



City of Chicago



O2017-5543

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	7/26/2017
Sponsor(s):	Sadlowski Garza (10)
Type:	Ordinance
Title:	Vacation of public alley(s) in area bounded by E 95th St, S Torrence Ave, E 96th St and S Colfax Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

COMMERCIAL ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6 (a) of the 1970 Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the properties at 2613-2627 E. 95th Street, 9500-9510 S. Torrence Avenue, 9514-9516 S. Torrence Avenue, 9501-9511 S. Colfax Avenue and 9515-9517 S. Colfax Avenue are owned by CSRE Davita Park Manor, LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for an accessory parking lot for a proposed medical center; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of those portions of public alley, described in the following ordinance; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1.

A 20 FOOT ALLEY AS SHOWN HEREON LYING BETWEEN THE SOUTH LINE OF LOTS 1 THROUGH 6, AND THE NORTH LINE OF LOT 12, AND EAST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 12; IN BLOCK 125 IN SOUTH CHICAGO SUBDIVISION, MADE BY THE CALUMET AND CHICAGO CANAL AND DOCK COMPANY OF ALL THAT PART OF SECTION 6, SOUTH OF THE INDIAN BOUNDARY LINE, SOUTHWEST OF PITTSBURG, FORT WAYNE AND CHICAGO RAILROAD, AND WEST OF THE CALUMET RIVER, EXCEPT LAND BELONGING TO THE NORTHWESTERN FERTILIZING COMPANY, AND ALSO THE NORTHEAST FRACTIONAL QUARTER, AND THE EAST TWO-THIRDS OF THE NORTHWEST QUARTER FRACTION OF FRACTIONAL SECTION 7, NORTH OF THE INDIAN BOUNDARY LINE, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JUNE 29, 1875 AS DOCUMENT 36673, IN COOK COUNTY, ILLINOIS. AREA OF PROPERTY: 2,570 SQ. FT. (0.0590 ACRE) MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit B, which plat for greater clarity, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation(s).

SECTION 2. The City of Chicago hereby reserves for the benefit of The Peoples Gas Light and Coke Co. an easement to operate, maintain, repair, renew and replace existing underground facilities and to construct new facilities in all of the area to be vacated, with the right of ingress and egress at all times for any and all such purposes. It is further provided that no buildings or other structures shall be erected on said easement herein reserved for The Peoples Gas Light and Coke Co. or other use made of the said area which would interfere with the construction, operation, maintenance, repair, removal, or replacement of said facilities, or the construction of additional facilities. Any future Developer prompted relocation of Peoples Gas facilities lying within the area being vacated will be accomplished by Peoples Gas, and done at the expense of beneficiary of the vacation, its successors or assigns.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, AT&T/SBC, Comcast and their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the alleys herein vacated, with the right of ingress and egress. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison, AT&T/SBC, and/or Comcast facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved utilities. Any future Developer-prompted relocation of facilities lying within the area being vacated will be accomplished by the involved utility, and be done at the expense of the beneficiary of the vacation, its successors or assigns.

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalk in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices,

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of public alley hereby vacated the sum _____ dollars (\$ _____), which sum in the judgment of this body will be equal to such benefits.

SECTION 6. The vacation herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall file or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plats as approved by the Acting Superintendent of Maps and Plats.

SECTION 7. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

Vacations Approved:

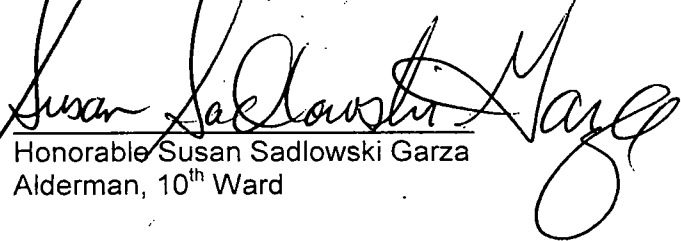


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Lisa Misher
Chief Assistant Corporation Counsel



