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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 01/22/2019 09:20 AM PG: 1 OF 2

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

ORDER APPOINTING LIMITED RECEIVER

LOT 28 AND LOT 29 IN BLOCK 4 IN SOUTH SHORE PARK, A SUBDIVISION IN THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 7530-32 S. PHILLIPS AVENUE, CHICAGO, IL 60649

UNIT PIN #: 21-30-300-033-1001; 21-30-300-033-1002; 21-30-300-033-1003;
21-30-300-033-1004; 21-30-300-033-1005; 21-30-300-033-1006

This instrument was prepared by Community Initiatives Inc.

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

No: 16 MI 403527

Re: 7530-32 S Phillips

Courtroom 11 09, Richard J. Daley Center

v.
7530-32 S. Phillips Condo Assoc
et al., Defendant(s).

EMERGENCY PETITION FOR APPOINTMENT OF A LIMITED / GENERAL RECEIVER (circle one)

The City of Chicago ("City"), by its attorney, the Corporation Counsel, pursuant to 65 ILCS 5/11-31-1, 5/11-31-2 and 5/11-13-15 petitions the Court to appoint a receiver, with the powers granted and duties imposed upon receivers by courts and by statutes, until further order of Court. In support of this Petition, City states as follows:

1. Plaintiff, City, is a municipal corporation, authorized by 65 ILCS 5/11-31-2 (2004) to seek appointment of a receiver to correct conditions that fail to conform to minimum standards of health and safety;
2. The subject premises ("Premises") is located within the City of Chicago, and defendants are owners of or have an interest in Premises;
3. City filed this suit against defendant(s), alleging that dangerous and hazardous conditions exist at Premises. These dangerous and hazardous conditions pose an imminent threat of irreparable harm and injury to the health, safety and welfare of the public and the occupants of Premises;
4. Defendant(s) has/have failed to correct, after due notice, these unsafe and/or unhealthy building conditions;
5. Equitable remedies other than the appointment of a receiver are inadequate in this case because, on information and belief, defendants have failed and are not currently able or willing to abate the unhealthy and/or unsafe conditions in the premises. The conditions which now exist at the premises will remain unabated without the appointment of a receiver, and will result in the loss of salvageable property, as well as irreparable harm to the subject property's occupants, neighbors of the premises and the general public; and
6. Applicant's bond should be excused, and the surety bond waived, pursuant to 65 ILCS 5/11-31-2.3 (2004).

WHEREFORE, the Plaintiff, City of Chicago, respectfully requests that this Court:

- A. Appoint a: ☐ General Receiver
☒ Limited Receiver, with powers granted and duties imposed as specified in paragraph B below until further order of court.
- B. Authorize and order the receiver to enter into possession of the premises and to perform the following duties:
 - ☒ Prepare a feasibility study regarding the care, management, and repair of the subject property;
 - ☐ Vacate the subject property, which includes, but is not limited to, refunding any existing security deposits owed to tenants if they are being permanently relocated, hiring movers and arranging for transportation to new residences;
 - ☐ Board and secure the subject property or board and secure the subject property after it is vacated;
 - ☐ Collect rent, if the subject property is occupied and will not be vacated;
 - ☐ Make repairs;
 - ☒ Abate any dangerous and hazardous conditions at the subject property, including:
 - 1) secure the front fire exit door
 - 2) assess utilities
 - 3) prepare an estimate of redemption
- C. Authorize the receiver to retain counsel pursuant to Circuit Court Rule 8.2.
- D. Authorize the receiver to employ agents to assist in the performance of his/her receivership duties.
- E. Enjoin and restrain defendants from interfering with or obstructing the receiver's performance of her receivership duties.
- F. Upon the appointment of the receiver, the owner(s) and/or owner's agent(s) shall provide to the receiver access to all areas of the building and deliver master keys for all units within 24 hours, along with all items and materials necessary for the receiver to perform his or her duties including rent rolls and access to all financial accounts within seven days.
- G. Excuse applicant's bond and receiver's bond pursuant to 65 ILCS 5/11-31-2.3.
- H. Authorize the receiver to issue receiver's certificates for the costs and expenses of the receivership.
- I. Continue this matter for a receiver's report and determination of whether a general receivership of the premises is feasible.

VERIFICATION BY CERTIFICATION

Pursuant to section 1-109 of the Code of Civil Procedure, the undersigned certifies that he or she is an attorney for the City of Chicago, and that he/she is the authorized agent of the Plaintiff for the purpose of making this certification, and that the statements set forth in this Petition are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he or she verily believes the same to be true.

By:

Dorothy Brown
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FILED
AUG 20 2018
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT