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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,
V.

RYORS PROPERTIES LLC;
PSA SOLUTIONS;
CORONA INVESTMENTS LLC;
PINE VALLEY REAL ESTATE LLC; AND
UNKNOWN OWNERS and NONRECORD CLAIMANTS,
Defendants.

Case No. 16-M1-402591

Address: 1017 W. 77TH ST. /
7701 S. CARPENTER
CHICAGO, IL 60620

Courtroom 1105

ORDER OF NUISANCE ABATEMENT FORFEITURE

This cause coming on to be heard on the First Amended Complaint and the Petition for Forfeiture filed by the Plaintiff, City of Chicago, a municipal corporation ("City"), by Edward Siskel, Corporation Counsel, against the following named Defendants:

RYORS PROPERTIES, LLC, OWNER

PSA SOLUTIONS, AGENT OF OWNER

CORONA INVESTMENTS, LLC, TAXBUYER

PINE VALLEY REAL ESTATE, LLC TAXBUYER

UNKNOWN OWNERS and NONRECORD CLAIMANTS



Doc# 1917145043 Fee \$88.00

EDWARD H. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 06/20/2019 02:00 PM PG: 1 OF 3

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

1. The Court has jurisdiction over the parties as follows:

RYORS PROPERTIES LLC, served via corporate service on May 8, 2017.

PSA SOLUTIONS, served via business service on December 22, 2016.

CORONA INVESTMENTS LLC, via company service on January 3, 2019.

PINE VALLEY REAL ESTATE, via business service on February 29, 2019.

UNKNOWN OWNERS, served by publication with a default date of May 28, 2019.

NONRECORD CLAIMANTS, service by publication with a default date of May 28, 2019.

2. The Court has jurisdiction of the subject matter, which is the premises located at the following address: 1017 W. 77TH ST / 7701 S. CARPENTER, CHICAGO, ILLINOIS 60620 ("subject property"), legally described as:

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LOT 30 IN ESCH AND STEGE'S ADDITION TO WEST AUBURN, BEING A SUBDIVISION OF BLOCK 21 IN SUBDIVISION OF SOUTHEAST ¼ OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 20-29-419-001-0000

3. Located on the subject property is a TWO STORY BUILDING (the "subject building"). The last known use of the subject building was RESIDENTIAL.
4. Throughout the City's action against the property the owner, RYORS PROPERTIES, LLC, has failed to abide by the courts orders to make necessary repairs, appear in court, keep the subject property vacant, provide heat and proper utilities to the tenants and occupants it failed to vacate, to the point where the Court assigned a receiver and order a preliminary injunction against the owner. The owner has therefore not shown any indication that it is capable and willing to bring the property into compliance with applicable laws.
5. By a preponderance of the evidence, the subject building is a public nuisance as defined by 13-12-145 of the Municipal Code of Chicago (the Building Nuisance Abatement Ordinance) in that the owner has failed to show it has readily available and sufficient assets to make repairs necessary to bring the property into compliance with applicable laws:
 - a. The water bill is delinquent at least \$32,246.28;
 - b. The subject property has been under a court appointed receivership since November 26, 2018, and the court appointed receiver has assisted in the vacate of the property which was necessary due to the unsafe conditions and has since that time kept the property vacant, boarded, and secured.
 - c. The case was initiated because of severe damage to the building including sagging lintels, fractured exterior wall masonry, a porch system in a state of dangerous and hazardous disrepair, which are all indications of ongoing deterioration of the subject property due to neglect by the owner.
 - d. Repeated failure by the owner to make Court ordered repairs, appearances, execute vacates, and otherwise comply with the Court's orders, Chicago's building code, or any applicable laws, suggest a lack of readily available and sufficient assets required to bring the subject property into compliance.
 - e. There is a Receiver's Certificate pending filing for \$15,097.50 that will be recorded as an outstanding deed on the property.
6. As the subject building constitutes a public nuisance as defined in subparagraphs 3 of section 13-12-145 of the Municipal Code of Chicago, there is a rebuttable presumption that the issuance of an order of forfeiture or assignment of all of the defendants' rights, title, and interest in the real estate is appropriate. No evidence has been presented to rebut this presumption.
7. In light of the magnitude of the harm caused or which can reasonably be expected to be caused by the nuisance and the extent to which the Defendants have failed to take effective measures to abate the nuisance, the assignment to a third party designated by the city of all of the

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defendants' rights, title, and interest in the real estate as authorized by the Municipal Code is reasonable and proper.

8. The City has designated Defendant COMMUNITY INITIATIVES, INC. for assignment.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants, RYORS PROPERTIES LLC, PSA SOLUTIONS, CORONA INVESTMENTS LLC, PINE VALLEY REAL ESTATE LLC, UNKNOWN OWNERS, NON-RECORD CLAIMANTS having been served and having failed to answer or otherwise plead as of the default date are in default and all allegations in the First Amended Complaint are deemed admitted against said defendants;
- B. Judgement is entered in favor of Plaintiff, City of Chicago, and against Defendants on Counts III of the City's First Amended Complaint seeking forfeiture of the subject property to a responsible third party designated by the City;
- C. Counts I and II of the City's First Amended Complaint are voluntarily dismissed without prejudice;
- D. Pursuant to the authority granted this Court in Section 13-12-145 of the Municipal Code of Chicago this Court hereby forfeits and assigns all rights, title, and interest RYORS PROPERTIES LLC, PSA SOLUTIONS, UNKNOWN OWNERS and NONRECORD CLAIMANTS to a third party Community Initiatives Inc. – designated by the City, effective immediately with entry of this Order;
- E. RYORS PROPERTIES LLC, is dismissed without prejudice on Count I of the City's First Amended Complaint with no costs and no fines;
- F. PSA SOLUTIONS, CORONA INVESTMENTS LLC, PINE VALLEY REAL ESTATE LLC, are dismissed from this case without prejudice and no costs and no fines;
- G. Pursuant to Illinois Supreme Court Rule 304(a), this is a final and appealable order and the Court finds there is no just reason for delaying the enforcement or appeal of this order;
- H. The Court reserves jurisdiction of this cause to enforce the terms of this order;
- I. A judicial deed conveying the subject property pursuant to the forfeiture and assignment ordered in paragraph D is hereby entered.

DATE: 6-20-19

ENTERED: *Patrice Ball-Reed*

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Associate Judge Patrice Ball-Reed

JUN 20 2019

Circuit Court - 1987

D. Quaintance McKenzie