



Office of the Chicago City  
Clerk



O2012-2275

Office of the City Clerk

City Council Document Tracking Sheet

<b>Meeting Date:</b>	4/24/2012
<b>Sponsor(s):</b>	Chandler, Michael D. (24)
<b>Type:</b>	Ordinance
<b>Title:</b>	Vacation of public street(s) bounded by S Central Ave, W Grenshaw Ave, S Independence Blvd and W Taylor St
<b>Committee(s) Assignment:</b>	Committee on Transportation and Public Way

## **NOT FOR PROFIT 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 City wishes to support the charitable, educational and philanthropic activities of established Not for Profit Corporations and encourage the continued viability and growth of such activities; and

WHEREAS, many Not For Profit Corporations own property that adjoins streets and alleys that are no longer required for public use and might more productively be used in furtherance of such activities; and

WHEREAS, the City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping, vandalism and other criminal activity; and by providing support for such charitable, educational and philanthropic activities; and

WHEREAS, the City can promote strong communities by facilitating services to the public, and increase the City's job base through the vacation of public street(s) and/or alley(s) for no compensation; and

WHEREAS, the properties at 3600-3718 W. Fillmore St. and 3601-3719 W. Fillmore St. are owned by Uhlich Children's Advantage Network, an Illinois Not For Profit Corporation; and

WHEREAS, the Uhlich Children's Advantage Network, an Illinois Not For Profit Corporation, will use the site as a therapeutic youth home; and

WHEREAS, Uhlich Children's Advantage Network, an Illinois Not For Profit Corporation, proposes to use the portion of the public street to be vacated herein for green space and driveways; 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 parts of the public street described in the following ordinance; now therefore,

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

**SECTION 1.** All that part of West Fillmore Street lying Westerly of the West right of way line of S. Central Park Avenue and Easterly of the Northerly extension of the West line of Lot 8 in Edward Casey's Addition to Chicago, being a subdivision in the East half of the Southwest Quarter of Section 14, Township 39 North, Range 13, East of the Third Principal Meridian, according to the plat thereof recorded December 28, 1893 as document 1974133, in Cook County, Illinois, as shaded and legally described by the words "HEREBY VACATED" on the drawing hereto attached as Exhibit A, which drawing for greater, 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 vacations.

**SECTION 2.** The Commissioner of Transportation is hereby authorized to accept and approve a redevelopment agreement or similar instrument restricting the use and improvement of the public way vacated in Section 1 of this ordinance to social service purposes which includes, but shall not be limited to: providing 24 hour housing and care for youth victims of abuse and neglect, and providing other services to youth and their families, and for such use and improvements that are accessory, as that term is defined in the Chicago Zoning Ordinance, to such social service purposes, such uses and improvements to be owned and operated by a non-profit corporation, subject to the approval of the Corporation Counsel as to form and legality. The restriction on use and improvement in the covenant, agreement or instrument shall be for a term of 40 years and upon breach of such restriction the public way herein vacated shall revert to the City and be subject to the terms and conditions of the dedication by which it has been heretofore held by the City.

SECTION 3. The City of Chicago hereby reserves the street as herein vacated, as a right of way for an existing Water Department main and appurtenances thereto, and for the installation of any additional water mains or other municipally-owned service facilities now located or which in the future may be located in the street as herein vacated, and for the maintenance, renewal, and reconstruction of such facilities, with the right of ingress and egress at all times upon reasonable notice. It is further provided that no buildings or other structures shall be erected on the said right of way herein reserved or other use made of said area, which in the judgment of the municipal officials having control of the aforesaid service facilities would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the construction of additional municipally-owned service facilities.

SECTION 4. The City of Chicago hereby reserves the area herein vacated, as a right of way for existing Water Department sewers and sewer structures, for the installation of any additional sewers, sewer structures or other municipally owned service facilities now located or, which in the future, and be located in the street as herein vacated, and for the maintenance, renewal and reconstruction of such facilities. It is also provided that, the City shall have 24 hour access to the area to be vacated; that no buildings or other permanent structures shall be erected on said right of way herein reserved, or other use made of said area, which in the sole discretion and judgment of the respective municipal officials having control of the aforesaid service facilities, would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the construction of additional municipally-owned service facilities; and that all sewers structures shall be exposed to grade. It is further provided that any beneficiary prompted adjustments to sewer facilities in the area to be vacated, and the repair, renewal or replacement of any private materials, or property damaged in the area to be vacated shall be at the beneficiary's expense.

