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KAREN A. YARBROUGH

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

THE CITY OF CHICAGO, a municipal corporation,
Plaintiff,

v.

MO SEVEN, LLC,
2004 TAX AND SCAVENGER SALE, LLC,
WHEELER-DEALER LTD.,
UNKNOWN OWNERS, and
NONRECORD CLAIMANTS,

Defendants.

Case Number: 21M1400199

Re: 18 W. 109TH PL.
CHICAGO, IL 60628

Courtroom 1111

ORDER AUTHORIZING DEMOLITION
BY THE CITY OF CHICAGO

This cause coming to be heard on 11/13/2023 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:

MO SEVEN, LLC,
WHEELER-DEALER LTD.,
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 18 W. 109TH PL., CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

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LOT 181 IN GEORGE MASON'S ADDITION TO PULLMAN'S SAID ADDITION, BEING A SUBDIVISION OF LOT 48 AND 49 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 25-16-418-024-0000.

2. Located on the subject property is a SINGLE-FAMILY FRAME BUILDING WITH FRAME GARAGE ("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 electrical system is dangerous and/or hazardous.

The building's electrical system is fire and/or water damaged.

The building's flooring is warped.

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

The building's heating system is smoke and/or water damaged.

The building's joists are dangerous and/or hazardous.

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

The building's masonry is missing siding.

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

The building's masonry has fire damage to the exterior wall.

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

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

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

The building's plumbing is inoperable.

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

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

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

The building's studs are dangerous and/or hazardous.

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

The building's studs are fire damaged at the load bearing walls.

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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. 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, 2004 TAX AND SCAVENGER SALE, LLC 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) MO SEVEN, LLC and WHEELER-DEALER LTD. 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 OWNERS and NONRECORD CLAIMANTS, having been notified by publication and having failed to answer, appear, or otherwise plead as of the default date of 11/23/2022, are in default and all allegations in the complaint are deemed admitted against said defendants.
- D. 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.
- 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

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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.

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.

MAZ

By: _____

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ENTERED



Judge Debra Ann Seaton

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Circuit Court - 2199