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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 06/07/2018 11:12 AM PG: 1 OF 4

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Duplicate Original

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

BENIGNO ALEXANDER ALVARADO, ET AL.,
Defendants.

Case Number: 16 M1 603193

Re: 541 N. Kedzie

Courtroom 1111

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on 5/29/18, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Edward Siskel, Corporation Counsel, against the following named Defendants:

- BENIGNO ALEXANDER ALVARADO,
- MAYRA CASTILLO,
- MADISON, IN CARE OF, STONEFIELD INVESTMENT FUND IV, LLC,
- 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: 541 N. KEDZIE AVE., Chicago, Cook County, Illinois ("subject property"), legally described as:

LOT 34 IN BLOCK 2 IN JOSEPH W. TAYLOR'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 16-12-106-003.

2. Located on the subject property is a TWO-STORY BRICK BUILDING. The last known use of the subject building was RESIDENTIAL AND COMMERCIAL/STOREFRONT.

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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 has been found vacant.
 - ✓ b. The building's masonry has partially collapsed, with loose or missing bricks, step or stress fractures, washed out mortar joints and smoke, fire or water damage.
 - ✓ c. The building's front masonry façade brick wall has been removed and is open to the elements.
 - ✓ d. The building's sashes are broken, missing or inoperable.
 - ✓ e. The building's vinyl frames are broken with holes through the sill.
 - f. ~~The building's glazing is broken or missing throughout.~~
 - ✓ g. The building's roofing material has been removed and was found lying in the backyard.
 - ✓ h. The building's rafters and front of roof are exposed to the elements.
 - ✓ i. The building's plaster is broken or missing throughout. *missing piping, water damaged*
 - j. The building's stair system is smoke, fire or water damaged, and has damaged decking, damaged handrails and improper splices on the columns.
 - ✓ k. The building's electrical system is inoperable, with exposed wiring and missing fixtures.
 - l. *Front facade completely removed & rear wall water damaged*
 - m. *Junk & debris at exterior* *Shifting brick*
 - n. *Holes & mold in ceiling*
 - o. *Evidence of drug activity - heroin needle*
 - p. *Interior has evidence of substantial water damage*
 - q. _____
4. The subject building is beyond reasonable repair and it would take major reconstruction by a responsible owner to bring the subject building into full compliance with the Municipal Code.
5. Demolition of the subject building is the least restrictive alternative available to effectively abate the dangerous and unsafe conditions at the subject property as of 5/29/18.

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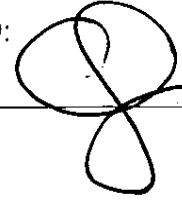
WHEREFORE, IT IS HEREBY ORDERED THAT:

- 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 **MADISON, IN CARE OF, STONEFIELD INVESTMENT FUND IV, LLC**, is dismissed as a party defendant.
- B. Defendants UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of December 4, 2017 are in default and all allegations in the complaint are deemed admitted against said defendants.
- C. An *in rem* judgment on Count I and III of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- D. Counts II, IV, ~~V~~ ^{VI}, VII and VIII of the Complaint are voluntarily dismissed, on the City's oral motion.
- 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 subject 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. Such authority shall be effective immediately.
- F. The City's performance under this order shall result in a statutory *in rem* lien that attaches to the subject property only. If the City seeks a personal judgment against any Defendant(s), it shall proceed by separate civil action.
- G. Any and all Defendants with either possession or control of the subject property shall immediately remove any and all persons occupying the subject building and any and all personal property from the subject property so that the subject property is completely vacant and free of persons and personal property before demolition is commenced.
- 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. A violation of the permanent injunction will result in a \$500.00 fine.

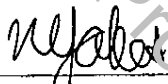
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- I. The Court reserves jurisdiction of this cause to enforce the terms of this Order and for the purpose of ascertaining demolition costs and other costs ~~for the purposes of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.~~ 
- J. This matter is off-call.

ENTERED:



PLAINTIFF, CITY OF CHICAGO
EDWARD SISSEL, Corporation Counsel

By: 
 Nina Yebes
 Assistant Corporation Counsel
 Building and License Enforcement Division
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602 / (312) 744-5679
 Atty No. 90909

Property of Cook County Clerk's Office

Judge Carolyn J. Gallagher
 MAY 29 2018
 Circuit Court - 2168