



City of Chicago



O2021-1873

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	5/26/2021
Sponsor(s):	Burnett (27)
Type:	Ordinance
Title:	Dedication and vacation of public way(s) in area bounded by W Lake St, N May St, W Randolph St and N Racine Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

**COMMERCIAL DEDICATION/VACATION
AND PUBLIC WAY EASEMENT 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 located at 158-182 N. May Street, 1133-1157 W. Lake Street, and 169-183 N. Racine Avenue are owned by Lake Street Corporation, an Illinois corporation, formerly known as Leon's Sausage Company; and

WHEREAS, the properties located at 1132-1140 W. Randolph Street and 148-154 N. May Street are owned by Randnob Holdings LLC, a Delaware limited liability company; and

WHEREAS, Lake Street Corporation and Randnob Holdings LLC shall hereafter be referred to as the "Developers"; and

WHEREAS, the Developers propose to use the portion of the alley remnant to be vacated herein for construction of a mixed-use retail development in accordance with the associated Planned Development; and

WHEREAS, the City Council of the City, 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, and the acceptance of the new alley dedication, as described in this ordinance; now, therefore,

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

SECTION 1. The Commissioner of the Department of Transportation, or any of her designees, is each hereby authorized and directed to approve a dedication of certain property owned by Lake Street Corporation, for construction and use as a new east-west, 10-foot wide public alley, in the location as consented to by the adjacent title holder in **EXHIBIT D**, as legally described below and labeled as "HEREBY DEDICATED" on the Plat of Dedication hereto attached as **EXHIBIT A**:

THAT PART OF LOT 14 AND THAT PART OF THE 18 FOOT WIDE NORTH-SOUTH VACATED ALLEY VACATED BY ORDINANCE PASSED NOVEMBER 26, 1986 AND RECORDED FEBRUARY 20, 1987 AS DOCUMENT NUMBER 87100801 BOTH INCLUSIVE, IN BLOCK 29 IN CARPENTER'S ADDITION TO CHICAGO, ANTE-FIRE, IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN,

AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 14 THENCE NORTH 00 DEGREES 03 MINUTES 17 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 14 ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF N. RACINE AVENUE 10.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 25 SECONDS EAST 134.09 FEET TO EAST LINE OF SAID 18 FOOT VACATED ALLEY ALSO BEING THE WEST LINE OF LOT 13 IN BLOCK 29 IN CARPENTER'S ADDITION AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID 18 FOOT VACATED ALLEY ALSO BEING THE WEST LINE OF SAID LOT 13 A DISTANCE OF 10.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 25 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 14 AND ITS EASTERLY EXTENSION 134.09 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 1,341 SQUARE FEET, OR 0.030 ACRES MORE OR LESS.

SECTION 2: The Vacation shall be described as:

THAT PART OF THE 10 FOOT WIDE EAST-WEST PUBLIC ALLEY LYING NORTH OF AND ADJOINING THAT PART OF LOT 29 (EXCEPT THE WEST 3.60 FEET THEREOF) AND LOTS 30, 31 AND 32 (EXCEPTING PARTS OF SAID LOTS TAKEN FOR WIDENING OF WEST RANDOLPH STREET), AND LYING SOUTH OF AND ADJOINING LOT 21 ALL IN BLOCK 29 IN THE SUBDIVISION OF BLOCKS 7, 11, 13, 29, 47 AND 53 OF CARPENTER'S ADDITION TO CHICAGO, A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE-FIRE, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 21, ALSO BEING THE WEST RIGHT OF WAY OF N. MAY STREET; THENCE SOUTH 00 DEGREES 00 MINUTES 09 SECONDS WEST 10.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 32, ALSO ON SAID WEST RIGHT OF WAY OF N. MAY STREET; THENCE SOUTH 89 DEGREES 51 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF LOTS 32, 31, 30 AND THAT PART OF LOT 29, AFORESAID 96.14 FEET TO A POINT 3.60 FEET EAST OF THE NORTHEAST CORNER OF SAID LOT 29; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 3.60 EAST AND PARALLEL TO THE WEST LINE OF LOT 29 AFORESAID 10.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 21; THENCE NORTH 89 DEGREES 51 MINUTES 36 SECONDS EAST ALONG THE SOUTH LINE OF LOT 21 AFORESAID 96.14 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 961 SQUARE FEET OR 0.02 Acres more or less, as shaded and legally described by the words "HEREBY VACATED" on the Plat of Vacation 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.

