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KAREN A. YARBROUGH
COOK COUNTY RECORDER OF DEEDS

DATE: 05/05/2017 11:53 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.

BANC PROPERTY, LLC - MARQUETTE, ET AL.,
Defendants.

Case Number: 15M1403481

Re: 7927-29 S. Marquette Ave.
CHICAGO, IL 60617

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 5/3/17, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Edward Siskel, Corporation Counsel, against the following named Defendants:

BANC PROPERTY, LLC - MARQUETTE;

THE HAPPY NOT FOR PROFIT CHARITY AND OUTREACH MINISTRIES FOR WOMEN, CHILDREN, ORPHANS, VETERANS, INMATES, HOMELESS, NFP ;

NORTHPARK HOLDINGS LLC; and

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: 5348 S. PRINCETON AVENUE, Chicago, Cook County, Illinois ("subject property"), legally described as:

LOTS 17 AND 18 IN SUBDIVISION OF BLOCK 6 IN CIRCUIT COURT PARTITION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 21-31-106-017-0000.

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2. Located on the subject property is a THREE STORY ORDINARY MULTIPLE UNIT DWELLING BUILDING. The last known use of the 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. The building's electric system is stripped and inoperable with missing fixtures and exposed wiring.
 - b. The building's flooring is missing in sections.
 - c. The building's glazing is broken or missing with cracked window panes.
 - d. The building's heating system is stripped and inoperable.
 - e. The building's heating system is missing a furnace.
 - f. The building's joists are cracked and over notched.
 - g. The building's masonry has holes.
 - h. The building's plaster is broken or missing and smoke, fire, or water damaged.
 - 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 have damaged handrails and improper handrail height.
 - l. The building's stairs have improper tread and rise heights.
 - m. The building's stairs have partially collapsed.
 - n. _____
 - o. _____
 - p. _____
 - q. _____
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.

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WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants, unknown owners and non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of April 19, 2017, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- 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. All Defendants 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 entire premises 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. 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 or until the property is demolished.
- 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.
- J. 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.
- K. This case is off call.

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Judge Leonard Murray

ENTERED: MAY 03 2017

Circuit Court - 2100

PLAINTIFF, CITY OF CHICAGO

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