

UNOFFICIAL COPY



1920441017

Doc# 1920441017 Fee \$88.00

EDWARD M. HOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 07/23/2019 09:52 AM PG: 1 OF 4

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.

KAYAETTA COOKS, *et al.*

Defendants.

Case Number: 18 M1 402141

Re: 8605 S. MARSHFIELD AVE
Chicago, IL 60620

Courtroom 1111

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on 7/8/19 on the complaint of THE CITY OF CHICAGO (“the City”), by and through its attorney, Mark A. Flessner, Corporation Counsel, against the following:

KAYAETTA COOKS

INTERNAL REVENUE SERVICE

UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

(“Defendants”).

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 8605 S. MARSHFIELD AVE., CHICAGO, COOK COUNTY, ILLINOIS (“subject property”), legally described as:

LOTS 26 AND 27 IN BLOCK 14 FRANK G. GAGE’S ADDITION TO ENGLEWOOD HEIGHTS, A SUBDIVISION OF THE SOUTHEAST ¼ (EXCEPT THE WEST 20 ACRES THEREOF) OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-31-430-002-0000 AND 20-31-430-003-0000.

UNOFFICIAL COPY

2. Located on the subject property is a ONE STORY SINGLE FAMILY FRAME 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 masonry is partially collapsed.
 - b. The building’s masonry contains missing sections.
 - c. The building’s rear enclosed porch is collapsing.
 - d. The building is missing siding.
 - e. The building’s roof is water damaged.
 - f. The building’s rafter is fire damaged.
 - g. The building’s sashes are broken, missing, and/or inoperable.
 - h. The building’s window glazing is broken and/or missing.
 - i. The building’s stairs are dangerous and/or hazardous.
 - j. The building’s stairs are partially collapsed.
 - k. The building’s stairs have damaged decking and damaged handrails.
 - l. The building’s studs are smoke, fire, and/or water damaged.
 - m. The building is missing studding.
 - n. The building’s floors are smoke, fire, and/or water damaged.
 - o. The building’s floors are warped.
 - p. The building’s plastering is smoke, fire, and/or water damaged.
 - q. The building’s plastering is broken and/or missing portions.
 - r. The building’s electrical system is fire and/or water damaged.
 - s. The building’s electrical wiring is exposed.
 - t. The building’s heating unit is sitting in water.
 - u. The building’s plumbing system is missing fixtures.
 - v. The building’s plumbing system is expelling water in the basement.
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.

UNOFFICIAL COPY

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 7/8/19.

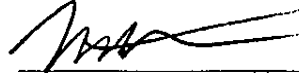
WHEREFORE, IT IS HEREBY ORDERED THAT:


- A. Defendants 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 5/15/2019, are in default and all allegations in the complaint are deemed admitted against said defendants.
- B. An *in rem* judgment on Count I and VI of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- C. Counts II, III, IV, V, and VII of the Complaint are voluntarily dismissed, on the City's oral motion.
- D. 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.
- E. 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 motion directed to such Defendant(s).
- F. 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.
- G. 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. A violation of the permanent injunction will result in a \$500.00 fine.
- H. 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.

UNOFFICIAL COPY

- 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 entry-of money judgment(s) against the defendant owners and for the purposes of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.
- J. This matter is off-call.

ENTERED:



By:  _____

Matthew Suhl
 Assistant Corporation Counsel
 City of Chicago Department of Law
 Building and License Enforcement Division #90909
 30 N. LaSalle Street, Room 700
 Chicago, Illinois 60602
 phone: (312) 742-1935
 matthew.suhl@cityofchicago.org

Judge Michael A. Strom
 JUL 08 2019
 Circuit Court- 2248

Property of Cook County Clerk's Office