

# UNOFFICIAL COPY

Duplicate  
Original



Doc# 2301146041 Fee \$88.00

KAREN A. YARBROUGH  
COOK COUNTY CLERK

DATE: 01/11/2023 01:23 PM PG: 1 OF 4

This space reserved for the Reco.

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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

ANTOINE BERRY

UNKNOWN OWNERS, and  
NONRECORD CLAIMANTS,

Defendants.

Case Number: 19M1402643

Re: 11944 S EGGLESSTON  
CHICAGO, IL 60628

Courtroom 1111

### ORDER AUTHORIZING DEMOLITION BY THE CITY OF CHICAGO

This cause coming to be heard on 12/19/2022 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:

ANTOINE BERRY,  
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 11944 S EGGLESTONE, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

S Y  
P 4  
S Y-1  
SC  
INT Rv

# UNOFFICIAL COPY

Permanent Index Number(s): 25-28-106-035-0000.

LOT 18 AND THE NORTH 1 FOOT OF LOT 19 IN BLOCK 6 IN WEST PULLMAN, A SUBDIVISION IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. Located on the subject property is a MULTIPLE 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:

The building's heating system is missing furnace.

The building's heating system is stripped and/or inoperable.

The building's roof has a damaged membrane.

The building's roof has fire damage.

The building's roof is missing shingles.

The building's roof is water damaged.

The building's plaster is broken and/or missing.

The building's plaster is smoke, fire, and/or water damaged.

The building's studs are smoke, fire, and/or water damaged.

The building's masonry has holes.

The building's masonry is missing siding.

The building's masonry is smoke, fire, and/or water damaged.

The building's glazings are broken and/or missing.

The building's glazings have cracked panes.

The building's sashes are smoke, fire, and/or water damaged.

The building's plumbing system is missing fixtures.

The building's plumbing system is stripped and/or inoperable.

The building's stairs have damaged handrails.

The building's stairs have improper handrail heights.

The building's rafters are fire damaged.

# UNOFFICIAL COPY

The building's electrical service has been terminated at the pole by ComEd.

The building's electrical system has exposed wiring.

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.

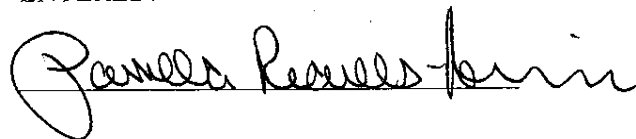
WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendant(s) ANTOINE BERRY has/have failed to appear in court or otherwise answer the complaint and is/are in default and the complaint herein is confessed against said defendant(s).
- B. Defendants 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 9/19/2022, 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, and VII of the Complaint are voluntarily dismissed, on the City's oral motion.
- E. 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.
- 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 motion directed to such Defendant(s).
- 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.
- 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.

# UNOFFICIAL COPY

- 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 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.
- J. This matter is off-call.

ENTERED:



By: \_\_\_\_\_

Maria Azlor-Zas  
 Senior Assistant Corporation Counsel  
 City of Chicago Department of Law #90909  
 Building and License Enforcement Division  
 2 N. LaSalle Street, Room 320  
 Chicago, Illinois 60602 phone:  
 (312) 744-3823  
 Maria.AzlorZas@cityofchicago.org

Judge Pamela Reaves-Harris

DEC 19 2022

Circuit Court - 2287

Property of Cook County Clerk's Office