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

THE CITY OF CHICAGO, a municipal corporation,  
Plaintiff,

v.

DIANE C. CALDWELL,  
COOK COUNTY ASSESSOR'S OFFICE,  
UNKNOWN OWNERS, and  
NONRECORD CLAIMANTS,

Defendants.

Case Number: 24M1400384

Re: 656 W 59<sup>th</sup> ST  
CHICAGO, IL 60621

Courtroom 1109

### AGREED ORDER AUTHORIZING DEMOLITION BY THE CITY OF CHICAGO

This cause coming to be heard on May 21, 2024 on the complaint of THE CITY OF CHICAGO ("the City"), by and through its attorney, Corporation Counsel, against the following:

DIANE C. CALDWELL,  
COOK COUNTY ASSESSOR'S OFFICE,  
UNKNOWN OWNERS, and  
NONRECORD CLAIMANTS,  
("Defendants").

The court, having heard the evidence, finds that:

1. The Court has jurisdiction of the subject matter, which is the real estate located at 656 West 59<sup>th</sup> Street, CHICAGO, COOK COUNTY, ILLINOIS ("subject property"), legally described as:

LOT 8 AND THE WEST 2 FEET OF LOT 9 IN W.O. BUDD'S SUBDIVISION OF LOTS 14 TO 35 INCLUSIVE IN BLOCK 3 IN SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Permanent Index Number(s): 20-16-122-031-0000.

2. Located on the subject property is a GARAGE AND TWO-STORY SINGLE-FAMILY BRICK 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 roof has a damaged membrane.
  - c. The building's roof is missing shingles.
  - d. The building's roof is water damaged.
  - e. The building's masonry has loose and/or missing brick.
  - f. The building's masonry has step and/or stress fractures.
  - g. The building's masonry has washed out mortar joints.
  - h. The building's masonry has deteriorating siding.
  - i. The building's glazings are broken and/or missing.
  - j. The building's sashes are broken, missing, and/or inoperable.
  - k. The building's plumbing system is missing fixtures.
  - l. The building's stairs have improper handrail heights.
  - m. The building's stairs have improper tread and risers.
  - n. The building's stairs have partially collapsed.
  - o. The building's stairs are smoke, fire, and/or water damaged.
  - p. The building's stairs are missing handrails.
  - q. The building's stairs are missing column anchor brackets.
  - r. The building's electrical service has been terminated at the building by ComEd.
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 May 21, 2024.

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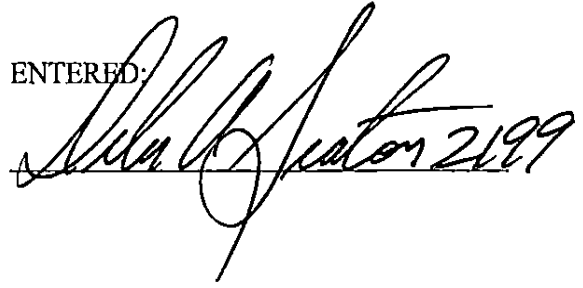
WHEREFORE, IT IS HEREBY ORDERED THAT:

- A. Defendant DIANE C. CALDWELL has agreed to entry of this Order Authorizing Demolition by the City of Chicago.
- 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, VII and VIII 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, Municipal Code of Chicago § 13-12-130, 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 civil action.
- 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, or occupying the subject 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.
- I. This matter is off-call.

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ENTERED:



Order Prepared By:

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Judge Debra Ann Seaton  
MAY 21 2024  
Circuit Court - 2199

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