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KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 12/28/2022 02:25 PM PG: 1 OF 4

This

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

JAMES HOLIDAY,
DORTHY WILLIAMS,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 18M1403263

Re: 12036 S PARNELL AVE
CHICAGO, IL 60628

Courtroom 1111

ORDER AUTHORIZING DEMOLITION BY THE CITY OF CHICAGO

This cause coming to be heard on 12/12/2022 on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Maria Azlor-Zas, Senior Assistant Corporation Counsel, against the following:

JAMES HOLIDAY,
DORTHY WILLIAMS,
UNKNOWN OWNERS, and NONRECORD
CLAIMANTS,

("Defendants").

The Court having heard evidence and testimony and being fully advised in the premises finds that:

1. The Court has jurisdiction of the subject matter, which is the real estate located at 12036 S PARNELL AVE, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

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S Y-1
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INT R4

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THE SOUTH 3/4 OF LOT 15 AND THE NORTH 1/2 OF LOT 16 BLOCK 17 IN WEST PULLMAN, A SUBDIVISION IN THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 25-28-112-033-0000.

2. Located on the subject property is a TWO-STORY FRAME SINGLE UNIT 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 vacant and open.
 - b. The building's masonry has loose or missing brick.
 - c. The building's masonry has holes.
 - d. The building's masonry has step or stress fractures.
 - e. The building's masonry has washed out mortar joints.
 - f. The building's masonry contains possible asbestos siding.
 - g. The building's sash is broken, missing, or inoperable.
 - h. The building's window glazing is broken or missing.
 - i. The building's plaster is broken or missing.
 - j. The building's floor is missing flooring.
 - k. The building's stairs have damaged decking and damaged handrails.
 - l. The building's stairs have improper foundations, improper handrail height, and an improper tread and riser.
 - m. The building's stairs have no joist hangers.
 - n. The building's stairs are dangerous and hazardous.
 - o. The building's stairs have no ledger bolts.
 - p. The building's stairs are partially collapsed.
 - q. The building's electrical system has had its ComEd service terminated at the pole.
 - r. The building's electrical system has exposed wiring.
 - s. The building's electrical system has missing fixtures.

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- t. The building's electrical system is stripped and inoperable.
 - u. The building's heating system is missing a furnace.
 - v. The building's heating system is stripped and inoperable.
 - w. The building's heating system is vandalized.
 - x. The building's plumbing system is missing fixtures.
 - y. The building's plumbing system is stripped and inoperable.
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 immediately.

WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendants JAMES HOLIDAY, DORTHY WILLIAMS, 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 4/02/2020, 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, and VII 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, 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 motion directed to such Defendant(s).
- 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

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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 for entry of money judgment(s) against the defendant owners and for the purposes of hearing foreclosure proceedings as defined by the applicable statutes and ordinances.

I. This matter is off-call.

ENTERED:



Judge Debra Ann Seaton

DEC 12 2022

Circuit Court - 2199

By: _____

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