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KAREN A. YARBROUGH

COOK COUNTY CLERK

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DUPLICATE ORIGINAL

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IN THE CIRCUIT COURT OF COOK COUNTY

MUNICIPAL DEPARTMENT - FIRST DISTRICT

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

CHICAGO TITLE LAND TRUST CO., AS
TRUSTEE FOR TRUST NO. 800235547,
GEORGE SAMPSON,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 21 M1 400142

Re: 7116 S. LAFAYETTE AVE.
CHICAGO, IL 60621

Courtroom 1109

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on 8/3/2023 on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Corporation Counsel, against the following:

CHICAGO TITLE LAND TRUST CO., AS TRUSTEE FOR TRUST NO. 800235547,
GEORGE SAMPSON,
UNKNOWN OWNERS, and NON-RECORD
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 7116 S. LAFAYETTE AVE., CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

THE SOUTH 20 FEET OF THE NORTH 40 FEET OF LOT 4 IN BLOCK 2 IN EGGLESTON'S SUBDIVISION OF THAT PART EAST OF THE C.R.I. AND P.R.R. OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE

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NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 14, EAST
OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 20-28-206-030-0000

2. Located on the subject property is a TWO-STORY, MULTIPLE-UNIT, BRICK BUILDING ("subject building"). The last known use of the 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 roof has water damage.

The building's roof has a damaged membrane.

The building's roof is fire damaged, creating a dangerous and hazardous condition.

The building's rafters have water damage and are rotted.

The building's rafters are fire damaged, creating a dangerous and hazardous condition.

The building's masonry has holes, loose or missing brick, and washed-out mortar joints.

The building's masonry has missing sections.

The building's siding is missing.

The building's glazing is broken or missing.

The building's sashes are broken, missing, or inoperable.

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

The building's heating system is vandalized, stripped, and inoperable.

The building's plumbing system is stripped, inoperable, and missing fixtures.

The building's electrical service is terminated at the pole.

The building's electrical system is stripped, inoperable, and missing fixtures.

The building's electrical system has exposed wiring.

The building's plaster is broken or missing.

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

The building's plaster and studding are covered in black mold, creating a dangerous and hazardous condition.

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

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The building's joists are smoke, fire, and/or water damaged, creating a dangerous and hazardous condition.

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

The building's flooring is sagging.

The building's flooring is warped.

The building's stair system has improper handrail heights and improper treads and risers.

The building's stair system has damaged decking and handrails.

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

The building's stair system has undersized joists.

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 UNKNOWN OWNERS and NON-RECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of 4/20/2022, 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.

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- 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.
- 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.

Zachery Taylor
 Assistant Corporation Counsel
 City of Chicago Department of Law
 Building and License Enforcement Division
 2 N. LaSalle Street, Room 320
 Chicago, Illinois 60602 phone:
 (312) 744-0712
 Zachery.Taylor@cityofchicago.org

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ENTERED

Debra Ann Seaton 2199

Judge Debra Ann Seaton
 Judge Debra Ann Seaton
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