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Official Business
City of Chicago

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

THE CITY OF CHICAGO, A MUNICIPAL CORPORATION,
PLAINTIFF

VS

NO. 92MH03175
AMOUNT CLAIMED \$1,400.00

HIPOLITO COLON (O) ET AL
4951 W ROSCOE
CHGO IL 60641

DEFENDANT(S)

*** REFER TO ATTACHED ADDENDUM OF DEFENDANTS ***

\$3.00

COMPLAINT FOR LOUITABLE AND OTHER RELIEF

Now comes the plaintiff, City of Chicago, a municipal corporation by Kelly R. Welsh, Corporation Counsel, and states as follows:

Count 1

1. That within the corporate limits of said city there is a parcel of real estate legally described as follows.

*** REFER TO ATTACHED ADDENDUM ***

Commonly known as 4951 4951 W ROSCOE ST
Property index no 13-21-410-003

3/12

and that located thereon is A 1 STORY(S) BUILDING
BASEMENT YES/ ATTIC YES /DWELLING UNITS= 2 CACT 1910

2. That at all times pertinent thereto the following named defendants

HIPOLITO COLON (O) ET AL

*** REFER TO ATTACHED ADDENDUM OF DEFENDANTS ***

owned, maintained, operated, collected rents for or had an interest in the said property on the date(s) hereinafter set forth.

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COOK COUNTY CLERK'S OFFICE
FILED

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BDR: 101 CONSERV-CN INSP#: 151

RE: 4951 4951 W ROSCOE ST

FRONT

3. That on 01/10/92 and on each succeeding day thereafter until the date of filing of this complaint, and on numerous other occasions, the following violations of the municipal code of Chicago existed at said property in that the defendant(s) did or failed to do the following:

1 061034 NOT COMPLIED
REMOVE ALL LOOSE, PEELING, OR FLAKING PAINT. (SEC.13-196-540 (D); 7-4-010)

EXTERIOR WOOD SOME FLAKY PAINT

2 138056 NOT COMPLIED
REMOVE ACCUMULATION(S) OF REFUSE AND DEBRIS AND KEEP PREMISES
CLEAN AND FREE FROM ANY SUCH ACCUMULATION.
(SEC.5-4-080; 13-196-580; 13-196-630).
REAR YARD JUNK AND DEBRIS

3 111015 NOT COMPLIED
DISCONTINUE USE OF BASEMENT DWELLING UNIT(S) AND RESTORE
SPACE TO ITS ORIGINAL USE AND LAYOUT BECAUSE OF:
BSMT APT NOT ORIGINAL 1 SEC 78-1 AND 78-2

4 111065 NOT COMPLIED
SUBSTANDARD PARTITIONS FORMING NON-LOAD BEARING WALLS OF
ROOMS. (SEC.13-32-010; 13-200-120; 13-196-650; 13-196-700)
PARTITIONS 1/2 DRYWALL NOT 1 HOUR

5 111085 NOT COMPLIED
CEILING HEIGHT IS LESS THAN SEVEN (7) FEET.
(SEC. 13-32-010; 13-200-120; 13-196-510; 13-196-650)
HEIGHT NOT 7' (6'6)

6 010012 NOT COMPLIED
ENCLOSE ROOM CONTAINING HEATING PLANT WITH WALLS, PARTITIONS,
FLOORS AND CEILINGS MADE OF MATERIALS HAVING A FIRE RESISTIVE
RATING OF NOT LESS THAN ONE (1) HOUR. (SEC.15-8-220)
BOILER ROOM NOT 1 HOUR OPEN STUDS

7 011012 NOT COMPLIED
PROVIDE SELF-CLOSING, PROPERLY INSTALLED AND FRAMED CLASS (B) FIRE
DOOR OR OTHER APPROVED OPENING PROTECTIVE ASSEMBLIES, FOR ROOM
CONTAINING HEATING PLANT. (SEC.15-8-230)
BOILER ROOM DOOR BYFOLD WOOD DOOR

End of Violations

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4. That Daniel W. Weil is the Commissioner of the Department of Buildings of the City of Chicago, and as such, and through reports of inspectors of the Department of Buildings of said City of Chicago, he or the undersigned has knowledge of the facts stated in this Complaint.

