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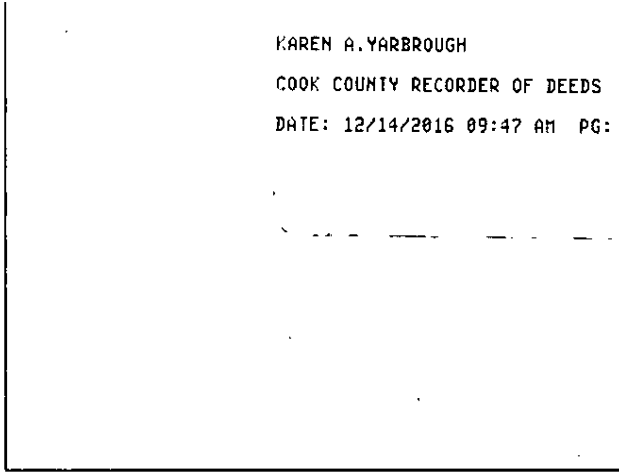
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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 12/14/2016 09:47 AM PG: 1 OF 4

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

CITY OF CHICAGO,
a municipal corporation,
Plaintiff,

v.

LUCILLE MOSS A/K/A LUCILLE SMITH
MOSS,

Defendants.

No. 16 M1 401623

Re: 11819 S. PERRY AVE.

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on 11-28-16 on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel of the City of Chicago, against the following named Defendants:

LUCILLE MOSS A/K/A LUCILLE SMITH MOSS,
U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT,
CAPITAL ONE BANK (USA), NA,
UNKNOWN OWNERS, and NONRECORD CLAIMANTS,

The Court being fully advised of the premises of this proceeding and having heard the testimony of the City's inspector, finds that:

1. The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: **11819 S. Perry Ave., Chicago IL 60628**, and legally described as follows:

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THE SOUTH 36 FEET OF THE FOLLOWING DESCRIBED TRACT: LOT 6 AND LOT 7 (EXCEPT THAT PART OF LOT 7 LYING SOUTH OF A LINE BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 204.3 FEET SOUTH OF 118TH STREET AND RUNNING EAST TO A POINT ON THE EAST LINE OF LOT 7 204.4 FEET SOUTH OF 118TH STREET) IN BLOCK 7 IN JAMES R. MANN'S ADDITION TO PULLMAN, A SUBDIVISION OF BLOCKS 7, 8 AND 9 IN ALLEN'S SUBDIVISION OF THE WEST 49 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This parcel has a Permanent Index Number of **25-21-428-040**.

2. Located on the subject property is a **GARAGE AND ONE STORY ORDINARY SINGLE FAMILY DWELLING**.

3. The Court having heard testimony and evidence finds that the building located on the subject property is dangerous, hazardous, unsafe and beyond reasonable repair under the Unsafe Buildings Statute, 65 ILCS 5/11-31-1 (1996) in that:

- a. The building's electrical system is stripped and inoperable with missing fixtures and exposed wiring.
- b. The building's electrical panel is under water.
- c. The building's flooring is warped in sections.
- d. The building's furnace is under water.
- e. The building's joists are smoke, fire, or water damaged.
- f. The building's masonry has step or stress fractures and washed out mortar joints.
- g. The building's plaster is broken or missing and smoke, fire, or water damaged.
- h. The building's plaster is saturated and missing from the ceiling.
- i. The building's plumbing system is stripped and inoperable with missing fixtures.
- j. The building's sashes are broken, missing, or inoperable.
- k. The building's stairs leading to the basement are under water.
- l. ~~The building's basement has over 4 feet of standing water.~~
- m. *The building's basement is flood damaged.*
- n.
- o.

4. Demolition of the subject property, as a whole, 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 holders ~~GRUBB, LLC~~ is dismissed as a party defendant.
- B. Defendants **LUCILLE MOSS a/k/a LUCILLE SMITH MOSS and UNKNOWN OWNERS and NONRECORD CLAIMANTS**, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default dates of **NOVEMBER 3, 2016** are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. An in rem 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. Pursuant to Count II of the City's Complaint, Defendant X shall pay a fine of X with execution to issue.
- E. Counts III, V, VI, VII, VIII, and all the remaining counts of the City's Complaint are voluntarily withdrawn.
- F. 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.
- G. The authority granted in Paragraph F above shall be effective immediately.
- H. Defendant owners are ordered to keep the property secure until it is demolished. The City is authorized to keep the property secure if the owners are unable to do so.
- I. The City's performance under the 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.
- J. 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.
- K. 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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L. The Court reserves jurisdiction of this cause to enforce the terms of this Order, for the purpose of ascertaining demolition costs for entry of money judgments against the defendant owners, and for the purpose of hearing foreclosure proceedings, as defined by the applicable statutes and ordinances.

Pamela Hughes

ENTERED
NOV 28 2016

Circuit Court 1953

PLAINTIFF, CITY OF CHICAGO

Stephen R. Patton, Corporation Counsel

By:

[Signature]

MATTHEW E. SUHL

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