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EDWARD M. MOODY
COOK COUNTY RECORDER OF DEEDS
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**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT**

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

SHERRY HENDRIX,
WHEELER-DEALER LTD., D/B/A WHEELER
FINANCIAL, INC.,
ERIKA OWENS,
INTERNAL REVENUE SERVICE,; JUDY A.
BOLER,
DERRICK HENDRIX
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 18M1400480
1424
Re: 1242 S KENNETH AVE.
Chicago, IL

Courtroom 1111

**ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO**

This cause coming to be heard on 2-20-19 on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Edward N. Siskel, Corporation Counsel, against the following:

SHERRY HENDRIX,
ERIKA OWENS,
INTERNAL REVENUE SERVICE,;
JUDY A. BOLER,
DERRICK HENDRIX,;
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

("Defendants").

The Court having heard evidence and testimony and being fully advised in the premises finds that:

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1. The Court has jurisdiction of the subject matter, which is the real estate located at ~~1242~~ S KENNETH AVE., CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOTS 11 AND 12 IN BLOCK 2 IN BRENOCK'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE EAST 10 ACRES OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 16-22-109-033-0000

2. Located on the subject property is a TWO STORY BRICK MULTIPLE-UNIT BUILDING ("subject building"). The last known use of the subject building was RESIDENTIAL.
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, in that the following violations of the Municipal Code of Chicago exist at the subject property and the defendants:
- a. The building's roof has a damaged membrane.
 - b. The building's roof has been damaged by water.
 - c. The building's masonry has washed out mortar joints.
 - d. The building's glazing is broken or missing.
 - e. The building's glazing has cracked panes.
 - f. The building's joists are damaged by smoke, fire, or water.
 - g. The building's sash is broken, missing, or inoperable.
 - h. The building's sash has been damaged by smoke, fire, or water.
 - i. The building is missing studding.
 - j. The building's studding has been damaged by smoke, fire, or water.
 - k. The building's plaster has been damaged by smoke, fire, or water.
 - l. The building's plaster is missing or broken in areas.
 - m. The building's flooring is dangerous and hazardous.
 - n. The building's flooring is missing in areas.
 - o. The building's flooring has been damaged by smoke, fire, or water.
 - p. The building's electrical system has a comed SVC terminated at building.
 - q. The building's electrical system has a comed SVC terminated at pole.

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- r. The building's electrical system has exposed wiring.
- s. The building's electrical system is missing fixtures.
- t. The building's electrical system has been stripped and is now inoperable.
- u. The building's heating system is missing ductwork.
- v. The building's plumbing system is missing fixtures.

w. _____

x. _____

y. _____

- 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 2-2019.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. As the City has met its obligations with respect to property tax sale certificate holders under the Property Tax Code (35 ILCS 200/21-410) and property tax sale certificate holders are subject to, inter alia, Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code, WHEELER-DEALER LTD., D/B/A WHEELER FINANCIAL, INC. is/are dismissed as defendant(s) in this case and shall not be included in the term "Defendants" as used in this Order.
- B. Defendant(s) SHERRY HENDRIX, ERIKA OWENS, AND INTERNAL REVENUE SERVICE has/have failed to appear in court or otherwise answer the complaint and is/are in default and the complaint herein is confessed against said defendant(s).
- C. Defendants JUDY A. BOLER, DERRICK HENDRIX, AND 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 12/10/2018 are in default and all allegations in the complaint are deemed admitted against said defendants.
- D. An *in rem* judgment on Count I and IV of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- E. All the remaining counts of the Complaint are voluntarily dismissed, on the City's oral motion.

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- F. 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.
- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. This matter is off-call.

Judge Leonard Murray

FEB 20 2019

Circuit Court - 2100

ENTERED:

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