



City of Chicago



O2021-4779

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/14/2021
Sponsor(s):	King (4)
Type:	Ordinance
Title:	Vacation of public alley(s) in area bounded by E 8th St, S Michigan Ave, E 9th St and S Wabash Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

Transportation

COMMERCIAL VACATION 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 approximately 833-845 S. Wabash Avenue and 824-834 S. Michigan Avenue are owned by Michigan 830 LLC an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley remnant to be vacated herein to expand their adjacent surface parking lot and other upgrades; 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 that portion of the public alley, described in the following ordinance; now therefore,

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

SECTION 1.

VACATION of:

ALL OF THE EAST-WEST 11 FOOT WIDE ALLEY AND THAT PART OF THE NORTH-SOUTH 10 FOOT WIDE ALLEY DEDICATED FOR PUBLIC ALLEY LYING NORTH OF THE SOUTH LINE OF THE NORTH HALF OF LOT 9 IN BLOCK 17 IN FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ACCORDING TO ANTE-FIRE PLAT ENTITLED "PLAT OF THE WEST 10 FEET OF LOT 9 AND THE EAST 80 FEET OF LOT 10 IN BLOCK 17 FRACTIONAL SECTION 15 ADDITION TO CHICAGO, TOGETHER WITH PORTIONS OF LOTS 7, 8, 9 AND 10 HEREBY DEDICATED AS A PUBLIC ALLEY", RECORDED JULY 5, 1870 AS DOCUMENT NO. 58426, IN BOOK 171 OF MAPS, PAGE 85, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 89 DEGREES 14 MINUTES 21 SECONDS ALONG THE SOUTH LINE OF LOT 9 AFORESAID 10.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST ALONG A LINE 10 FEET WEST AND PARALLEL WITH THE WEST LINE OF LOT 9 AFORESAID 40.19 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 25.69 FEET; THENCE NORTH 56 DEGREES 50 MINUTES 30 SECONDS WEST 16.13 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 39 SECONDS WEST 76.50 FEET TO THE WEST LINE OF THE EAST 80 FEET OF SAID LOT 10; THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 11.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 39 SECONDS EAST 80.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE SOUTH 00 DEGREES 01 MINUTES 27 SECONDS EAST

ALONG THE WEST LINE OF LOT 8 AFORESAID 1.50 FEET; THENCE SOUTH 79 DEGREES 25 MINUTES 07 SECONDS EAST 20.35 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 9; THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS EAST 40.19 FEET TO SOUTH LINE OF THE NORTH HALF OF SAID LOT 9; THENCE SOUTH 89 DEGREES 14 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF LOT 9 AFORESAID 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SAID ABOVE DESCRIBED PARCEL CONTAINING 1,438 SQUARE FEET OF LAND, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as **Exhibit A, 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.**

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, Crowncastle, RCN, 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 alley 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 said utilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by Commonwealth Edison, Crowncastle, RCN, Comcast, their successors or assigns. 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 sole expense of the Developer, its successors or assigns.

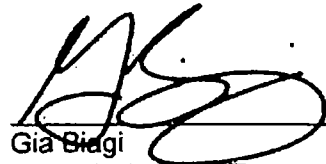
SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of public alley hereby vacated the sum _____ dollars (\$ _____), which sum in the judgment of this body will be equal to such benefits.

SECTION 4. The vacation herein provided for is made under the express condition that the Developer, its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

SECTION 5. The vacation herein provided for is 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 Cook County Clerk/ Recordings Division, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Superintendent of Maps and Plats.

