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

SKM, INC.)	
Plaintiff,)	No. 98 M1 450077
vs.)	
CITY OF CHICAGO, a municipal corporation,)	Re: 5800 S. Aberdeen Street
Defendant.)	Room 1109

CITY OF CHICAGO, a municipal corporation,)
Counter-plaintiff,)
vs.)
SKM, INC., et al.,)
Counter-defendants.)

CONSENT DECREE

THIS MATTER comes before the Court, due notice having been given on an Agreed Motion to Enter Consent Decree. This Consent Decree reflects the agreement made between Counter-plaintiff, City of Chicago, a municipal corporation, by its attorney, Brian L. Crowe, Corporation Counsel, and Defendant, Belinda Richardson (Defendant), by her attorney, Jeanne Wood, which concerns the property commonly known as 5800 South Aberdeen Street, Chicago,

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Illinois ("subject property"), identified by Permanent Index Number (PIN) 20-17-225-032/033, and legally described as:

LOT 1 IN BLOCK 4 IN MCCARTHY'S SUBDIVISION OF THE WEST ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 17, TOWNSHIP 38 NORTH RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PRELIMINARY STATEMENTS OF FACT

1. Defendant is the owner of the subject property and is legally authorized to enter into this Consent Decree without the participation of any other defendant in this lawsuit. Defendant submits to the Court's in personam jurisdiction over the parties and acknowledges the Court's in rem jurisdiction over the subject property.
2. The matter is set for trial, settlement or disposition on June 4, 1999.
3. Presently, the building on the subject property ("building") requires substantial reconstruction and the following violations of the Municipal Code of Chicago exist:
 - a. The building is vacant and open;
 - b. The electrical, plumbing, and heating systems are inoperable;
 - c. The floors are warped, the interior partitions are deteriorated, the laths are exposed and the plaster is broken;
 - d. The masonry is washed out with loose mortar joints throughout the exterior elevations;
 - e. Sashes, frames, doors, and trim, and glazing, are broken and missing;
 - f. The rear porch has loose members and the porch stairs lack handrails;
 - g. Garbage, junk and debris are strewn throughout the property;
 - h. When assessing the vital systems of the building -- its masonry, floors, walls, sashes, frames, doors, trim, stairs, plaster and glazing -- the building has a 24% level of deterioration.

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- i. There is no sign on the building identifying the owner and manager of the building;
- j. There is no watchman monitoring the building between the hours of 4:00 p.m. and 8:00 a.m.

These conditions violate Municipal Code of Chicago §§ 13-12-125, 13-12-130, 13-12-40, 13-168-010 et seq., 13-176-010 et seq., 13-180-010 et seq., 13-196-340 through 13-196-730, 14-8-010 through 14-72-010 et seq., 4-332-010 et seq., and 11-8-010 et seq. (1998).

4. The City agrees not to seek demolition of the building on June 4, 1999. In consideration of the City's agreement not to seek demolition of the building on June 4, 1999, Defendant agrees to the following terms of this Consent Decree:

COMPLIANCE SCHEDULE

5. In correcting the violations described in paragraph 3 above, Defendant, its employees, agents and other persons working on its behalf, shall timely apply for and obtain all the permits required to perform the necessary work, and shall apply for and obtain a Certificate of Occupancy, if one is required. Defendant, its employees and agents, are solely responsible for timely obtaining the proper permits and for producing proof of the required permits upon the City's request.
6. In correcting the violations described in paragraph 3 above, all necessary repair, renovation, and construction shall be done by licensed contractors and shall meet or exceed the requirements of the Municipal Code of Chicago. Determination of the extent of compliance with the Municipal Code of Chicago shall be made solely by the Chicago Department of Buildings inspectors ("City inspectors"). Defendant shall allow the City inspectors to conduct all necessary inspections (both interior and exterior) and shall contact the City inspectors at

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312/744-7878 within one week of interim and completion dates set forth in paragraph 7 of this Consent Decree to arrange for an inspection to determine the status of compliance with the provisions of the Municipal Code of Chicago.

7. Compliance with this Consent Decree shall occur no later than June 1, 2000. Reconstruction of the building shall occur generally according to the following schedule:
 - a. No later than August 1, 1999, the roof shall be reconstructed;
 - b. No later than November 1, 1999, the exterior, including porches and garage, shall be reconstructed;
 - c. No later than December 1, 1999, interior framing shall be completed;
 - d. No later than February 1, 2000, electrical, plumbing, heating and ventilation systems, including insulation, shall be installed;
 - e. No later than April 1, 2000, drywall, flooring, windows and trim shall be installed;
 - f. No later than June 1, 2000, fixtures, including kitchen cabinets shall be installed and the building shall be in compliance with the Municipal Code of Chicago.

