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KAREN A. YARBROUGH
COOK COUNTY RECORDER OF DEEDS

DATE: 12/05/2016 12:25 PM PG: 1 OF 4

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

ALEJANDRO PEREZ,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants

Case Number: 16 M1 400629

Re: 811 N. DRAKE AVE.
CHICAGO, IL 60651

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on 11-15-16, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

ALEJANDRO PEREZ,
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: 811 N. Drake Avenue., Chicago, Cook County, Illinois ("subject property"), legally described as:

THE NORTH 55 FEET OF LOT 219 IN DICKEY'S 2ND ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-02-420-047. ✓

2. Located on the subject property is a TWO-STORY BRICK BUILDING. The last known use of the building was MULTIPLE-UNIT 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 located on the subject property ("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 glazing is broken or missing.
- d. The building's heating system is missing a furnace, and is stripped and inoperable.
- e. The building's masonry has smoke, fire, or water damage, and step or stress fractures. ✓
- f. The building's masonry has scabbed supports at the crawl space.
- g. The building's plaster is broken or missing, and smoke, fire or water damaged. ✓
- h. The building's plumbing is missing fixtures, is leaking and is stripped and inoperable.
- i. The building's rafters have water damage.
- j. The building's roof has water damage. *& is leaking, & has mold on ceiling*
- k. The building's sashes are broken, missing, or inoperable.
- l. The building's stairs have damaged handrails, and smoke, fire or water damage.
- m. The building's studs are missing sections.
- n. *Rear enclosed porch has weak flooring*
- o. _____
- p. _____
- q. _____
- r. _____
- s. _____

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.

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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 **BELMONT REALTY CORP.** 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.

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- 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:

Pamela Gillespie

PLAINTIFF, CITY OF CHICAGO
 STEPHEN PATTON, Corporation Counsel

By: Nina Yabes

Nina Yabes
 Assistant Corporation Counsel
 Building and License Enforcement Division
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Assoc. Mgr. Pamela Hughes Gillespie

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Circuit Court 1953

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