

UNOFFICIAL COPY

Case Number 12 M1 403309



DUPLICATE ORIGINAL

Doc#: 1625901158 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 09/15/2016 04:18 PM Pg: 1 of 4

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.

ROBERT H. LESTINSKY, *ET AL.*,
Defendants.

Case Number: 12 M1 403309

Re: 5422 S. Laflin St.

Courtroom 1109

EMERGENCY ORDER OF DEMOLITION

This cause coming to be heard on 9/13/16, on the Plaintiff, City of Chicago, a municipal corporation's ("City"), emergency motion and accompanying complaint seeking immediate demolition authorization, by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

FEDERAL NATIONAL MORTGAGE ASSOCIATION;
SNAP HOLDINGS, LLC.; and
UNKNOWN OWNERS, and NONRECORD CLAIMANTS.

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

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 5422 S. LAFLIN., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 9 IN BLOCK 4 IN NEW ASHLAND, A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTH 1/2 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-08-317-027-0000.

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

UNOFFICIAL COPY

Case Number 12 M1 403309

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 located on the subject property is vacant.
 - b. The building's electrical systems are stripped or inoperable with exposed wiring and missing fixtures.
 - c. The building's electrical system is dangerous and hazardous, and ComEd has terminated service.
 - d. The building's plumbing systems are stripped or inoperable with missing fixtures.
 - e. The building's heating systems are stripped, inoperable, and vandalized with missing duct work and a missing furnace.
 - f. The building's heating systems have been vandalized.
 - g. The building's plaster is smoke, fire, and/or water damaged and dangerous and hazardous.
 - h. The building's flooring is missing or warped with smoke, fire, and/or water damage.
 - i. The building's glazing is broken or missing with cracked window panes.
 - j. The building's joists are cracked with smoke, fire, and/or water damage.
 - k. The building's rafters are fire damaged and undersized.
 - l. The building's roof is fire damaged and missing shingles.
 - m. The building's masonry has holes and missing siding.
 - n. The building's masonry has step or stress fractures and washed out mortar joints.
 - o. The building's masonry has smoke, fire and/or water damage.
 - p. The building's sashes are smoke, fire, and/or water damaged.
 - q. The building's stairs have damaged decking and handrails, and smoke, fire, and/or water damage.
 - r. The building's stairs have improper foundations, handrail height, and improper treads and risers, and undersized joists.
 - s. The building's stairs lack joist hangers and ledger bolts, and have partially collapsed.
 - t. The building's studding is smoke, fire, and/or water damaged.
 - u. _____
 - v. _____
 - w. _____
 - x. _____

UNOFFICIAL COPY

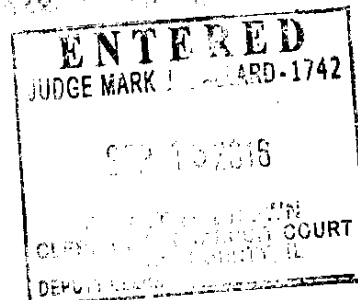
Case Number 12 M1 403309

4. The Court finds that the building located on the subject property is an immediate dangerous and hazardous threat to the public's health, safety, and welfare, and must therefore be demolished immediately.
5. 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. The City shall immediately demolish the building located on the subject property on an emergency basis.
- D. 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.
- 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. 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.
- G. This cause is continued to 11/15/16, at 9:30 a.m. in Room 1109 for completion of this Court's jurisdiction.

ENTERED



UNOFFICIAL COPY

Case Number 12 M1 403309

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

Property of Cook County Clerk's Office

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____