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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

UNKNOWN HEIRS AND LEGATEES OF
CASANDRA JONES EARLEY,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 21 M1 400358

Re: 6433 S. WINCHESTER AVENUE
CHICAGO, IL 60636

Courtroom 1109

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on July 7, 2022 on the complaint of THE CITY OF CHICAGO (“the City”), by and through its attorney, Celia Meza, Corporation Counsel, against the following:

UNKNOWN HEIRS AND LEGATEES OF CASANDRA JONES EARLEY,
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 6433 S. Winchester Avenue, CHICAGO, COOK COUNTY, ILLINOIS (“subject property”), legally described as:

LOT 35 (EXCEPT THE NORTH 6 FEET THEREOF) AND THE NORTH 9 FEET OF LOT 34 IN BLOCK 26, IN SOUTH LYNNE, A SUBDIVISION OF THE NORTH 1/2 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-19-209-012-0000.

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2. Located on the subject property is a TWO-STORY, FRAME, SINGLE FAMILY 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's roof is water damaged.
 - b. The building's roof is missing shingles.
 - c. The building's siding is missing.
 - d. The building's masonry is smoke, fire, and/or water damaged.
 - e. The building's glazing is broken or missing.
 - f. The building's sashes are broken, missing, or inoperable.
 - g. The building's sashes are smoke, fire, and/or water damaged.
 - h. The building's heating system is vandalized, stripped, and inoperable.
 - i. The building's heating system is missing a furnace.
 - j. The building's plumbing is stripped, inoperable, and missing fixtures.
 - k. The building's electrical service has been terminated at the pole.
 - l. The building's electrical system is stripped, inoperable, and missing fixtures.
 - m. The building's electrical system has exposed wiring.
 - n. The building's plaster is broken or missing.
 - o. The building's plaster is smoke, fire, and/or water damaged.
 - p. The building's flooring is warped.
 - q. The building's stair system has damaged decking.
 - r. The building's stair system has damaged handrails.
 - s. The building's stair system is smoke, fire, and/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 July 7, 2022.

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WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants UNKNOWN HEIRS AND LEGATEES OF CASANDRA JONES EARLEY, 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 25, 2018, 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.

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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.

I. This matter is off-call.

ENTERED



Judge Debra Ann Seaton

JUL 07 2022

Circuit Court-2199

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