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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.

UNKNOWN HEIRS AND LEGATEES OF
ROBERT P. SMITH, et al.,

Defendants.

Case Number: 18M1400671

Re: 1503 West 68th Street, Chicago, IL 60636

Courtroom 1109

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on 6/20/19 on the complaint of THE CITY OF CHICAGO (“the City”), by and through its attorney, Edward N. Siskel, Corporation Counsel, against the following:

UNKNOWN HEIRS AND LEGATEES OF ROBERT P. SMITH, 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 1503 WEST 68TH STREET, CHICAGO, COOK COUNTY, ILLINOIS (“subject property”), legally described as:

LOT 185 IN ENGLEWOOD ON THE HILL, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-20-309-019-0000.

2. Located on the subject property is a TWO STORY BRICK MULTIPLE UNIT DWELLING WITH GARAGE BUILDING, (“subject building”). The last known use of the subject building was RESIDENTIAL.

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- a. 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 The building's electrical service has been terminated by ComEd.
- b. The building's electrical system is stripped and inoperable with missing fixtures.
- c. The building's flooring is missing and warped.
- d. The building's glazing is broken and missing.
- e. The building's heating system is stripped, inoperable, and vandalized.
- f. The building's masonry has loose and missing brick.
- g. The building's masonry has washed out mortar joints.
- h. The building's plaster is broken and missing.
- i. The building's plumbing system is stripped and inoperable with missing fixtures.
- j. The building's roof has a damage membrane and is water damaged.
- k. The building's sash is broken, missing, and inoperable.
- l. The building's stairs are dangerous and hazardous with damaged decking, damaged handrails, improper foundations, improper handrail heights, and improper treads and risers.
- M. *The garage's roof has collapsed.*
3. 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.
4. 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 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) UNKNOWN HEIRS AND LEGATEES OF ROBERT P. SMITH 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 May 20, 2019 are in default and all allegations in the complaint are deemed admitted against said defendants.

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- 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:

Michael A. Strom
 Michael A. Strom
 JUN 20 2019
 Circuit Court-2248

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

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