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

THE CITY OF CHICAGO a municipal corporation,

Plaintiff,

VENESSEL WOODSON.

XEZ INC.,

COUNTY OF COOK D/B/A COOK COUNTY

LAND BANK AUTHORITY,

UNKNOWN OWNERS, and NONRECORD CLAIMANTS,

Case Number: 21 M1 401503

Re: 649 E. 92ND PLACE CHICAGO, IL 60619

Courtroom 1109

Defendants.

ORDER AUTHORIZING DEMOLITION BY THE CITY OF CHICAGO

This cause coming to be heard on <u>June 1, 2022</u> on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Celia Meza, Corporation Counsel, against the following:

VENESSEL WOODSON,

XEZ INC.,

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 649 E. 92nd Place, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOT 20 IN BLOCK 54 IN S.E. GROSS THIRD ADDITION TO DAUPHIN PARK, BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Permanent Index Number(s): 25-03-415-020-0000.

- 2. Located on the subject property is a TWO-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 is missing siding.
 - b. The building's masonry is missing.
 - c. The building has a large hole at the Northwest elevation.
 - d. The building's masonry has step or stress fractures and washed-out mortar joints.
 - e. The building's masonry is smoke, fire, or water damaged.
 - f. The building's mason(y) is partially collapsed, creating a dangerous and hazardous condition.
 - g. The building's glazing is broken or missing.
 - h. The building panes are cracked.
 - i. The building's sashes are broken, missing, or inoperable.
 - j. The building's stair system has damaged decking and handrails.
 - k. The building's stair system has improper foundations, landrail heights, and treads and risers.
 - 1. The building's stair system has no joist hangers or ledger volts
 - m. The building's stair system has undersized joists.
 - n. The building's electrical service has been terminated at the pole.
 - o. The building's electrical system is stripped, inoperable, and missing fixtures.
 - p. The building's heating system is stripped, inoperable, and missing ductwork and a furnice.
 - q. The building's plumbing system is stripped, inoperable, and missing fixtures.
 - r. The building's plaster is broken or missing.
 - s. The building's studding is missing.
 - t. The building's flooring is missing.
 - u. The building's flooring is warped.
 - v. The building's joists are smoke, fire, or water damaged, creating a dangerous and hazardous condition.

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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 <u>June 1, 2022</u>.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants VENESSEL WOODSON, 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 April 20, 2022, are in default and all allegations in the complaint are deemed admitted against aid defendants.
- B. The Court finds that the City has met its obligations under Section 21-410 of the Property Tax Code and that property tax certificate holders are subject, inter alia, to Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code. The property tax certificate holder COUNTY OF COOK D/B/A COOK COUNTY LAND BANK AUTHORITY is dismissed as a party defendant.
- C. An *in rem* judgment on Count 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 3/11-31-1, 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.
- 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, 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.
- 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:

3 off-c Stuart Miles **Assistant Corporation Counsel** City of Chicago Department of Law Building and License Enforcement Division 2 N. LaSalle Street, Suite 320 Chicago, Illinois 60602

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Judge Leonard Murray
JUN 02 2022
Circuit Court - 2100

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Office