The coach house's main roof structure has a large hole with rotted and missing rafters.
 - r. The coach house's floor joists are severely rotted and in danger of collapse.
 - s. The coach house's stair system has loose handrails and treads.
 - t. The coach house's floor and stair system are in danger of collapse and are a danger to emergency personnel.
 - u. The coach house's windows and doors are either missing or inoperable.
 - v. The coach house's siding is rotted and missing.
 - w. The coach house's foundation is cracked.

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- x. The coach house's plumbing fixtures, electrical fixtures and piping are missing or damaged.
- y. _____
- z. _____
- aa. _____
- bb. _____
- cc. _____
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.

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.
- D. The authority granted in Paragraph C. above shall become effective 11/15/16.
- 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.

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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.

I. This case is off call.

Mario & Twanna Vankinscott agree to keep the property vacant & secure during the stay

ENTERED:



PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By:

Kelleen O'Leary
Kelleen O'Leary
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-3326
Atty No. 90909



Mario S. Vankinscott

COOK COUNTY
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Cook County Clerk's Office