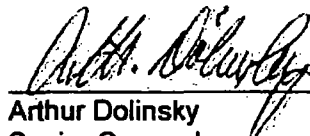
SECTION 6. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

Vacation Approved:



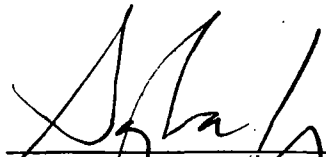
Gia Biagi
Commissioner of Transportation

Approved as to Form and Legality



Arthur Dolinsky
Senior Counsel

Introduced By:



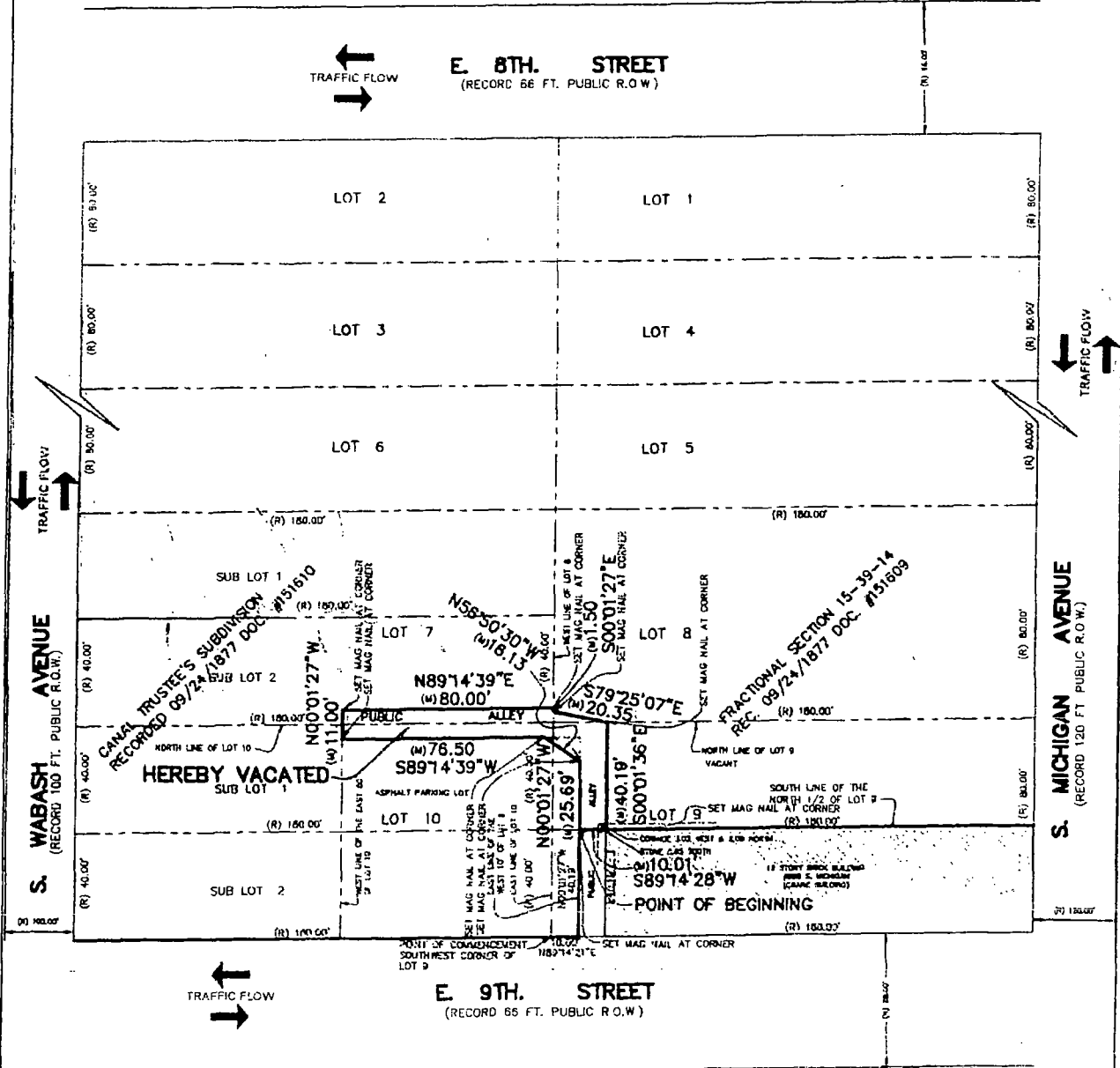
Honorable Sophia King
Alderman, 4th Ward

