



Doc# 1800541090 Fee \$42.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 01/05/2018 12:02 PM PG: 1 OF 3

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.

FIRST S & H MANAGEMENT, LLC, ET AL.,
Defendants.

Case Number: 17M1401062

Re: 5530 S. Winchester Ave.

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on November 1, 2017, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Edward Siskel, Corporation Counsel, against the following named Defendants:

- FIRST S & H MANAGEMENT, LLC;
- ROCKWELL PARTNERS 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: 5530 S. Winchester Ave., Chicago, Cook County, Illinois ("subject property"); legally described as:

LOT 26 IN BLOCK 4 IN THE RESUBDIVISION OF BLOCKS 3, 4, 5, 6, 11 AND 12 IN THE RESUBDIVISION OF BLOCKS 1 TO 8 (EXCEPT THE NORTH 134 FEET OF BLOCKS 1 AND 2 EXCEPT THE NORTH 60 FEET OF THE SOUTH 350 FEET OF BLOCKS 7 AND 8) IN LYON'S SUBDIVISION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. Permanent Index Number: 20-18-200-023-0000.
2. Located on the subject property is a two-story brick building. The last known use of the subject building was residential.

17M1401062

UNOFFICIAL COPY

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 masonry has loose or missing brick.
 - b. The building's masonry is smoke, fire or water damaged.
 - c. The building's masonry has step or stress fractures and washed out mortar joints.
 - d. The building's sashes are broken, missing or inoperable.
 - e. The building's window glazing is broken or missing.
 - f. The building's stairs have an improper handrail height.
 - g. The building's electrical system has had its ComEd service terminated at the pole.
 - h. The building's plumbing system is missing downspouts.
 - i. _____
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.

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.
- B. 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 October 19, 2017, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- C. 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.
- D. The remaining counts of the City's complaint are voluntarily withdrawn.
- E. 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.

17M1401062

UNOFFICIAL COPY

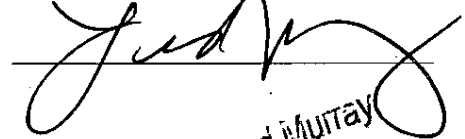
- F. The authority granted in Paragraph E. above shall become effective immediately.
- G. The City's performance under this order will result in a statutory in rem lien that attaches only to the subject parcel of real estate. If the City seeks a personal judgment against any individual party to this action, it will proceed by separate motion directed to that party.
- 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.
- 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.

PLAINTIFF, CITY OF CHICAGO
EDWARD SISKEL, Corporation Counsel

By: _____

Ashley Varnado
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-5526
Atty No. 90909

ENTERED:



Judge Leonard Murray

NOV 02 2017

Circuit Court - 2100