SECTION 3: The Developers acknowledge that any private sewers, appurtenances and connections within the area to be dedicated shall be sealed, removed or relocated to private property at the Developers' expense, in accordance with the standard procedures of the Department of Water Management, Sewer Section, or established as public through separate City Council action. In the event that any existing private sewer is abandoned, the abandonment plans must be reviewed, approved and permitted by the Department of Water Management, Sewer Design Section prior to work.

SECTION 4. The Developers also acknowledges that they are responsible for providing proper drainage in the alley herein dedicated, at their sole expense and in accordance with plans reviewed, approved and permitted by the Department of Water Management Sewer Design Section, prior to work. No new public sewers shall be established in the alley herein dedicated.

SECTION 5. The City of Chicago hereby reserves for the benefit of ATT/SBC and Comcast, 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 public alley herein vacated, with the right of ingress and egress at all times. 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 facilities. No construction, buildings, permanent structures or other obstructions shall occur or be placed over the area herein vacated without an express written release of easement by the named utilities. The Developers acknowledges that any future utility work initiated by them, their successors or assigns, involving the utilities herein reserved for within the public way area vacated, requires prior review by the City's Office of Underground Coordination. Utility relocations will be accomplished by the involved utilities at the sole expense of the Developers, their successors and assigns. Any future release of easement by the reserved utilities shall include, at the utility's option, the abandonment in place of the existing facilities, equipment and appurtenances as may be located over, through, under, along and across the vacated area. It is further provided that all costs and expenses associated with the removal of abandoned facilities shall be borne exclusively by the Developers, and their successors and assigns, and not by the abandoning utilities.

SECTION 6. The public way dedication herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, and prior to recording, the Developers shall deposit in the City Treasury of the City of Chicago, a quoted sum sufficient to defray the cost of work for public paving, curb, and related appurtenances associated with their project for use in the event that they default in their obligation to construct the directed improvements in accordance with the most current version of the Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices, and in accordance with the Duty to Build Agreement executed by the contract purchase, attached herein and made a part of this ordinance as **EXHIBIT C**. The Division of Infrastructure Management, Construction Compliance Unit, Room 905 City Hall, shall return the deposit monies (minus service fee) upon inspection of the work and approval.

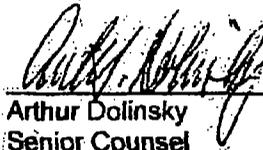
SECTION 7. The Commissioner of the Department of Transportation is hereby authorized to accept and approve a separate Public Way Easement Agreement or similar instrument restricting the private use and improvement of the 6' area labeled "HEREBY RESERVED FOR PUBLIC WAY EASEMENT" on the attached Plat of Dedication (EXHIBIT A), to a perpetual, non-exclusive, dedicated public access area for continued, unimpeded, open public

Vacation, Dedication Approved:



Gia Biagi
Commissioner of Transportation

Approved as to Form and Legality



Arthur Dolinsky
Senior Counsel

Introduced By:



