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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 12/04/2018 04:01 PM PG: 1 OF 4

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**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT**THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

TREND'S DESTINATION, LLC, ET AL.,
Defendants.

Case Number: 18M1401919

Re: 2657 E. 77TH ST.
CHICAGO, IL 60649

Courtroom 1109

ORDER OF DEMOLITION

This cause coming on to be heard on, 11/28/18, on the complaint of the Plaintiff, City of Chicago, a municipal corporation ("City"), by Edward Siskel, Corporation Counsel, against the following named Defendants:

TREND'S DESTINATION, 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:

The Court has jurisdiction of the parties hereto and the subject matter, which is the premises located at the following address: 2657 E. 77TH ST., Chicago, Cook County, Illinois ("subject property"), legally described as:

THE WEST 52 FEET OF THE NORTH 85 FEET OF LOT 72 IN BLOCK 2 IN DIVISIONS 1 AND 2 OF WESTFALL'S SUBDIVISION OF 208 ACRES, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Located on the subject property is TWO-STORY FRAME SINGLE FAMILY DWELLING BUILDING. The last known use of the building was RESIDENTIAL.

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 is vacant and open.
- b. The building's masonry is smoke, fire, or water damaged.
- c. The building's masonry is partially collapsed.
- d. The building's masonry contains holes and missing sections.
- e. The building's masonry has stress or step fractures and washed out mortar joints.
- f. The building is missing siding.
- g. The building's roof is missing shingles.
- h. The building's sash is broken, missing, or inoperable.
- i. The building's sash is smoke, fire, or water damaged.
- j. The building's window glazing is broken or missing.
- k. The building's stairs have an improper handrail height.
- l. The building's stairs have improper foundations and an improper tread and riser.
- m. The building is missing studding.
- n. The building's studs are smoke, fire, or water damaged.
- o. The building's joists are smoke, fire, or water damaged.
- p. The building's floor is smoke, fire, or water damaged.
- q. The building's flooring is warped.
- r. The building is missing portions of flooring.
- s. The building's plaster has broken missing portions.
- t. The building's electrical system has had its ComEd service terminated at the pole.
- u. The building's electrical system is stripped and inoperable.
- v. The building's electrical system has exposed wiring.
- w. The building's electrical system is missing fixtures.
- x. The building's heating system is stripped and inoperable.

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- y. The building's heating system is missing ductwork and a furnace.
- z. The building's heating system has been vandalized.
- aa. The building's plumbing system is stripped and inoperable.
- bb. The building's plumbing system is missing fixtures.

cc. _____

dd. _____

ee. _____

ff. _____

gg. _____

There has been no work in progress since the beginning of this case at the subject property.

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. 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 November 13, 2018, are in default and all allegations in the complaint are deemed admitted against Defendants in default.
- 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 11/28/19.
- 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 civil action.

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- 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 instantler 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. The Court reserves jurisdiction of this cause to enforce the terms of this order and for the purpose of ascertaining the demolition costs and other costs, as defined by the applicable statutes and ordinances.
- I. This case is off call.

ENTERED

Judge Litricia Payne
NOV 28 2018
Circuit Court - 2183

PLAINTIFF, CITY OF CHICAGO

Edward Siskel, Corporation Counsel

By:

Kelleen O'Leary
Assistant Corporation Counsel
Building and License Enforcement Division
30 N. LaSalle Street, Room 700
Chicago, Illinois 60602 / (312) 744-0210
Atty No. 90909