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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 11/20/2019 09:16 AM PG: 1 OF 4

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

SUSAN DOZIER, *et al.*

Defendants.

Case Number: 18 M1 402962

Re: 1430 W. 115TH ST.
Chicago, IL 60643

Courtroom 1111

ORDER AUTHORIZING DEMOLITION BY THE CITY OF CHICAGO

This cause coming to be heard on 7/15/19 on the complaint of THE CITY OF CHICAGO (“the City”), by and through its attorney, Mark A. Flessner, Corporation Counsel, against the following:

SUSAN DOZIER

U.S. DEPT. OF HOUSING & URBAN DEVELOPMENT

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 1430 W. 115TH ST., CHICAGO, COOK COUNTY, ILLINOIS (“subject property”), legally described as:

LOTS 18 AND 19 IN BLOCK 83 IN RODGERS RESUBDIVISION OF SAID BLOCKS 80 TO 85 IN WASHINGTON HEIGHTS, IN THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 25-20-128-031-0000.

2. Located on the subject property is a ONE STORY SINGLE FAMILY FRAME BUILDING WITH GARAGE (“subject building”). The last known use of the subject building was RESIDENTIAL.

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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 smoke, fire, and/or water damaged.
 - b. The building's masonry contains stress and/or step fractures.
 - c. The building is missing siding, and contains siding that is possibly comprised of asbestos.
 - d. The building's sashes are broken, missing, and/or inoperable.
 - e. The building's sashes are smoke, fire, and/or water damaged.
 - f. The building's windows contain cracked panes.
 - g. The building's window glazing is broken and/or missing.
 - h. The building's stairs have damaged handrails.
 - i. The building's stairs have an improper handrail height and improper treads and risers.
 - j. The building's stairs have no joint hangers.
 - k. The building's stairs are collapsed.
 - l. The building's stairs are smoke, fire, and/or water damaged.
 - m. The building's floors are smoke, fire, and/or water damaged.
 - n. The building's floors are warped.
 - o. The building's plastering is smoke, fire, and/or water damaged.
 - p. The building's plastering has broken and/or missing portions.
 - q. The building's electrical service has been terminated.
 - r. The building's electrical wiring is exposed.
 - s. The building's electrical system is missing fixtures.
 - t. The building's heating system is stripped and/inoperable.
 - u. The building's plumbing is stripped and/or inoperable.
 - v. The building's plumbing is missing fixtures.
 - w. The building is infested with mold
 - x. The building's joists are water damaged.
 - y.

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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 ~~7/29/19~~ ^{MS} 7/30/19
JMT

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 7/5/2019, are in default and all allegations in the complaint are deemed admitted against said defendants.
- B. An *in rem* judgment on Count I and ~~IV~~ ^{IV} of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants. ^{MS}
- 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.

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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.~~ *MS*

ENTERED:

Judge Michael A. Strom

JUL 15 2009
Circuit Court-2248

By: _____

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