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KAREN A. YARBROUGH
COOK COUNTY RECORDER OF DEEDS
DATE: 05/10/2018 12:39 PM PG: 1 OF 3

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

ROSA VAZQUEZ, ET AL.,

Defendants.

Case Number: 17M1401848

Re: 5037 S. Hoyne Avenue

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on April 26, 2018, on the complaint of the Plaintiff, City of Chicago, a municipal corporation (“City”), by Edward Siskel, Corporation Counsel, against the following named Defendants:

- ROSA VAZQUEZ;
- MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.;
- MAIN STREET CAPITAL 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: 5037 S. Hoyne Avenue, Chicago, Cook County, Illinois (“subject property”), legally described as:

LOT 35 BLOCK 58 IN CHICAGO UNIVERSITY SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE WEST 3/4 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. Permanent Index Number: 20-07-125-016-0000.
2. Located on the subject property is a two-story, frame building. The last known use of the subject building was residential.

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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 electrical system is stripped and inoperable with missing fixtures and exposed wiring.
 - b. The building's flooring is warped and smoke, fire, and water damaged.
 - c. The building's glazing is broken, missing, and cracked.
 - d. The building's heating system is stripped and inoperable.
 - e. The building's masonry is missing siding.
 - f. The building's plaster is broken, missing, and smoke fire, and water damaged.
 - g. The building's plumbing system is missing fixtures, stripped, and inoperable.
 - h. The building's sash is smoke, fire, and water damaged.
 - i. The building's sash is broken, missing, and inoperable.
 - j. The building's rafter is fire damaged.
 - k. The building's roof is missing shingles and fire damaged.
 - l. The building's stairs have damaged decking, damaged handrails, improper foundations, and improper handrail heights.
 - m. _____
 - n. _____
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. The property tax certificate holder, FAIR DEAL II, INC., is dismissed as a party defendant.

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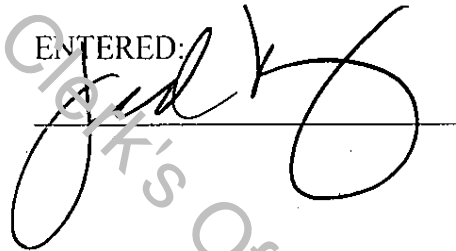
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- B. Defendants, unknown owners and non-record claimants, having been notified by publication, and having failed to appear, answer, or otherwise plead as of the default date of March 15, 2018, are in default and all allegations in the complaint are 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.
- 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.
- 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. 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
APR 26 2018
Circuit Court - 2100