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Karen A. Yarbrough
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IN THE CIRCUIT COURT OF COOK COUNTY MUNICIPAL DEPARTMENT – FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

MARGARET THOMAS, *ET AL.*,

Defendants.

Case Number: 13 M1 403468

Re: 927 W. 53rd PL.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 9/13/16, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

MARGARET THOMAS;
SHIRLEY GRIFFIN; 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: 927 W. 53rd PL., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 11 IN BLOCK 3 IN HICKINGDALE ADDITION TO CHICAGO A
SUBDIVISION OF THE NORTH 10 ACRES OF THE SOUTH 34 ACRES OF
THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 38
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

Permanent Index Number: 20-08-421-018.

2. Located on the subject property is a GARAGE AND ONE-STORY BRICK building. The last known use of the subject building was SINGLE-FAMILY 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:
 - a. The building is vacant and open.
 - b. The building's electrical system has exposed wiring, missing fixtures, and is stripped and inoperable.
 - c. The building's heating system is missing a furnace and is stripped and inoperable.
 - d. The building's plumbing system is missing fixtures, and is stripped and inoperable.
 - e. The building's window glazing is broken or missing.
 - f. The building's joists are over notched.
 - g. The building's exterior walls have washed out mortar joints.
 - h. The building's plaster is broken or missing.
 - i. The building's flooring is missing in places.
 - j. The building's roof system is water damaged.
 - k. The building's sashes are broken, missing, or inoperable.
 - l. The building's stair system has damaged handrails, improper foundations, and has partially collapsed.
 - m. _____
 - n. _____
 - 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.

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

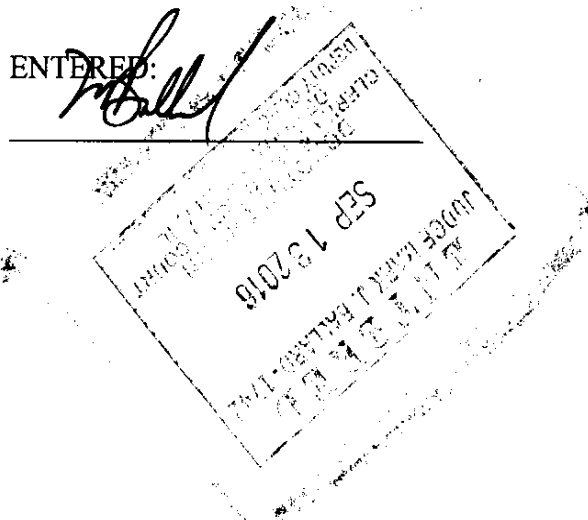
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of the Property Tax Code. The property tax certificate holder WHEELER FINANCIAL, INC. D/B/A WHEELER-DEALER LTD. is dismissed as a party defendant.

- 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 August 8, 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 immediately.
- 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.

ENTERED:



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PLAINTIFF, CITY OF CHICAGO

STEPHEN PATTON, Corporation Counsel

By:



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Building and License Enforcement Division
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Atty No. 96907

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____

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