Honorable Susan Sadlowski Garza
Alderman, 10th Ward

PLAT OF VACATION

A 20 foot alley as shown hereon lying between the South line of Lots 1 through 6, and the North line of Lot 12, and East of the Northerly extension of the West line of said Lot 12; in Block 125 in South Chicago Subdivision, made by the Calumet and Chicago Canal and Dock Company of all that part of Section 6, South of the Indian Boundary line, Southwest of Pittsburg, Fort Wayne and Chicago Railroad, and West of the Calumet River, except land belonging to the Northwestern Fertilizing Company, and also the Northeast Fractional Quarter, and the East two-thirds of the Northwest Quarter. Fraction of Fractional Section 7, North of the Indian Boundary line, Township 37 North, Range 15 East of the Third Principal Meridian, recorded June 29, 1875 as Document 36673, in Cook County, Illinois. Area of property: 2,570 sq. ft. (0.0590 acre) more or less.

(100.0' RIGHT OF WAY)

SURVEYOR'S NOTES:

DIMENSIONS SHOWN ARE GIVEN IN FEET & DECIMAL PARTS THEREOF

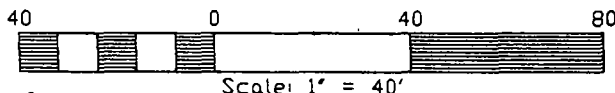
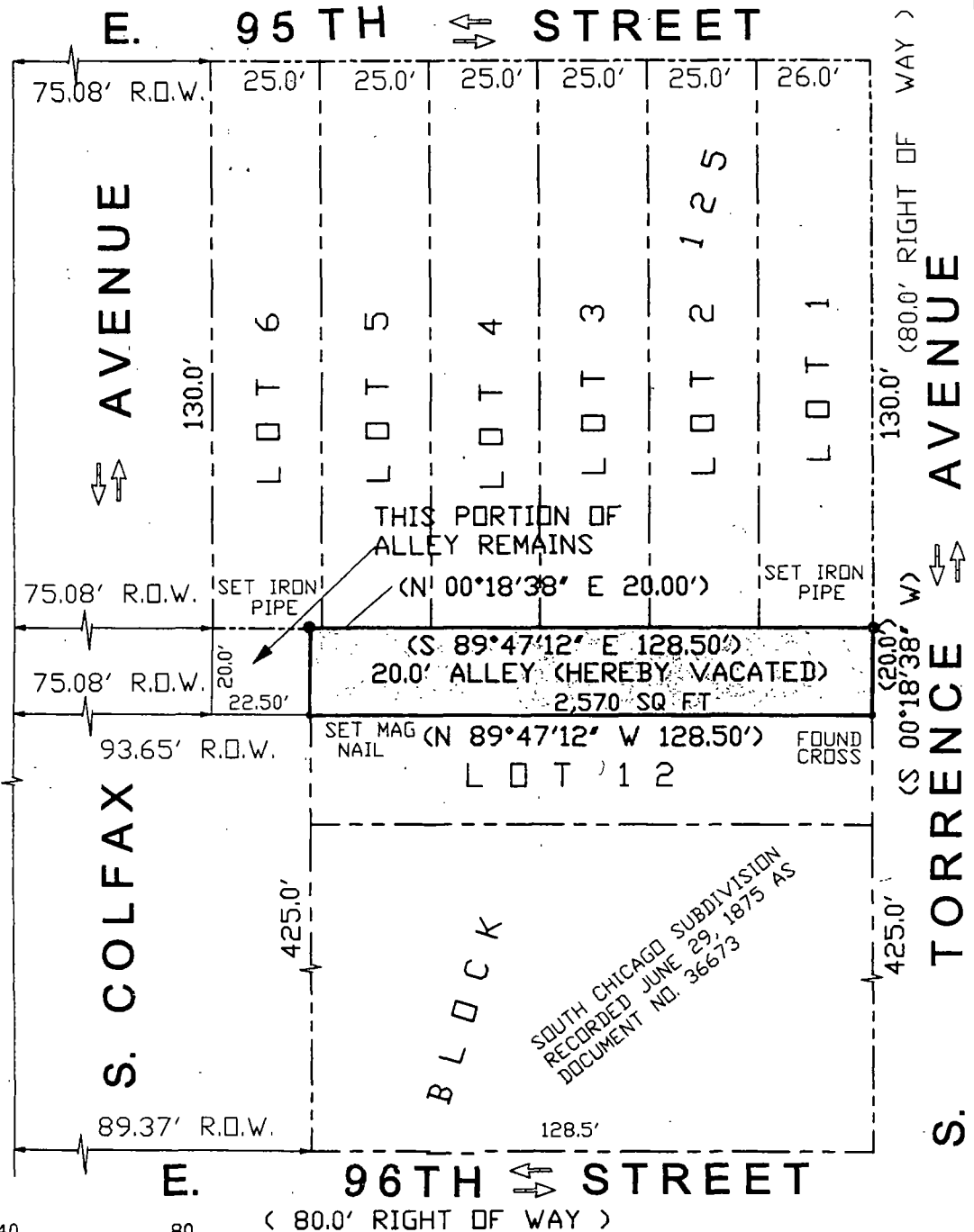
FIELD MEASUREMENTS COMPLETED
APRIL 2, 2015