Honorable Walter Burnett
Alderman, 27th Ward

EXHIBIT "A" PLAT OF DEDICATION

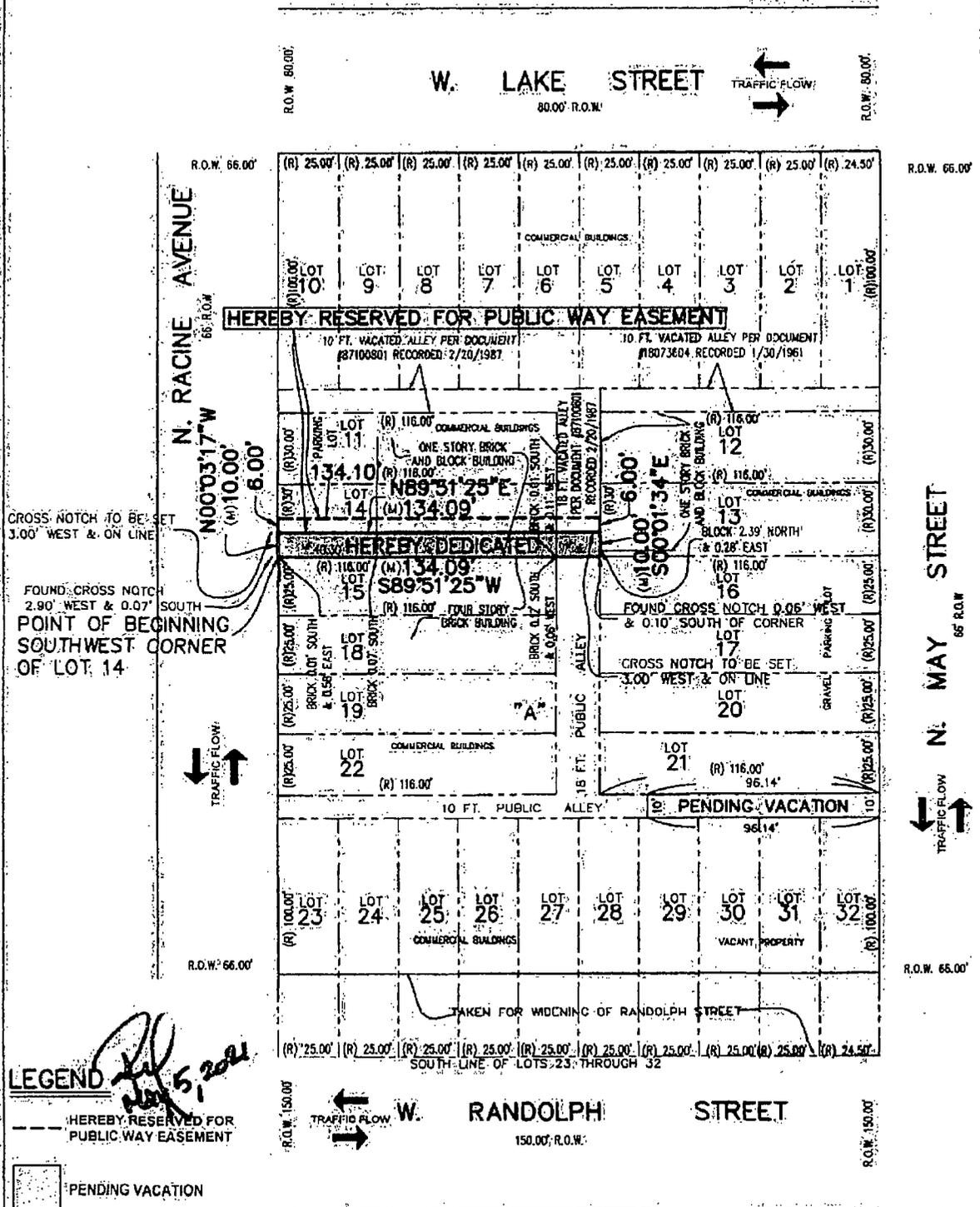
SEE PAGE 2 FOR LEGAL DESCRIPTION:

GRAPHIC SCALE



(IN FEET)
1" = 40'

"A"
SUBDIVISION OF BLOCK 29 OF
CARPENTER'S ADDITION TO
CHICAGO (ANTE-FIRE)



