



City of Chicago
Office of the City Clerk
Document Tracking Sheet



O2017-6256

Meeting Date: 9/6/2017
Sponsor(s): Cappleman (46)
Type: Ordinance
Title: Vacation of public alley(s) in area bounded by N Sheridan Rd, W Sunnyside Ave, N Kenmore Ave and W Wilson 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 4547-4551 N. Kenmore Avenue are owned by Morningside Stewart, LLC an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for parking lot expansion; 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.

THE NORTH 16 FEET OF THE SOUTH 65 FEET OF LOTS 74, 75, AND 76 IN WILLIAM DEERING SURRENDEN SUBDIVISION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 6, 1896 AS DOCUMENT 2384355, IN COOK COUNTY, ILLINOIS, a total of 2,288 square feet or 0.05 acres 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 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 One hundred and fifty thousand dollars (\$ 150,000.00), which sum in the judgment of this body will be equal to such benefits.

SECTION 3. 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 plat as approved by the Acting Superintendent of Maps and Plats.

SECTION 4. 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 plat.

Vacation Approved:



Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Lisa Misher
Chief Assistant Corporation Counsel



Honorable James Cappleman
Alderman, 46rd Ward

EXHIBIT "A"
PLAT OF VACATION

THE NORTH 16 FEET OF THE SOUTH 66 FEET OF LOTS 74, 75, AND 78 IN WILLIAM DEERING SURRENDEN SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 6, 1886 AS DOCUMENT 238-326, IN COOK COUNTY, ILLINOIS.

VACATED AREA: 2,268 SQ. FT. (0.05 ACRES) MORE OR LESS

SYMBOL LEGEND

- (R) - RECORD DATA
- (M) - MEASURED DATA
- (R.O.W.) - RIGHT OF WAY

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PREPARED FOR: ELLENBORG, SIEGMUND
ADDRESS: 4525 N. KENMORE AVENUE, CHICAGO, ILLINOIS
BOOK & PG: 150/122-35047 DATE: 5-26-2016 JOB NO: 151
DRAWN BY: SIR CHECK BY: JMA
REVISED: 2016-06-13 14:45 - PER DRAFT REVIEW
REVISED: 7-24-2017 - PER REVIEW COMMENTS
REVISED: 8-8-2017 - PER REVIEW COMMENTS

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MEASURES



CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

07/24/17

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

Attention: Ms. Lisa Misher
Chief Assistant Corporation Counsel

Re: Proposed Vacation for Morningside Stewart, LLC
Commercial File: 17-46-17-3792

Dear Mr. Siskel:

Pursuant to a request from Mr. Brian Pawlik, 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 dedicated alley in the block bounded by W. Wilson Avenue, N. Kenmore Avenue, N. Sheridan Road and W. Sunnyside Avenue. This property is located in the 46th Ward.

Morningside Stewart LLC is the owner of record to the property adjoining the public alley to be vacated. The person to contact in connection with this proposed ordinance is Mr. Brian Pawlik at 312-280-7770 x1.

All underground utility agencies are either not involved or have made suitable arrangements. Section 2 of the ordinance requires compensation to the City for the land being conveyed. Sections 3 and 4 are standard language regarding the ordinance.

Sincerely,

Rebekah Scheinfeld
Commissioner

Originated by:

Luann Hamilton

Deputy Commissioner

RS: LH: RD

cc: Alderman Cappleman (46)
 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



CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER

CITY HALL-SECOND FLOOR
121 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60602
TELEPHONE 312-744-4096
FAX: 312-744-8155

COMMITTEE MEMBERSHIPS

TRANSPORTATION & PUBLIC WAY

(CHAIRMAN)

BUDGET AND GOVERNMENT OPERATIONS

COMMITTEES, RULES AND ETHICS

EDUCATION AND CHILD DEVELOPMENT

FINANCE

PUBLIC SAFETY

WORKFORCE DEVELOPMENT AND AUDIT

ANTHONY A. BEALE

ALDERMAN, 9TH WARD
34 EAST 112TH PLACE
CHICAGO, ILLINOIS 60628
TELEPHONE (773) 785-1100
FAX: (773) 785-2790

E-MAIL: WARD09@CITYOFCHEAGO.ORG

January 23, 2019

To the President and Members of the City Council:

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body pass the proposed ordinance transmitted herewith for a VACATIONS to MORNINGSIDE STEWART, LLC - 02017-6256 A proposed vacation of the east-west dedicated alley in the area bounded by West Wilson Avenue, North Kenmore Avenue, North Sheridan Road and West Sunnyside Avenue. This ordinance was referred to Committee on September 06, 2017.

This recommendation was concurred unanimously by viva voce vote of the members of the Committee with no dissenting vote.

(Ward 46)

Respectfully submitted,

Anthony Beale,
Chairman