CURRENT ZONING CLASSIFICATION
OF THE PROPERTY IS M1-1 AS
DILNEATED ON THE CITY OF
CHICAGO DEPARTMENT OF
ZONING WEBSITE.

MONUMENTS AS SHOWN WERE
SET IN JULY 2016.

BEARINGS SHOWN HEREON ARE
BASED ON ASSUMED DATUM.

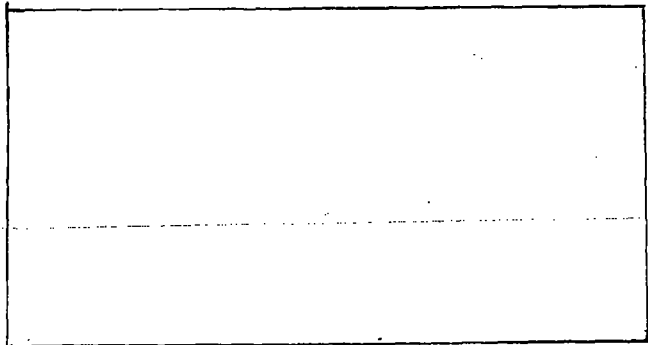
THE BUILDINGS SHOWN ON
OUR SURVEY NO. C58,552ALT
DATED 7/12/16 HAVE BEEN
REMOVED.



