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KAREN A. YARBROUGH
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**IN THE CIRCUIT COURT OF COOK COUNTY
MUNICIPAL DEPARTMENT – FIRST DISTRICT**

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

DAYNAN T. DAVIS,
BEN GLOVER AS HEIR OF ELIZABETH
LOCKETT,
MIDLAND FUNDING LLC,
UNKNOWN HEIRS AND LEGATEES OF
ELIZABETH LOCKETT,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 19 M1 401997

Re: 6415 S JUSTINE ST
CHICAGO, IL 60636

Courtroom 1109

**ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO**

This cause coming to be heard May 19, 2022 on the complaint of THE CITY OF CHICAGO (“the City”), by and through its attorney, Celia Meza, Corporation Counsel, against the following:

DAYNAN T. DAVIS,
BEN GLOVER AS HEIR OF ELIZABETH LOCKETT,
MIDLAND FUNDING LLC,
UNKNOWN HEIRS AND LEGATEES OF ELIZABETH LOCKETT,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,
 (“Defendants”).

The court, having heard the evidence, finds that:

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1. The Court has jurisdiction of the subject matter, which is the real estate located at 6415 South Justine Street, CHICAGO, COOK COUNTY, ILLINOIS (“subject property”), legally described as:

LOT 6 IN BLOCK 6 IN DANIEL GOODWIN'S SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-20-109-006-0000.

2. Located on the subject property is a ONE-STORY BRICK SINGLE FAMILY DWELLING 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 IS OPEN AT THE REAR WINDOW.
 - b. THE BUILDING'S COMED SERVICES HAVE BEEN TERMINATED AT THE POLE.
 - c. THE BUILDING'S ELECTRICAL SYSTEM IS MISSING FIXTURES AND IS STRIPPED AND INOPERABLE.
 - d. THE BUILDING'S FLOOR IS SMOKE, FIRE OR WATER DAMAGED.
 - e. THE BUILDING'S WINDOW GLAZING IS BROKEN OR MISSING, HAS CRACKED PANES, AND IS BOARDED.
 - f. THE BUILDING'S HEATING SYSTEM HAS BEEN VANDALIZED.
 - g. THE BUILDING'S JOISTS ARE SMOKE, FIRE, OR WATER DAMAGED.
 - h. THE BUILDING'S MASONRY HAS LOOSE OR MISSING BRICK, WASHED OUT MORTAR JOINTS, AND IS SMOKE, FIRE OR WATER DAMAGED.
 - i. THE BUILDING'S PLASTER IS BROKEN OR MISSING AND SMOKE, FIRE OR WATER DAMAGED.
 - j. THE BUILDING'S PLUMBING SYSTEM HAS MISSING FIXTURES AND A WATER LEAK IN THE BASEMENT.
 - k. THE BUILDING'S SASHES ARE BROKEN, MISSING OR INOPERABLE, SMOKE, FIRE OR WATER DAMAGED, AND BOARDED.
 - l. THE BUILDING'S ROOF IS WATER DAMAGED AND DETERIORATING.

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- m. THE BUILDING'S STAIRS HAVE DAMAGED DECKING AND HANDRAILS, IMPROPER TREAD, RISER, AND HANDRAIL HEIGHT AND ARE SMOKE, FIRE OR WATER DAMAGED.
 - n. THE BUILDING'S STUDS ARE SMOKE, FIRE OR WATER DAMAGED.
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 May 19, 2022.

WHEREFORE, IT IS HEREBY ORDERED THAT:

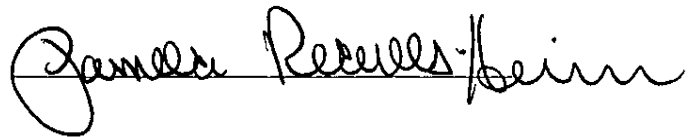
- A. Defendant SUE DAY AS HEIR OF ELIZABETH LOCKETT is dismissed without prejudice.
- B. Defendants UNKNOWN HEIRS AND LEGATEES OF ELIZABETH LOCKETT, and UNKNOWN OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of October 4, 2021, are in default and all allegations in the complaint are deemed admitted against said defendants.
- 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. Counts II, III, V, VI, VII and VIII of the Complaint are voluntarily dismissed, on the City's oral motion.
- E. Pursuant to the judgment entered above, 65 ILCS 5/11-51-1, 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.
- 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.

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- H. All Defendants and his / her / their / its agents, heirs, legatees, successors, and assigns shall be permanently enjoined and restrained from renting, using, leasing, or occupying the subject 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.
- J. This matter is off-call.

ENTERED:



Order Prepared By:

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#90909

Judge Pamela Reaves-Harris

MAY 19 2022

Circuit Court - 2287