EXHIBIT "A"

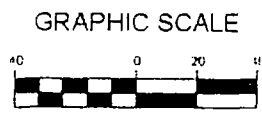
PLAT OF VACATION

LEGAL DESCRIPTION:

ALL OF THE EAST WEST 11 FOOT WIDE ALLEY AND THAT PART OF THE NORTH-SOUTH 10 FOOT WIDE ALLEY DEDICATED FOR PUBLIC ALLEY LYING NORTH OF THE SOUTH LINE OF THE NORTH-HALF OF LOT 9 IN BLOCK 17 IN FRACTIONAL SECTION 15 TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ACCORDING TO ANTE-FIRE PLAT ENTITLED "PLAT OF THE WEST 10 FEET OF LOT 9 AND THE EAST 80 FEET OF LOT 10 IN BLOCK 17 FRACTIONAL SECTION 15 ADDITION TO CHICAGO" TOGETHER WITH PORTIONS OF LOTS 7, 8, 9 AND 10 HEREBY DEDICATED AS A PUBLIC ALLEY". RECORDED JULY 5, 1870 AS DOCUMENT NO. 58426, IN BOOK 171 OF MAPS, PAGE 85, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9, THENCE NORTH 89 DEGREES 14 MINUTES 21 SECONDS ALONG THE SOUTH LINE OF LOT 9 AFORESAID 10.00 FEET, THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST ALONG A LINE 10 FEET WEST AND PARALLEL WITH THE WEST LINE OF LOT 9 AFORESAID 40.19 FEET TO THE POINT OF BEGINNING, THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 25.69 FEET, THENCE NORTH 56 DEGREES 50 MINUTES 30 SECONDS WEST 16.13 FEET, THENCE SOUTH 89 DEGREES 14 MINUTES 39 SECONDS WEST 76.50 FEET TO THE WEST LINE OF THE EAST 80 FEET OF SAID LOT 10, THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 11.00 FEET, THENCE NORTH 89 DEGREES 14 MINUTES 39 SECONDS EAST 80.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 9, THENCE SOUTH 00 DEGREES 01 MINUTES 27 SECONDS EAST ALONG THE WEST LINE OF LOT 8 AFORESAID 1.50 FEET, THENCE SOUTH 79 DEGREES 25 MINUTES 07 SECONDS EAST 20.35 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 9, THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS EAST 40.19 FEET TO SOUTH LINE OF THE NORTH HALF OF SAID LOT 9, THENCE SOUTH 89 DEGREES 14 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF LOT 9 AFORESAID 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS SAID ABOVE DESCRIBED PARCEL CONTAINING 1,438 SQUARE FEET OF LAND, MORE OR LESS



RP
 SEPT 28, 2021



REVISED SEPTEMBER 27, 2021 #2021-29334 (89)

