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#90909

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

CITY OF CHICAGO, a municipal corporation, )

Plaintiff, )

vs. )

MICHAEL KERRIGAN, et al. )

Defendants. )

No. 97 M1 402188

Re: 1835 N. SAINT LOUIS AVE.

Room 1111

**AGREED ORDER OF DISMISSAL**

This case coming to be heard on the plaintiff City of Chicago's ("City") Motion To Advance, the City and the defendants Michael Smith and Laura Smith appearing or being represented by counsel, and the parties being in agreement and the Court duly advised, IT IS HEREBY ORDERED THAT:

- (1) Defendants Michael Smith and Laura Smith agree to complete all repairs to the rear porch on the subject property, so that the porch is in full compliance with the requirements of the Municipal Code of Chicago ("Code") no later than November 5, 1998;
- (2) Defendants Michael Smith and Laura Smith agree to pay the City **\$800** no later than December 3, 1998, as a settlement fee;
- (3) Defendants Michael Smith and Laura Smith agree to complete all repairs to the entire subject property so that it is in full compliance with the requirements of the Code no later than April 1, 1999;

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- (4) Defendants Michael Smith and Laura Smith are prohibited from renting, leasing, using or occupying the third floor of the subject property as a dwelling unit until further order of court;
- (5) Defendants Michael Smith and Laura Smith understand that if they fail to comply with any of the conditions in this Agreed Order, they will be subject to a daily fine of \$200 for each open Code violation, contempt proceedings, and/or the reinstatement of this case;
- (6) This case is dismissed without prejudice subject to the conditions listed in this Agreed Order. This Court retains jurisdiction over this matter to enforce the terms of this Agreed Order and to provide other relief if necessary;
- (7) Defendants Michael Smith and Laura Smith understand that in order to vacate the injunction described above in paragraph 4, they must first contact the Department of Buildings at (312)744-7878 in order to schedule and be present for a complete interior and exterior inspection by a City building inspector of the subject property. If the City's inspector determines that the subject building is in compliance with the Code, upon proper motion of the defendant with notice to the City, the Court may enter an order vacating the injunction described above in paragraph 4.
- (8) Either the City, or defendants Michael Smith or Laura Smith, may move to bring this case before this Court in order to request modification of this order or other relief.

FOR THE DEFENDANT

\_\_\_\_\_  
Signature of defendant's attorney

\_\_\_\_\_  
Printed name and address of defendant's attorney

Mike Jones                      Laura Smith  
Signature of defendant(s)

2565 W. FULLERTON #8 CHICAGO, IL 60647  
Printed name and residential address of defendant(s)

Dated: 10/13/98

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FOR THE CITY OF CHICAGO

BRIAN L. CROWE, Corporation Counsel, City of Chicago (#90909)

By: D. E. Fernandez

Daniel E. Fernandez, Assistant Corporation Counsel  
30 N. LaSalle St., Suite 700  
Chicago, IL 60602  
(312) 744-1052

Dated: 10/13/98

ENTERED:

JUDGE SEBASTIAN T. PATTI

OCT 13 1998

Circuit Court - 1663

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

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