DEFENDANT'S OTHER OBLIGATIONS

8. Defendant shall pay, in addition to its own costs, all outstanding litigation costs incurred by the City to date in this action in the amount of \$545, payable on or before July 7, 1999.
9. Defendant shall maintain insurance sufficient to insure the City from and against any and all claims, demands, and actions for personal injury, death, or property damage, in an amount not less than \$500,000. Defendant shall furnish the City with appropriate certification by a company or companies satisfactory to the City, and in form and content satisfactory to the City, within 14 days of the entry of this Consent Decree.

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10. Defendant shall maintain the subject property in a secure, safe, and clean condition at all times. If, during the period covered by this Consent Decree, the City inspectors find that dangerous or unsafe or imminently hazardous conditions exist at the subject property, Defendant shall, at its own expense, correct those conditions or cause them to be corrected within 48 hours after receiving notice from the City. The City shall give notice of violations or unsafe conditions under this paragraph by facsimile transmission and U.S. Mail to one or more of the following persons:

Jeanne Wood, Esq.
4747 Lincoln Mall Drive, #601
Matteson, IL 60443
Phone: 708/748-3500
Fax: 708/748-2998

Belinda Richardson
14925 Wentworth
Dolton, IL 60419

11. At any time before the subject property is determined to be in compliance with the Municipal Code of Chicago, Defendant shall notify the City if there is any change or modification in the ownership of the subject property, or if Defendant ceases to have full control over the subject property for any reason whatsoever (including, but not limited to, the granting of a mortgage or other security interest in the subject property, the introduction of new investors in the subject property, receipt of a notice of sale of delinquent real estate taxes, or the placement of the subject property in a land trust), or if any legal proceedings are instituted affecting Defendant's ownership or ability to comply with this Consent Decree (including, but not limited to, assignments, bankruptcies, and liens on the property). Notice shall be given by facsimile transmission and U.S. Mail directed to:

Penelope M. George
City of Chicago Law Department
30 North LaSalle St., Suite 700

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Chicago, IL 60602
Telephone: 312/ 744-0210
Facsimile: 312/ 744-1054

or to such other person as shall be designated by the City.

REMEDIES AND PENALTIES

12. Should an unforeseeable independent act, force, or occurrence prevent or delay the completion of the work in the time scheduled in paragraph 7 of this Consent Decree, Defendant shall, with notice to the City, petition the Court for an extension of time within which to comply with the terms of this Consent Decree. The petition for an extension of time must be filed within five working days and noticed for hearing within ten working days of the act causing the delay. Failure to apply for an extension of time within five working days of the act causing delay shall constitute a waiver of this right to extend the time schedule and shall subject Defendant to the penalties set forth in paragraph 13 of this Consent Decree.
13. If Defendant fails to correct each of the violations of the Municipal Code of Chicago set forth in paragraph 3 of this Consent Decree according to the schedule set forth in paragraph 7, the penalties for violation of this Consent Decree include:
- A. A fine of \$200 per day of violation beginning on the first day after the completion date stated in paragraph 6 of this Consent Decree, or a fine of \$10,000, whichever is greater; and
 - B. Upon motion of the City, a hearing as to why Defendant should not be held in contempt of court and punished accordingly for violation of this Consent Decree; and
 - C. Upon motion of the City, the reinstatement of this case and the entry of any appropriate relief, including but not limited to an order authorizing the City to demolish the subject building.

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ORDER

14. Compliance with the terms of this Consent Decree, agreed upon by the parties, is hereby ordered by the Court. Each party waives its right to an appeal in this matter. The Court retains jurisdiction of this case to enforce the terms of this Consent Decree.
15. If Defendant fails to comply with the terms of this Consent Decree by June 1, 2000, and if no extension of this Consent Decree is authorized by the Court, the City will be entitled immediately to seek all appropriate penalties set forth in paragraph 13 above.
16. Upon compliance with the terms of this Consent Decree, as set forth in the Compliance Schedule in paragraph 7 above, the Court may, upon either party's motion, enter an order reflecting such finding. Thereafter the City shall sign an appropriate release.
17. Either party may record this Order with the office of the Recorder of Deeds of Cook County.

FOR THE DEFENDANT

Jeanne Wood
JEANNE WOOD
4747 Lincoln Mall Drive
Suite 601
Matteson, IL 60443
708/748-3600

FOR THE CITY OF CHICAGO

Brian L. Crowe
By: Penelope M. George
Assistant Corporation Counsel
30 N. LaSalle St., Suite 700
Chicago, IL 60602
312/744-0210

ENTERED:

Date

6.4.99
Judge

JUDGE CURTIS HEASTON
JUN 04 1999
CIRCUIT COURT - 225
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