



1906541066

Doc# 1906541066 Fee \$42.00

EDWARD H. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 03/06/2019 11:15 AM PG: 1 OF 3

Duplicate
Original

This space reserved for the Recorder of Deeds.

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

KATHERINE LEE, COOK COUNTY LAND
BANK AUTHORITY, and UNKNOWN OWNERS
AND NONRECORD CLAIMANTS.

Defendant's.

Case Number: 18M1400944

Re: 7038 South Stewart Avenue, Chicago, IL 60621

Courtroom 1109

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

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

KATHERINE LEE and
UNKNOWN OWNERS AND NONRECORD CLAIMANTS.

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

1. The Court has jurisdiction of the subject matter, which is the real estate located at 7038 SOUTH STEWART AVENUE, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

**THE SOUTH 25 OF LOT 8 IN BLOCK 8 IN L. W. BECK'S SUBDIVISION OF THE
SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 38
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.**

Permanent Index Number(s): 20-21-328-032-0000.

2. Located on the subject property is a TWO STORY FRAME MULTIPLE UNIT DWELLING, ("subject building"). The last known use of the subject building was RESIDENTIAL.

18M1400944

UNOFFICIAL COPY

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 :
- a. The building's electrical system has exposed wiring and missing fixtures.
 - b. The building's flooring is missing.
 - c. The building's glazing is broken and missing.
 - d. The building's heating system is missing ductwork and a furnace.
 - e. The building's masonry is missing siding.
 - f. The building's masonry has possible asbestos siding.
 - g. The building's plaster is broken and missing.
 - h. The building's plumbing system is missing fixtures.
 - i. The building's rafter is cracked.
 - j. The building's roof is missing shingles.
 - k. The building's sash is broken, missing, and inoperable.
 - l. The building's stairs have damaged decking and damaged handrails.
 - m. The building's studding is missing.
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 immediately.

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, COOK COUNTY LAND BANK AUTHORITY is dismissed as defendant(s) in this case and shall not be included in the term "Defendants" as used in this Order.
- B. Defendant(s) KATHERINE LEE 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 November 30, 2018 are in default and all allegations in the complaint are deemed admitted against said defendants.

UNOFFICIAL COPY

18M1400944

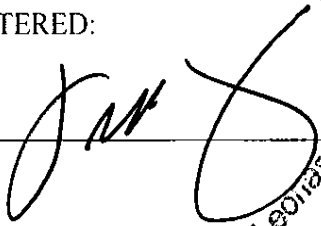
- C. An *in rem* judgment on Count I and IV of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- D. All other Counts of the Complaint are voluntarily dismissed, on the City's oral motion.
- E. Pursuant to the judgment entered above, 65 ILCS 5/11-31-1, and 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.
- 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:

By: _____

Zach Vojslavek
 Assistant Corporation Counsel
 City of Chicago Department of Law
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602
 phone: (312) 744-5526
 zach.vojslavek@cityofchicago.org

#90909

ENTERED:

 Judge Leonard Murray
 FEB 19 2019
 Circuit Court - 2100