



\*1717041128\*

Doc# 1717041128 Fee \$44.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 06/19/2017 12:43 PM PG: 1 OF 4

Duplicate Original

Space Reserved for Recorder of Deeds

IN THE CIRCUIT COURT OF COOK COUNTY  
MUNICIPAL DEPARTMENT – FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

LORINE E. LAND, ET AL.,

Defendants.

Case Number: 16 M1 402468

Re: 135 N. Kildare Ave.

Courtroom 1111

ORDER OF DEMOLITION

This cause coming to be heard on 5/30/17, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Edward Siskel, Corporation Counsel, against the following named Defendants:

LORINE B. LAND;

GAN B, 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: 135 N. KILDARE AVE., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 1 IN CHAPMAN'S RESUBDIVISION OF LOTS 21, 22, 23 AND 24 IN BLOCK 30 EXCEPTING THAT PART OF SAID LOTS DEDICATED FOR WIDENING WEST RANDOLPH STREET, IN THE RESUBDIVISION OF THE SOUTH 1/2 OF BLOCKS 18 TO 24 INCLUSIVE, AND THE NORTH 1/2 OF BLOCKS 25 TO 32 INCLUSIVE, IN THE WEST CHICAGO LAND COMPANY'S SUBDIVISION OF THE SOUTH 1/2 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-10-419-001.

# UNOFFICIAL COPY

2. Located on the subject property is a TWO-STORY BRICK BUILDING. The last known use of the subject building was MULTI-UNIT 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 has been found vacant and open.
  - ✓ b. The building's masonry has holes, and loose or missing bricks.
  - ✓ c. The building's masonry has step or stress fractures, washed out mortar joints, and smoke, fire or water damage.
  - ✓ d. The building's roof is water damaged, has a damaged membrane, and large sections and sheeting have been cut out, exposing the interior to natural elements. *open*
  - ✓ e. The building's rafters are water damaged, sagging, and rotten.
  - ✓ f. The building's glazing is broken or missing.
  - g. The building's sashes are smoke, fire or water damaged.
  - h. The building's stair system has damaged decking, damaged handrails, and improper tread and risers.
  - ✓ i. The building's stair system has improper foundations, improper handrail height, undersized joists, and smoke, fire or water damage.
  - ✓ j. The building's stair system columns are connected improperly and the front stop column brick bases are tipping outwards.
  - k. The building's studding has damaged headers, missing sections, and smoke, fire or water damage.
  - l. The building's flooring is missing sections, warped, rotten, and smoke, fire or water damaged. *spongy*
  - m. The building's joists are over notched, broken, and improperly supported.
  - n. The building's joists are smoke, fire or water damaged.
  - ✓ o. The building's plaster is smoke, fire or water damaged. *stripped out*
  - ✓ p. The building's electrical system is stripped and inoperable, with exposed wiring and missing fixtures.
  - ✓ q. The building's heating system is stripped and inoperable, vandalized, and missing ductwork and a furnace.
  - ✓ r. The building's plumbing system is stripped and inoperable, and missing fixtures.

**UNOFFICIAL COPY**

- s. Structurally unsound chimney & column
- t. junk & debris on the exterior
- u. Flooring has holes
- v. Interior stains are water damage
- w. \_\_\_\_\_
- x. \_\_\_\_\_

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. 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 **GAN B, LLC** is dismissed as a party defendant.
- 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.

**UNOFFICIAL COPY**

- 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. 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.

Associate Judge  
 Pamela Hughes Gillespie  
 ENTERED  
 MAY 30 2017  
 Circuit Court - 1953

PLAINTIFF, CITY OF CHICAGO

EDWARD SISKEL, Corporation Counsel

By:

Nina Yabes

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