5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and of Chapter 24, Section 11-31-1, 11-31-2, and 11-13-15 of the Illinois Revised statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, other than the defendants whose only interest in the property is by virtue of security interests or liens therein, in the said amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, except as to violations of Section 39-13 of the Municipal Code of Chicago, for which violations plaintiff prays for a fine against all defendants.

COUNT II

As a second and further cause of action the plaintiff, City of Chicago, A Municipal Corporation:

1-5 Realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy for the abatement of a nuisance, and that it is necessary that a temporary and permanent injunction issue and a receiver be appointed to bring the subject property into compliance with the Municipal Code of Chicago.

7. That Daniel W. Weil, the Commissioner of the Department of Buildings, City of Chicago, has determined said building to be dangerous and unsafe or uncompleted and abandoned.

WHEREFORE, PLAINTIFF PRAYS:

a. For a temporary and permanent injunction requiring the defendants to correct the said violations and to restrain future violations permanently.

b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates.

c. For an order of the plaintiff to demolish said premises and a judgement against defendants and a lien of the subject property for the cost of demolition in accordance with Section 11-31-1 of Chapter 24 of the Illinois Revised Statutes, as amended, or for an order for plaintiff to demolish said premises under the police power to protect the public health and safety.

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d. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

e. For reasonable attorneys fees and court costs.

STATE OF ILLINOIS)
COUNTY OF COOK)

CITY OF CHICAGO, A MUNICIPAL
CORPORATION
KELLY R. WELSH
BY: _____
ASSISTANT CORPORATION COUNSEL

The undersigned, being first duly sworn on oath, deposes and says that he is the duly authorized agent of the plaintiff for the purpose of making this affidavit; that he has read the above and foregoing Complaint, and has knowledge of the contents thereof and that the matters set out therein are true in substance and in fact, and as to matters alleged on information and belief that he believes them to be true.

SUBSCRIBED AND SWORN TO _____

BEFORE ME THIS _____

DAY OF _____ 19 _____

DEPUTY CIRCUIT COURT CLERK OR NOTARY PUBLIC

FOR FURTHER INFORMATION CONTACT: DEPARTMENT OF BUILDINGS
PUBLIC INFORMATION DESK 744-3420

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS 0
MUNICIPAL DEPARTMENT-FIRST DISTRICT
LISTING OF DEFENDANTS

RE: 4951 4951 W ROSCOE ST

HIPOLITO COLON (O)
4951 W ROSCOE
CHGO IL 60641

IRENE COLON (O)
4951 W ROSCOE
CHGO IL 60641

CITY FEDERAL SVGS (M)
ROUTE #202-206
10-21-88 DOC #3748172T
BEDMUNISTER NJ 07921

TRANSAMER FINANCIAL (M)
SERVICES
7601 S KOSTNER
12-19-89 DOC #3849449T
CHGO

AMERICAN GENERAL (M)
FINANCE INC
1614 W BELMONT
04-19-91 DOC #3958630T
CHGO

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS 0
MUNICIPAL DEPARTMENT-FIRST DISTRICT

*** LEGAL DESCRIPTION *** FRONT

RE: 4951 4951 W ROSCOE ST
PI# 13-21-410-003

FRONT

LOT 18 IN BLOCK 1 IN COLLINS AND GAUNTLETT'S HENDERSON ST SUBDN., A SUBDN.
OF THE NW1/4 OF SE1/4 OF SE1/4 OF
SECTION 21, TOWNSHIP 40 NORTH, RANGE 13,
LYING EAST OF THE 3RD PRINCIPAL MERIDIAN
IN COOK COUNTY ILLINOIS

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