



Doc# 1721441068 Fee \$42.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 08/02/2017 03:16 PM PG: 1 OF 3

This space reserved for the Recorder of Deeds

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,
v. 873 N Orleans, LLC
et al.,
Defendant(s).

No: 14 MI 403524
Re: 873 N Orleans
Courtroom 11 11, Richard J. Daley Center

AGREED ORDER OF INJUNCTION AND JUDGMENT

This cause coming to be heard on the set call, the Court having jurisdiction over the subject matter and being advised in the premises,

THIS COURT FINDS:

- A. Defendant(s), Top Check LLC; CS 873 LLC and the City of Chicago ("City") have reached agreement as to the resolution of this case, stipulate to the following facts and agree to entry of the orders set forth below.
- B. The premises contain, and at all times relevant to this case contained, the violations of the Chicago Municipal Code set forth in City's Complaint. Defendant(s) has/have a right to contest these facts, but knowingly and voluntarily stipulate(s) to said facts and waive(s) the right to trial, including the right to a jury trial, if any, as to each, any and all of the stipulated facts.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

1. The judgment entered on / / in the amount of \$.00 plus \$.00 court costs for a total of \$.00 against Defendant(s) shall stand as final judgment as to Count(s) . Leave to enforce said judgment is stayed until / / . Execution shall issue on the judgment thereafter. This/these count(s) is/are dismissed as to all other Defendants.
2. City agrees to accept \$ 560.00 (including court costs) in full settlement of the judgment if payment is made to the City of Chicago on or before 9/1/17. If payment is mailed, it must be postmarked on or before the above date and sent A-TFN: Kimberly White / Kristina Mokrzycki 30 N. LaSalle St., Suite 700, Chicago, IL 60602.
3. Defendant(s) Top Check LLC; CS 873 LLC and his/her/its/their heirs, legatees, successors, and assigns shall:
 - bring the subject premises into full compliance with the Municipal Code of Chicago by 8/1/18.
 - not rent, use, lease, or occupy the subject premises and shall keep the same vacant and secure until further order of court.
 - put and keep the subject property in compliance with the vacant building requirements in the Municipal Code (sections 13-12-125 through 13-12-150), including the requirements that the property be insured and registered with the City (details and forms at www.cityofchicago.org/buildings) and keep the exterior of the premises clean and free of debris and weeds.
 - notify the Court and City within 30 days of any sale, transfer, or change of ownership by way of a motion to modify this order to name new owner(s).
 -

Pink Copy for Defendant(s) (photocopy if required)

Yellow Copy for City of Chicago Department of Law

White Original for Court Records

UNOFFICIAL COPY

- 4. Defendant(s) shall schedule, permit, and be present for an interior and exterior inspection of the subject premises with the Department of Buildings to allow City to verify compliance with the terms of this Agreed Order. Defendant shall call Inspector Quigley at (312) 743-0411 to schedule this inspection by 8/15/18.
- 5. The premises shall not be in full compliance unless Defendant(s) or subsequent owner(s) has/have obtained all necessary permits for work done at the premises. The provisions of this Agreed Order shall be binding on: the Defendant(s); all partners, managers, and officers of corporate Defendants; and all successors, heirs, legatees, and assigns of the Defendant(s). THESE PERSONS ARE FULLY RESPONSIBLE FOR FULFILLING ALL REQUIREMENTS UNDER THIS AGREED ORDER, REGARDLESS OF OWNERSHIP OF THE PREMISES.

Penalties

- 6. Should Defendant(s) fail to comply with any provision of this Agreed Order, City may petition the Court to enforce this Agreed Order. Defendant(s) shall be subject to the following specified penalties for failure to comply as determined by this Court. This list is not exclusive, and the Court may order other appropriate remedies upon petition by City, including the appointment of a receiver to make repairs and/or reinstatement of the case.
 - (a) Default Fines
 - Defendant(s) shall follow the compliance schedule set forth above and shall be subject to fines of \$500.00 per day for each violation of the Municipal Code of Chicago that exists past the due date. Such fines shall be calculated from the first day Defendant(s) violate(s) the compliance schedule, and shall continue to run until Defendant(s) bring(s) the violation(s) into compliance.
 - Further, if the premises are found not to be secured (as required by the Municipal Code of Chicago) after entry of this Agreed Order, Defendant(s) shall be subject to a lump-sum default fine in the amount of \$5,000.00.
 - (b) Contempt of Court
 - (i) Civil Contempt If upon petition by City, the Court finds that Defendant(s) has/have failed to comply with this Agreed Order, Defendant(s) shall be subject to fines and/or incarceration for indirect civil contempt until Defendant(s) purge(s) the contempt by complying with the Agreed Order.
 - (ii) Criminal Contempt If upon petition by City for indirect criminal contempt, Defendant(s) is/are found beyond a reasonable doubt to have willfully refused to comply with the Court's order, Defendant(s) will be subject to a fine and/or incarceration. Such fine or period of incarceration shall not be affected by subsequent compliance with the Agreed Order.

Proceedings on Request for Relief

- 7. Defendant(s) waive(s) the right to a trial or hearing as to all issues of law and fact, except whether or not Defendant(s) has/have violated the provisions of this Agreed Order, whether or not said violation(s) constitute(s) civil or criminal contempt, and whether or not the requested relief is appropriate and/or feasible.
- 8. The court reserves jurisdiction of this matter for the purposes of modification, enforcement, or termination of this Agreed Order, including the adjudication of proceedings for contempt or default fines, which could result in the imposition of a fine and/or incarceration against Defendant(s), and reinstatement of City's Complaint.
- 9. This matter is hereby dismissed by agreement of the parties, without prejudice, subject to the agreement detailed above. This order is final and enforceable pursuant to Illinois Supreme Court Rule 304(a), the court finding no just cause or reason to delay its enforcement. All parties to this agreement waive their right to appeal this Agreed Order.

HEARING DATE: 7/20/17

THE PARTIES HAVE READ AND AGREE TO ALL OF THE ABOVE TERMS AND CONDITIONS.

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

Defendant: [Signature]
 By Counsel: Thomas R. Kainos
 Phone: (312) 7501166

Associate Judge
 Pamela Hughes Gillespie
 JUL 20 2017
 Circuit Court - 1953

Pamela Gillespie
 Judge G. Gillespie Courtroom 1111

Pink Copy for Defendant(s) (photocopy if required)
Yellow Copy for City of Chicago Department of Law
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Address: 873 N. Orleans

Legal: LOT 3 IN BLOCK 27 IN JOHNSTON ROBERTS AND STORR'S ADDITION TO CHICAGO IN SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 17-04-437-002-0000

Case #: 14 M1 403524

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