SECTION 5. "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 "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".

SECTION 6. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, Children's Advantage Network, an Illinois Not For Profit Corporation 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 and curb at the entrance to that part of the public street hereby vacated, similar to the adjacent and contiguous sidewalk and curb.

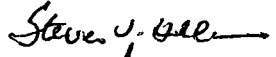
SECTION 7. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, Uhlich Children's Advantage Network, an Illinois Not For Profit Corporation, shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a redevelopment agreement complying with Section 2 of this ordinance, and approved by the Corporation Counsel, and the attached drawing.

SECTION 8. 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 its recording.

Vacation Approved:

  
\_\_\_\_\_  
Gabe Klein  
Commissioner of Transportation

Approved as to Form and Legality

  
\_\_\_\_\_  
Deputy Corporation Counsel

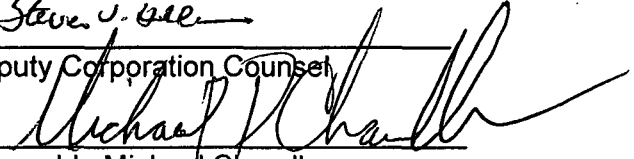
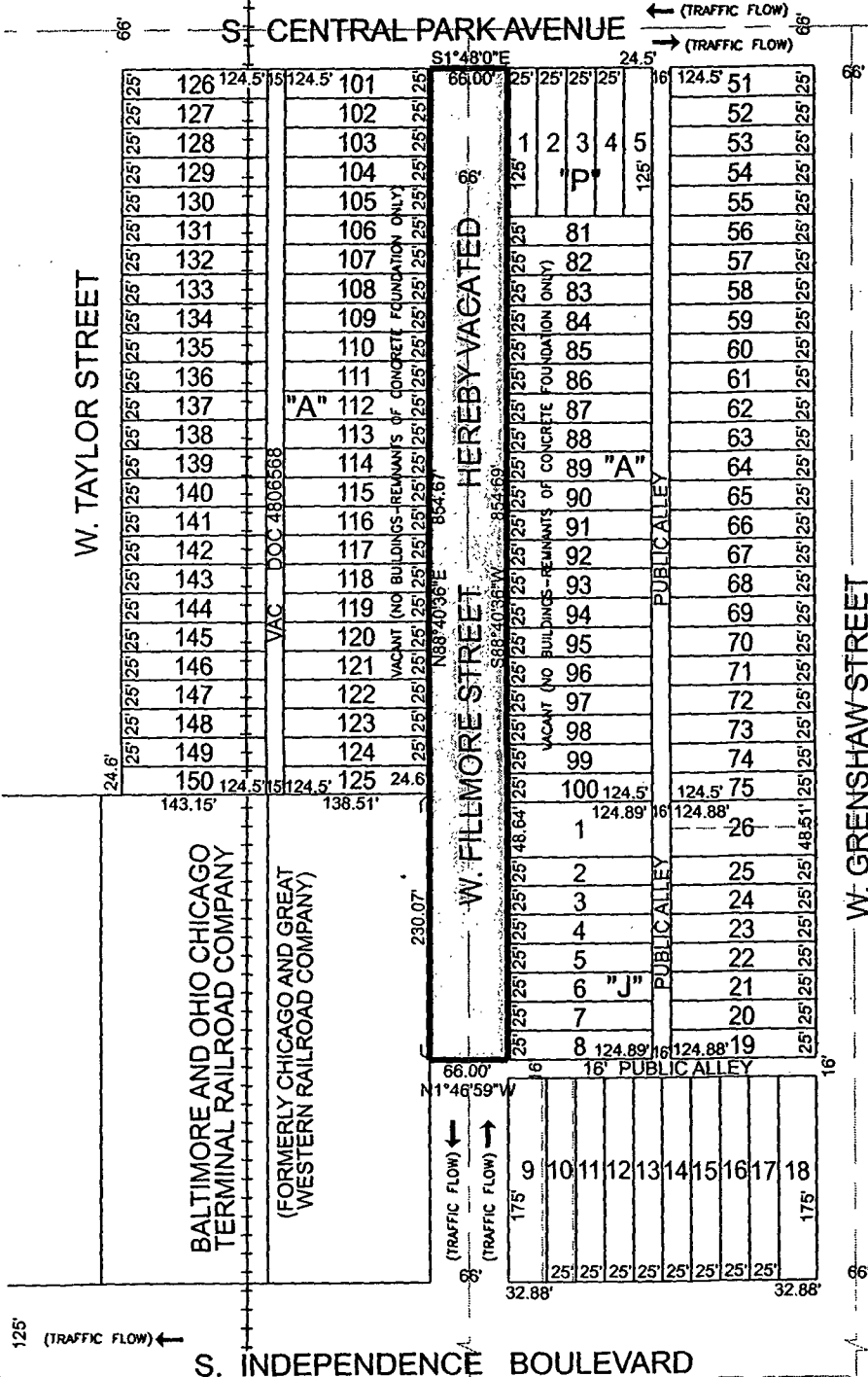
  
