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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

ALBERT SCOTT,  
TYCORA SCOTT,  
FEDERAL HOME LOAN MORTGAGE  
CORPORATION,  
UNKNOWN OWNERS, and  
NONRECORD CLAIMANTS,

Defendants.

Case Number: 17 M1 402438

Re: 5533 S. HAMILTON AVENUE  
CHICAGO, IL 60636

Courtroom 1109

Agreed

ORDER AUTHORIZING DEMOLITION  
BY THE CITY OF CHICAGO

This cause coming to be heard on September 5, 2019 on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Mark A. Flessner, Corporation Counsel, against the following:

ALBERT SCOTT,  
TYCORA SCOTT,  
FEDERAL HOME LOAN MORTGAGE CORPORATION,  
UNKNOWN OWNERS, and  
NONRECORD CLAIMANTS,  
("Defendants").

The court, having heard the evidence, finds that:

1. The Court has jurisdiction of the subject matter, which is the real estate located at 5533 S. Hamilton Avenue, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOT 7 IN KELLY BROTHERS GARFIELD BOULEVARD ADDITION, BEING  
A SUBDIVISION OF PART OF BLOCK 3 IN DEWEY'S SUBDIVISION OF THE

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EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-18-104-018-0000.

2. Located on the subject property is a TWO-STORY, SINGLE FAMILY, BRICK BUILDING AND FRAME GARAGE ("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 electrical system's ComEd service is terminated, has exposed wiring, and missing fixtures.
  - b. The building's heating system has a missing furnace.
  - c. The building's masonry has missing siding, and is smoke, fire or water damaged.
  - d. The building's plaster is broken or missing.
  - e. The building's plumbing system has missing fixtures.
  - f. The building's rafter is fire damaged.
  - g. The building's roof is fire damaged.
  - h. The building's sash is broken, missing or inoperable.
  - i. The building's stair system has an improper tread and riser.
  - j. The building's stair system has no joist hangers, and is partially collapsed.
  - k. \_\_\_\_\_
  - l. \_\_\_\_\_
  - m. \_\_\_\_\_
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 September 5, 2019.

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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 August 19, 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 of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- C. Counts II, III, V, VI, VII and VIII 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, Municipal Code of Chicago § 13-12-130, 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 civil action.
- 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.
- H. 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.

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I. This matter is off-call.

ENTERED:

*[Handwritten Signature]*

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**Judge Leonard Murray**  
**DEC 05 2019**  
**Circuit Court - 2100**

Order Prepared By:

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