

DUPLICATE ORIGINAL



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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 04/26/2017 12:06 PM PG: 1 OF 5

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

CITY OF CHICAGO, a municipal corporation,

Plaintiff,

v.

UNKNOWN HEIRS AND LEGATEES OF THELMA BALL, et al.

Defendants.

No. 16 M1 403173

Re: 412 N LAVERGNE

Courtroom: 1111

ORDER OF DEMOLITION

This cause coming to be heard on 4/10/17 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:

**UNKNOWN HEIRS AND LEGATEES OF THELMA BALL,  
SMITH-ROTHCHILD FINANCIAL COMPANY,  
ANNIE WEATHERS,  
ILLINOIS DEPARTMENT OF HEALTHCARE & FAMILY SERVICES,  
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: **412 N Lavergne**, Chicago, Illinois, and legally described as follows:

LOT 15 IN BLOCK 4 IN L. B. SIMM'S SUBDIVISION OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 (EXCEPT RAILROAD) OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

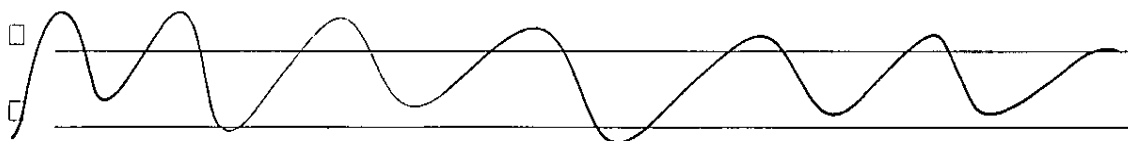
This parcel has a Permanent Index Number of 16-09-227-031.

# UNOFFICIAL COPY

2. Located on the subject property is a two-story frame single family residence
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:

- The building's roof is missing shingles.
- The building's roof has holes ~~at the rear.~~
- ~~The building's exterior walls have holes.~~
- ~~The building's exterior walls are missing sections and siding.~~
- ~~The building's exterior walls are partially collapsed.~~
- The building's exterior walls are ~~smoke, fire or water~~ damaged.
- The building's plaster is broken or missing.
- The building's plaster is ~~smoke, fire or water~~ damaged.
- The building's rafters are rotted and exposed to elements in places.
- The building's joists are missing and overnotched.
- The building's joists are ~~smoke, fire or water~~ damaged.
- The building's sashes are broken, missing or inoperable.
- The building's studding has damaged headers.
- ~~The building's studding is missing in sections.~~
- The building's studding is ~~smoke, fire or water~~ damaged.
- The building's window glazing is broken or missing.
- The building's stairs have damaged decking and handrails.
- The building's stairs have improper handrail height and improper tread and riser.
- ~~The building's stairs are partially collapsed.~~
- The building's stairs have ~~smoke, fire or water~~ damage.
- ~~The building's stairs have undersized joists and the rear porch is gone.~~
- The building's floors are missing and warped.
- The building's floors are ~~smoke, fire or water~~ damaged.
- The building's electrical system has exposed wiring.
- The building's electrical system is missing fixtures and is stripped and inoperable.
- The building's heating system is missing its furnace and is stripped and inoperable.
- ~~The building's heating system is water damaged.~~
- The building's plumbing system is missing fixtures and is stripped and inoperable.

- THE ELECTRIC SYSTEM IS MISSING FIXTURES.
- THERE ARE MOUD FORMATIONS IN THE BASEMENT.
- THERE IS STANDING WATER IN THE BASEMENT.



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4. Demolition of the subject property, as a whole, is the least restrictive alternative available to effectively abate the conditions now existing there.

WHEREFORE, IT IS HEREBY ORDERED THAT:

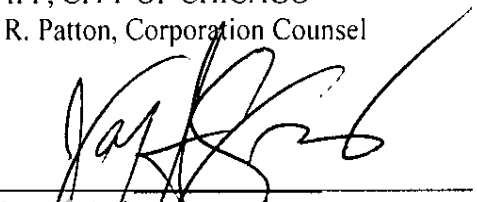
- A. Defendants UNKNOWN HEIRS AND LEGATEES OF THELMA BALL, ANNIE WEATHERS, UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of March 2, 2017, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- B. 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.
- C. Counts II, III, V, VI, VII, and VIII of the City's Complaint are voluntarily withdrawn.
- D. Pursuant to the judgment entered above, 65ILCS 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 be effective IMMEDIATELY.
- F. Defendant owners are ordered to keep the property secure until it is demolished.
- G. 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.
- 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.

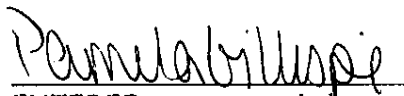
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J. The Court reserves jurisdiction of this cause to enforce the terms of this Order, for the purpose of ascertaining demolition costs for entry of money judgments against the defendant owners, and for the purpose of hearing foreclosure proceedings, as defined by the applicable statutes and ordinances.

PLAINTIFF, CITY OF CHICAGO  
Stephen R. Patton, Corporation Counsel

By:

  
\_\_\_\_\_  
Jayson A. Serrano  
Assistant Corporation Counsel  
Building and License Enforcement Division  
30 N. LaSalle Street, Suite 700  
Chicago, Illinois 60602  
Phone: (312)744-0210  
Facsimile: (312)744-1054  
ATTY NO. 90909

  
\_\_\_\_\_  
ENTERED Judge

Associate Judge  
Pamela Hughes Gillespie  
APR 10 2017  
Circuit Court -- 1953

Office of Cook County Clerk's Office

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

THE CITY OF CHICAGO, a municipal corporation,  
~~Counter~~-Plaintiff,  
v. Unknown Heirs and Legatees  
of Thelma Ball  
*et al.*,  
~~Counter~~-Defendant(s).

No: 16 MI 403173  
Re: 412 N Laverne  
Courtroom 11 11, Richard J. Daley Center

### ORDER OF PERMANENT INJUNCTION

This cause coming to be heard on the set call and on motion of ~~Counter~~-Plaintiff, the Court having jurisdiction over the parties and the subject matter, and being fully advised in the premises:

IT IS HEREBY ORDERED THAT:

- ~~Counter~~-Defendant(s) Unknown Heirs and Legatees of Thelma Ball and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, occupying, selling or otherwise transferring, in whole or in part, the ownership or controlling interest in the: building at 412 N Laverne until the same has / have established full compliance with the Municipal Code of the City of Chicago as stated in this cause and further order of court. The above named ~~Counter~~-Defendant(s) and his / her / their / its agents, heirs, legatees, successors, and assigns shall maintain the subject property in a sanitary, boarded, and secure condition while it remains subject to this injunction.
- The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this permanent injunction.
- Pursuant to Illinois Supreme Court Rule 304(a), this order is final, appealable, and enforceable, the court finding no just cause or reason to delay its enforcement or appeal.
- THIS MATTER IS NOW OFF-CALL.

Judge  
APR 10 2017  
Circuit Court  
1933

HEARING DATE: 4 / 10 / 17

By: Jackson Semara  
Attorney for Plaintiff  
Corporation Counsel #90909  
30 N. LaSalle, Room 700  
Chicago, IL 60602 (312) 744-8791

Pamella Gillum  
Judge Courtroom (111)

3 of 3

Pink Copy for Defendant(s) (photocopy if required)  
Yellow Copy for City of Chicago Department of Law  
White Original for Court Records