PROJECT #	2020-28157-001	DATE	09/27/2021
CLIENT	GREMLY & BIEDERMANN	SCALE	1" = 40'
PROJECT	PLAT OF VACATION	SHEET	1 OF 2

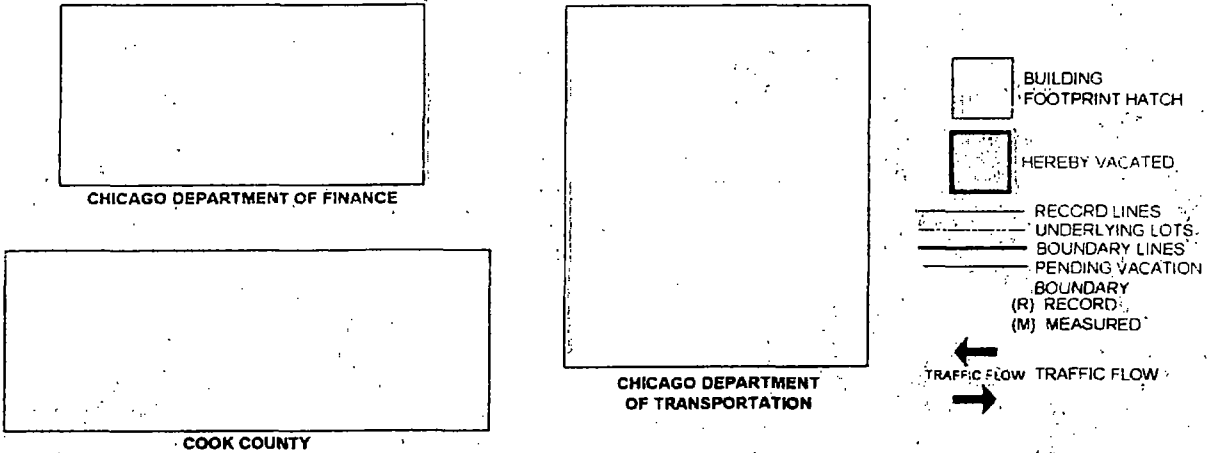
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CDOT# 15-04-21-3972

EXHIBIT "A"

PLAT OF VACATION

AFFECTED PINS
 17-15-305-026 SOUTH HALF OF LOT 9 IN FRAC SEC 15-39-14
 17-15-305-048 SOUTH HALF OF LOT 9 IN FRAC SEC 15-39-14
 17-15-305-017 NORTH HALF OF LOT 9 & LOT 8 IN FRAC SEC 15-39-14
 17-15-305-010 PART OF LOT 10 IN FRAC SEC 15-39-14
 17-15-305-007 SUB LOT 2 IN CANAL & TRUSTEES SUBDIVISION
 17-15-305-008 SUB LOT 2 IN CANAL & TRUSTEES SUBDIVISION



PREPARED FOR & MAIL TO:

Jordan Macavity
 190 Liberty Road Suite One
 Crystal Lake, IL 60014

*Ref
 Sept 28, 2021*

CDOT# 15-04-21-3972

SURVEYOR'S NOTES:

Field measurements completed on DECEMBER 7, 2011.

EXCEPT FOR BUILDING FOOTPRINTS, IMPROVEMENTS HAVE BEEN OMITTED AT CLIENT'S REQUEST

ZONING
 DX-18 DOWNTOWN MIXED-USE DISTRICT
 PD 1323 RESIDENTIAL BUSINESS PLANNED DEVELOPMENT

SURVEYOR'S LICENSE EXPIRES NOVEMBER 30, 2022
 DESIGN FIRM LICENSE EXPIRES APRIL 30, 2023

Note (R) & (M) denotes Record and Measured distances respectively

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract title policy and local building line regulations.

NO dimensions shall be assumed by scale measurement upon this plat

Unless otherwise noted herein the Bearing, Elevation Datum and Coordinate Datum if used is ASSUMED

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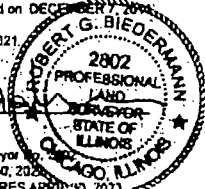
State of Illinois
 County of Cook

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Field measurements completed on DECEMBER 7, 2011
 Signed on SEPTEMBER 27, 2021

By: *Robert G. Biedermann*

Robert G. Biedermann
 Professional Illinois Land Surveyor
 My license expires November 30, 2022
 DESIGN FIRM LICENSE EXPIRES APRIL 30, 2023



REVISED SEPTEMBER 27, 2021 #2021-29334 (BB)

PROJECT NO. 2021-29334	DATE 09/27/21
GREMLEY & BIEDERMANN L.L.C. CONSULTING	
1100 N. LAUREL ST. CHICAGO, IL 60610	
TEL: 312.467.1234 FAX: 312.467.1235	
WWW.GREMLEY-BIEDERMANN.COM	
SCALE 1" = 100'	DATE 09/27/21
2020-28157-001	2 OF 2