\_\_\_\_\_  
Honorable Michael Chandler  
Alderman, 24<sup>th</sup> Ward

EXHIBIT A

PLAT OF VACATION

PROPERTY DESCRIPTION:

ALL THAT PART OF WEST FILLMORE STREET LYING WESTERLY OF THE WEST RIGHT OF WAY LINE OF CENTRAL PARK AVENUE AND EASTERLY OF THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 8 IN EDWARD CASEY'S ADDITION TO CHICAGO, BEING A SUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 28, 1893 AS DOCUMENT 1974133, IN COOK COUNTY, ILLINOIS, CONTAINING 56,409 SQUARE FEET, MORE OR LESS.



"A"

GIVINS & GILBERT'S SUBDIVISION  
(ANTE-FIRE)  
RECORDED APRIL 8, 1868

"J"

EDWARD CASEY'S ADDITION TO CHICAGO  
RECORDED DECEMBER 28, 1893  
AS DOCUMENT 1974133

"P"

COEN'S RESUBDIVISION  
RECORDED JUNE 8, 1904  
AS DOCUMENT 3550002

GENERAL NOTES:

1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
2. NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENTS.

SURVEYOR'S NOTES:

1. THIS PLAT IS BASED ON FIELD WORK COMPLETED ON 3-11-11.
2. BEARINGS BASED ON ILLINOIS EAST STATE PLANE COORDINATE SYSTEM.
3. THE BEARINGS AND DIMENSIONS DEPICTED AROUND THE PERIMETER OF THE VACATION ARE MEASURED, ALL OTHER DIMENSIONS DEPICTED HEREON ARE RECORD.
4. PROPERTY NOT MONUMENTED AT THIS TIME AT CLIENTS REQUEST.
5. NO IMPROVEMENTS SHOWN AT THIS TIME AT CLIENTS REQUEST.

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS

WE, MACKIE CONSULTANTS LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002694, HEREBY STATE THAT WE HAVE PREPARED THE PLAT HEREON DRAWN FOR THE PURPOSE OF VACATING A RIGHT OF WAY AREA AS SHOWN, AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID VACATION.

GIVEN UNDER MY HAND AND SEAL THIS 23<sup>rd</sup> DAY OF March A.D. 2012 IN ROSEMONT, ILLINOIS.

MACKIE CONSULTANTS LLC

DALE A. GRAY  
EMAIL: dgray@mackieconsult.com  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003057  
LICENSE EXPIRES: NOVEMBER 30, 2012  
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



PREPARED FOR/CLIENT:

UCAN CHICAGO  
3737 N. MOZART STREET  
CHICAGO, ILLINOIS 60618  
PHONE: (773) 588-7762

Mackie Consultants, LLC  
6055 N. Higgins Road, Suite 600  
Rosemont, IL 60018  
(847) 680-1400  
www.mackieconsult.com

LOT		DATE	
DESIGNED		DATE	
DRAWN	SDS	DATE	07-19-11
APPROVED	DAG	SCALE	1"=160'
3-23-12	REVISED PER CDOT COMMENTS	DAG	
10-24-11	REVISED PER CDOT COMMENTS	DAG	
DATE	DESCRIPTION OF REVISION	BY	

PLAT OF VACATION  
W. FILLMORE STREET  
CHICAGO, ILLINOIS

SHEET

1 OF 1

PROJECT 1969  
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