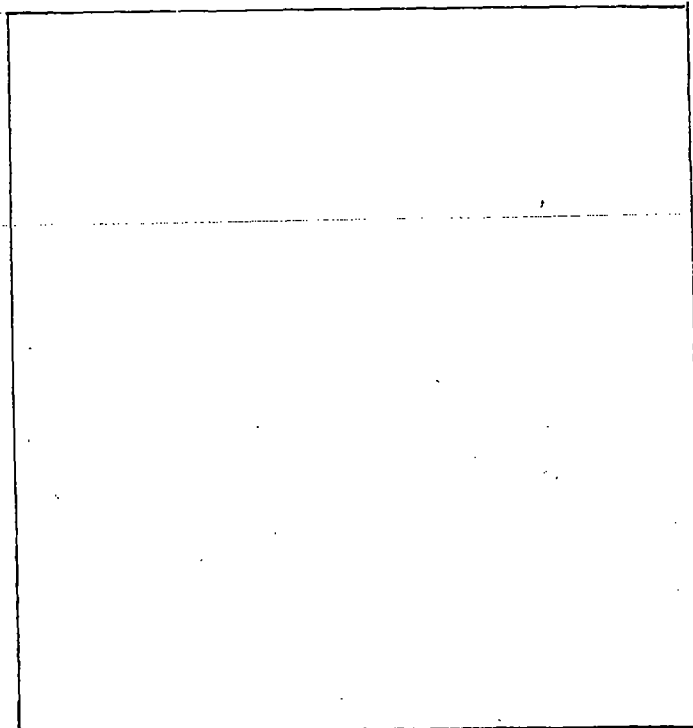
APC
7/20/17

JOB NO. 58,552 VAC

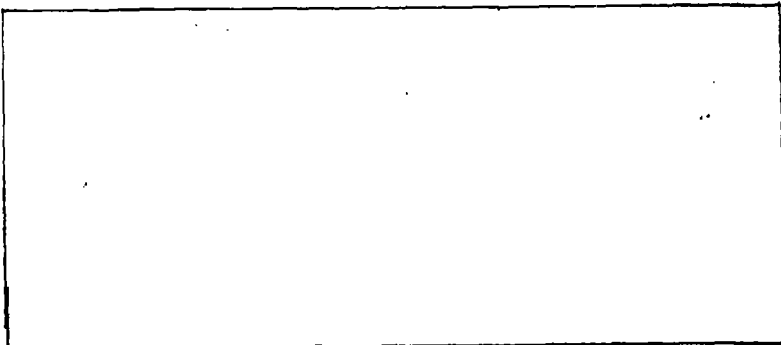
CDOT NO. 07-10-16-3778
PAGE NO. 1 OF 2

PLAT OF VACATION

CITY-DEPT. OF FINANCE



C.D.O.T.



COOK COUNTY

LEGEND

HEREBY VACATED

100.0' - RECORD DIMENSION/
BEARING(100.0') - MEASURED DIMENSION/
BEARING

IRON PIPE ●

MAG NAIL •

———— VACATED ALLEY

----- LOT LINES

SURVEYOR'S CERTIFICATESTATE OF ILLINOIS)
COUNTY OF KANE)ss

This is to certify that I, Charles J. Hill, Illinois Professional Land Surveyor in the State and County aforesaid have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey.

Dated at Dundee, Illinois, this 18 Day of JULY, A.D. 2017.

Charles J. Hill - I.P.L.S. #35-2700

My license expires November 20, 2018

PIN NO.'S
26-07-104-003
26-07-104-004
26-07-104-005
26-07-104-006
26-07-104-024

This professional service conforms to the current Illinois minimum standards for a boundary survey.

Professional Design Firm Land Surveying
Corporation License No.184-002863

ALAN J.COULSON, P.C.**PROFESSIONAL LAND SURVEYORS**

645 S. 8th St.,(Rte. 31) West Dundee, IL 60118

Phone: (847)- 426-2911 Fax: (847)- 426- 8074

E-Mail: SIRVAYR@ALANJCOULSON.COM

RAC
7/20/17

JOB NO. 58,552 VAC

CDOT NO. 07-10-16-3778

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CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

07/13/17

Mr. Edward Siskel
Corporation Counsel
Room 600 - City Hall
Chicago, IL 60602-1289

Attention: Ms. Lisa Misher
Chief Assistant Corporation Counsel


Re: Vacation for CSRE Davita Park Manor, LLC
Commercial File: 07-10-16-3778


Dear Mr. Siskel:

Pursuant to a request from Mr. Andy Stein we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed vacation of the E-W alley in the block bounded by S, Torrence Avenue, E. 95th Street, S. Colfax Avenue and E. 96th Street. This property is located in the 10th Ward.

CSRE Davita Park Manor, LLC is the owner of record to the properties adjoining the public alley to be vacated. The people to contact in connection with this proposed ordinance are attorney Kevin Wolfberg at 312-345-5700 and Mr. Andy Stein at 312-377-9100.

An easement has been reserved for People's Gas in Section 2 of the ordinance. Section 3 of the ordinance reserves an easement for Commonwealth Edison, AT&T and Comcast. Section 4 of the ordinance requires a deposit be made to the Department of Transportation for curb and walk. All other underground utility agencies are either not involved or have made suitable arrangements. Section 5 of the ordinance provides for compensation to the City for that part of the public alley to be vacated. Sections 6 & 7 are standard language regarding the ordinance.

Sincerely,

Robekah Scheinfeld
Commissioner

Originated by:

Luann Hamilton
Deputy Commissioner

RS: LH: RD

cc: Alderman Susan Sadowski Garza
Alderman Anthony Beale
Sandra Foreman/w Attach Dwg., s.f. & Ord. (3) file copies
(2) Maps & Plats
30 NORTH LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 60602