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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

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THIS INSTRUMENT WAS PREPARED BY,
AND SHOULD BE RETURNED TO:
The City of Chicago Department of Law
Building and License Enforcement Division
30 N LaSalle, Suite 700
Chicago, IL 60602

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

CITY OF CHICAGO, a Municipal
Corporation,

Plaintiff,

vs.

7530 SOUTH PHILLIPS CONDOMINIUM
ASSOCIATION; et al,

Defendants.

) Case No: 16-M1-403527
)
)
)

) Amount Claimed: \$14,500 per day
)
)
)

) Re: 7530-32 S PHILLIPS
) CHICAGO, IL 60649
)
)

) Daley Center, Courtroom 1109
)
)
)

**ORDER DECLARING DECONVERSION PURSUANT TO THE ILLINOIS
CONDOMINIUM ACT, SECTION 765 ILCS 605/14.5, OF THE CONDOMINIUM AT**

This cause coming to be heard on the set call, the Court having jurisdiction over the defendant(s) and the subject matter, being fully advised in the premises and having heard evidence and testimony:

1. This Court hereby makes the following findings of fact as of 2/25/2019:

- a. The subject property has serious violations of the City of Chicago Municipal Code, specifically: the electrical system is dangerous and hazardous, there is considerable mold at the property, there is standing water in the basement, the rear porch is dangerous and hazardous, lintels at the property are failing.
- b. In addition, the subject property is not viable as a condominium because the essential utilities to the parcel or to 40% or more of the condominium units is either terminated or threatened with termination.

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2. Based on the above-stated findings of fact, this Court finds that the property at 7530-32 S Phillips is a distressed condominium property pursuant to 765 ILCS 605/14.5(a)(1).
3. This Court further finds that the property at 7530-32 S Phillips is not viable as a condominium pursuant to 765 ILCS 605/14.5(c)(2).
4. The current unit owners are the fee title owners of the individual condominium units in 7530 South Phillips CONDOMINIUMS ("Association"), the Association and condominium units being established by virtue of a condominium by a Declaration of Condominium recorded on October 17, 2000 under document number 00813023, in the Office of the Recorder of Deeds, of Cook County, Illinois and legally described as follows ("Property"):

Underlying PIN: 21-30-300-019-0000

Unit PINS: 21-30-300-019-1001; 21-30-300-019-1002; 21-30-300-019-1003; 21-30-300-019-1004, 21-30-300-019-1005, 21-30-300-019-1006

LEGAL DESCRIPTION:

LOTS 28 AND 29 IN BLOCK 4 IN SOUTH SHORE PARK, A SUBDIVISION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

5. Each of the current owners is the owner in fee simple of the unit(s) set forth below, and each unit is assigned the percentage interest in the common elements as follows:

UNIT	PIN	OWNER	% INTEREST IN COMMON ELEMENTS
1N	21-30-300-033-1001	DS Properties of Illinois, LLC	16.66%
1S	21-30-300-033-1002	Jayson Brooks	16.66%
2N	21-30-300-033-1003	DS Properties of Illinois, LLC	16.66%
2S	21-30-300-033-1004	DS Properties of Illinois, LLC	16.66%
3N	21-30-300-033-1005	John Jones	16.68%
3N	21-30-300-033-1006	John Jones	16.68%
			<u>100.00%</u>

6. Pursuant to 765 ILCS 605/14.5(c)(2), this Court hereby makes the following Declaration:
 - a. That the property at 7530-2 S Phillips is no longer a condominium, effective immediately;

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- b. That 7530-32 S Phillips is deemed to be owned in common by each of the unit owners, as indicated above;
- c. That the undivided interest in the properties which shall appertain to each unit owner shall be the percentage of undivided interest previously owned by the owner in the common elements, as listed in the declaration of condominium and indicated above;
- d. That any liens affecting any unit shall be deemed to be attached to the undivided interest of the unit owner in the property.

7. Community Initiatives, Inc. ("CII, Inc." or "the Receiver") located at 222 S Riverside Plaza, Suite 380, Chicago, IL, 60606, phone number 312-258-0070, is hereby appointed as a General Receiver to repair, preserve, and rehabilitate the subject premises, with powers granted and duties imposed, to include the following pursuant to 765 ILCS604/14.5(e):

- a. To have full power and authority to operate, manage and conserve the property;
- b. To delegate managerial functions to a person in the business of managing real estate of the kind involved who is financially responsible and prudently selected;
- c. To secure, clean, board and enclose, and keep secure, clean, boarded and enclosed, the property or any portion of the property;
- d. To secure tenants and execute leases for the property, the duration and terms of which are reasonable and customary for the type of use involved, and the leases shall have the same priority as if made by the owner of the property;
- e. To collect the rents, issues, and profits, including assessments which have been or may be levied;
- f. To insure the property against loss by fire or other casualty;
- g. To employ counsel, custodians, janitors, and other help;
- h. To pay taxes which may have been or may be levied against the property;
- i. To maintain or disconnect, as appropriate, any essential utility to the property;
- j. To make repairs and improvements necessary to comply with building, housing, and other similar codes;
- k. To hold receipts as reserves as reasonably required for the foregoing purposes; and
- l. To appeal tax assessments for affected condominium units in front of the Cook County Assessor, the Cook County Board of Review, and the Illinois Property Tax Appeal Board.
- m. To exercise the other powers as are granted to the receiver by the appointing court.

8. The Receiver has further authority to record a copy of this Declaration in the office of the Cook County Recorder of Deeds against both the individual units and owners and the general property.

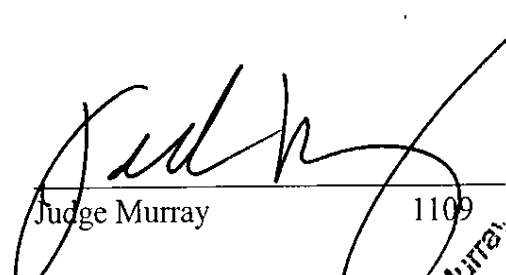
9. The Receiver has further authority to forward this Declaration to Cook County Assessor's Office.

10. The City is granted leave to file a written motion to set this matter for a hearing to authorize the Receiver to market and sell the deconverted condominium property pursuant to 765 ILCS 605/14.5(d) within 7 days. All parties are granted 14 days thereafter to object or otherwise respond to the City's motion to allow the sale of the deconverted property, with a hearing to take place on the next court date.

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IT IS FURTHER ORDERED THAT this cause is continued to 3/25/2019 at 9:30
in courtroom **1109**, Daley Center, without further notice.

HEARING DATE:



Judge Murray 1109

By: _____
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Judge Leonard Murray
FEB 25 2019
Circuit Court - 2100