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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 01/25/2017 03:01 PM PG: 1 OF 4

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IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICTTHE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

Nick Koroyanis, ET AL.,

Defendants.

Case Number: 16 M1 400868

Re: 822 E. 90th St.

Courtroom 1109

ORDER OF DEMOLITION *with a stay until 3/10/17*

This cause coming on to be heard on, 1-11-2017, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Stephen R. Patton, Corporation Counsel, against the following named Defendants:

NICK KOROYANIS,

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICAN
BROKERS CONDUIT,

AMERICAN BROKERS CONDUIT,

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: 822 E. 90TH ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 11 IN BLOCK 6 IN DAUPHIN PARK, A SUBDIVISION OF THAT PART OF THE NORTH 1/4 OF THE WEST 1/2 OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE ILLINOIS CENTRAL RAILROAD, IN COOK COUNTY, ILLINOIS.

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Permanent Index Number: 25-02-107-016-0000.

2. Located on the subject property is a TWO STORY 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. With respect to each OWNER only, failed to remove exposed electrical wiring and maintain electrical system in safe and sound condition. (18-27-300.4, 18-27-410.22, 13-196-590, 13-196-641). EXPOSED WIRING
 - b. With respect to each OWNER only, failed to repair or replace defective and/or missing electrical fixtures and maintain electrical system in safe and sound condition. (18-27-210.70, 18-27-410.22, 18-27-410.23, 18-27-410.24, 18-27-240.27, 18-27-410.36, 18-27-410.37, 18-27-410.38, 18-27-410.39, 18-27-560.7, 13-196-590, 13-196-641). MISSING FIXTURES; STRIPPED AND INOPERABLE
 - c. With respect to each OWNER and MORTGAGEE, failed to maintain the exterior of a building so that all exterior windows and doors are in sound condition and good repair, so that: windows and doors fit tightly within their frames; window and door frames are constructed and maintained in such relation to the adjacent wall construction as to prevent rain from entering the building; windows and doors are equipped with properly functioning locking hardware; and any window which has broken, cracked, or missing glass or glazing is repaired or boarded in a manner prescribed by code. (13-12-135(b)(3), 13-196-550, 13-196-641, 13-12-126(b)(1)). BROKEN OR MISSING/SASH-BROKEN, MISSING OR INOPERABLE
 - d. With respect to each OWNER, failed to maintain the exterior of a building so that all exterior walls are free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or the interior spaces and are protected against the entry of rodents or other animals. (13-12-135(b)(2), 13-196-530(b), 13-196-530(d), 13-196-641). With respect to each MORTGAGEE, failed to maintain and secure the exterior of the building and keep the exterior of the property free of vermin and rodents. (13-12-126(b)(8), 13-12-126(b)(11)). HOLES; MISSING SECTIONS; WASHED OUT MORTAR JOINTS
 - e. With respect to each OWNER and MORTGAGEE, failed to maintain the exterior of a building so that all portions of the roof are adequately supported and maintained in weather tight condition and all gutters, downspouts, scuppers, and appropriate flashing are in good repair and adequate to remove water. (13-12-135(b)(4), 13-196-530(c), 13-196-641, 13-12-126(b)(8)). DAMAGED MEMBRANE

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- f. With respect to each OWNER, failed to maintain the exterior of a building so that every outside stair or step is in sound condition and good repair and every porch, stoop, deck, veranda, balcony and walk is in sound condition. (13-12-135(b)(6), 13-52-010, 13-196-040, 13-196-570, 13-196-641). With respect to each MORTGAGEE, failed to reasonably maintain the exterior of a building and the structural integrity of stairs and steps that lead to the main entrance(s) of the building. (13-12-126(b)(6), 13-12-126(b)(8), 13-52-010, 13-196-040). **DAMAGED DECKING; DAMAGED HANDRAILS**
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 of the Property Tax Code. The property tax certificate holder SABRE INVESTMENTS, LLC is dismissed as a party defendant.
- B. Judgment is entered in favor of Plaintiff City of Chicago and against Defendants on **Count III** 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 C. above shall become effective 3-10-2017.
- 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 instantaneously 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.

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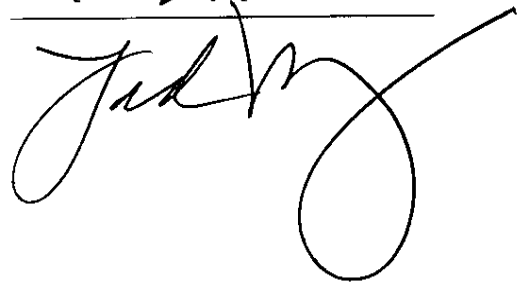
- H. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds that there is no just reason for delaying the enforcement or appeal of this order.
- I. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs for entry of a money judgment against the defendant owners, as defined by the applicable statutes and ordinances.
- J. This case is off call.

PLAINTIFF, CITY OF CHICAGO
STEPHEN PATTON, Corporation Counsel

By: 

Tiffany U. Onyemaobi
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-0210
Atty No. 90909

ENTERED:

1-11-2017


Judge Leonard Murray

JAN 11 2017

Circuit Court - 2100