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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/27/2017 11:55 AM 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.

MELVIN B. PRICE,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants

Case Number: 14 M1 401305

Re: 721 N. DRAKE AVE.
CHICAGO, IL 60624.

Courtroom 1111

ORDER OF DEMOLITION, stayed until 4/11/17

This cause coming to be heard on 3-21-17, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by ~~Stephen R. Patton~~, Corporation Counsel, against the following named Defendants:
Edward Siskel

MELVIN B. PRICE,
TOMAS ORTEGA,
JOSE SANCHEZ,
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: 721 N. Drake Avenue, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 21 IN THOMAS J. DIVEN'S SUBDIVISION OF BLOCK 3 IN F. HARDING'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-11-201-019-0000.

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2. Located on the subject property is a ONE-STORY BRICK BUILDING. The last known use of the building was SINGLE-FAMILY 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. The building(s) located on the subject property ("the building") is vacant.
 - b. Commonwealth Edison terminated services to the building.
 - c. The building's electrical systems are stripped and inoperable.
 - d. The building's electrical systems are missing fixtures and have exposed wiring.
 - e. The building's heating systems are stripped and inoperable.
 - f. The building's glazing is broken or missing.
 - g. The building's masonry has holes.
 - h. The building's masonry has loose or missing brick.
 - i. The building's masonry is missing siding.
 - j. The building's masonry has partially collapsed.
 - k. The building's masonry has smoke, fire, and/or water damage.
 - l. The building's masonry has washed out mortar joints and step or stress fractures.
 - m. The building's rafters have partially collapsed.
 - n. The building's roof has a damaged membrane.
 - o. The building's roof has ~~water damage~~ collapsed.
 - p. The building's sashes are broken, missing, or inoperable.
 - q. The building's sashes have smoke, fire, and/or water damage.
 - r. The building has no flooring, creating a drop to the
 - s. basement - extremely dangerous
 - t. _____
 - u. _____
 - v. _____
 - w. _____

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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.

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. 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.
- D. The authority granted in Paragraph C. above shall become effective 4/11/17.
- 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. 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.
- G. 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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H. 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
~~Edward S. ...~~

By:

Nina Yabes Maree Arden-Zag

Nina Yabes
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 742-0342
Atty No. 90909

Associate Judge
Pamela Hughes Gillespie
MAR 21 2017
Circuit Court - 1953

Clerk of Cook County Clerk's Office