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KAREN A. YARBROUGH

COOK COUNTY CLERK

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

RUBY B. DAVIS,
TERRY D. CLAYBORN,
UNKNOWN HEIRS AND LEGATEES OF RUBY
B. DAVIS,
COUNTY OF COOK D/B/A COOK COUNTY
LAND BANK AUTHORITY,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 22M1400505

Re: 8059 S. HALSTED ST.
CHICAGO, IL 60620

Courtroom 1111

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on 4/17/2023 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:

RUBY B. DAVIS,
TERRY D. CLAYBORN,
UNKNOWN HEIRS AND LEGATEES OF RUBY B. DAVIS,
UNKNOWN OWNERS, and NONRECORD
CLAIMANTS,

("Defendants").

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

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1. The Court has jurisdiction of the subject matter, which is the real estate located at 8059 S. HALSTED ST., CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOT 15 IN BLOCK 3 IN OSBORN'S SUBDIVISION OF PART OF LOT 2, IN THE ASSESSOR'S DIVISION OF THE WEST 1/2 OF SECTION 33, AND PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-33-108-015-0000.

2. Located on the subject property is a TWO STORY, BRICK, MULTIPLE UNIT DWELLING AND COMMERCIAL 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 stripped and inoperable.
 - The building's flooring is missing in sections, warped, and smoke, fire, or water damaged.
 - The building's roof is fire damaged.
 - The building's plaster is broken or missing and is smoke, fire, or water damaged.
 - The building is missing studding and the studding is smoke, fire, or water damaged.
 - The building's masonry has loose or missing brick, step or stress fractures, and washed out mortar joints.
 - The building's glazing is broken or missing.
 - The building's sashes are broken, missing, or inoperable.
 - The building's plumbing system is missing fixtures.
 - The building's stairs have damaged decking and handrails and improper foundations.
 - The building's rafters are fire damaged.
 - The building's electrical system is stripped and inoperable and has exposed wiring and missing fixtures.
 - The building's joists are smoke, fire, or water damaged.
 - The building is vacant and open at all elevations.
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.

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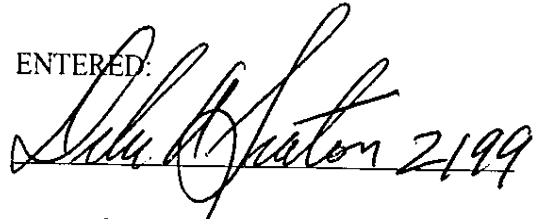
WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. As the City has met its obligations with respect to property tax sale certificate holders under the Property Tax Code (35 ILCS 200/21-410) and property tax sale certificate holders are subject to, inter alia, Sections 21-95, 21-100, 21-105, and 22-35 of the Property Tax Code, COUNTY OF COOK D/B/A COOK COUNTY LAND BANK AUTHORITY is/are dismissed as defendant(s) in this case and shall not be included in the term "Defendants" as used in this Order.
- B. Defendant(s) RUBY B. DAVIS, TERRY D. CLAYBORN, and UNKNOWN HEIRS AND LEGATEES OF RUBY B. DAVIS, 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).
- C. Defendants UNKNOWN HEIRS AND LEGATEES OF RUBY B. DAVIS, TERRY D. CLAYBORN, 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 1/23/2023, are in default and all allegations in the complaint are deemed admitted against said defendants.
- D. An *in rem* judgment on Court I and IV of the Complaint is entered in favor of Plaintiff, the City of Chicago, and against Defendants.
- E. Counts II, III, V, VI, and VII of the Complaint are voluntarily dismissed, on the City's oral motion.
- F. 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.
- G. 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).
- H. 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.
- I. 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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- J. 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.
- K. This matter is off-call.

ENTERED:



Judge Debra Ann Seaton

APR 17 2023

Circuit Court - 2199

By: _____

MAZ

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