LEGEND

--- HEREBY RESERVED FOR PUBLIC WAY EASEMENT

□ PENDING VACATION

□ HEREBY DEDICATED

□ BUILDING FOOTPRINT HATCH

— RECORD LINES
- - - UNDERLYING LOTS BOUNDARY LINES
(R) - RECORD
(M) - MEASURED
R.O.W. - RECORD RIGHT OF WAY

CDOT# 08-27-20-3934

ORDERED BY: US DEVELOPMENT GROUP LLC	DEVELOPER: DAVIN EG
ADDRESS: 84 N. LAKE STREET	
PREPARED BY: GREWLEY & BUEDELMANN	
PLCS COMPANY INC.	
1425 N. LAKE STREET	
CHICAGO, ILL. 60610	
TELEPHONE: (773) 615-7861	
DATE: JANUARY 13, 2020	SCALE: 1" = 40'
2020-27554-001	PAGE NO.: 1 OF 2

AFFECTED PINS:
 17-08-427-007-0000 - LOTS 11 & 14
 17-08-427-011-0000 - LOT 13
 17-08-427-012-0000 - LOTS 13 & 16

EXHIBIT "A"

PLAT OF DEDICATION

LEGAL DESCRIPTION:

THAT PART OF LOT 14 AND THAT PART OF THE 18 FOOT WIDE NORTH-SOUTH VACATED ALLEY VACATED BY ORDINANCE PASSED NOVEMBER 26, 1986 AND RECORDED FEBRUARY 20, 1987 AS DOCUMENT NUMBER 87100801 BOTH INCLUSIVE, IN BLOCK 29 IN CARPENTER'S ADDITION TO CHICAGO, ANTE-FIRE, IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 14 THENCE NORTH 00 DEGREES 03 MINUTES 17 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 14 ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF N. RACINE AVENUE 10.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 25 SECONDS EAST 134.09 FEET TO EAST LINE OF SAID 18 FOOT VACATED ALLEY ALSO BEING THE WEST LINE OF LOT 13 IN BLOCK 29 IN CARPENTER'S ADDITION AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID 18 FOOT VACATED ALLEY ALSO BEING THE WEST LINE OF SAID LOT 13 A DISTANCE OF 10.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 25 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 14 AND ITS EASTERLY EXTENSION 134.09 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 1,341 SQUARE FEET, OR 0.030 ACRES MORE OR LESS.

CHICAGO DEPARTMENT OF TRANSPORTATION

COOK COUNTY

CHICAGO DEPARTMENT OF FINANCE

OWNER'S CERTIFICATE:

State of Illinois
 County of)ss

_____ does hereby certify that it is the owner of the property described hereon and that it has caused the said property to be surveyed and dedicated for Public Right of Way as shown hereon.

Dated: _____ A.D. 2021

By: _____

State of Illinois
 County of)ss

_____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ personally known to me to be the same person who appeared before me this day in person and acknowledged that he (she) is the owner of the property described on the plat hereon drawn and that as such owner he (she) signed, sealed and delivered the said instrument for the uses and purposes therein set forth. Given under my hand and seal this _____ day of _____ A.D. 2021.

Notary Public

OWNER'S CERTIFICATE:

State of Illinois
 County of)ss

_____ does hereby certify that it is the owner of the property described hereon and that it has caused the said property north of and adjoining the hereby dedicated public right of way to be surveyed and hereby reserved for Public Way Easement as shown hereon.

Dated: _____ A.D. 2021

By: _____

State of Illinois
 County of)ss

_____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ personally known to me to be the same person who appeared before me this day in person and acknowledged that he (she) is the owner of the property described on the plat hereon drawn and that as such owner he (she) signed, sealed and delivered the said instrument for the uses and purposes therein set forth. Given under my hand and seal this _____ day of _____ A.D. 2021.

Notary Public

SURVEY PREPARED FOR / AND MAIL TO:

Gabriel Leahu,
 2234 W. North Avenue
 Chicago, IL 60647

SURVEYORS NOTES:

SURVEYOR'S LICENSE EXPIRES: November 30, 2020.

ZONING: B-1 (Neighborhood Shopping District) - 2 (Neighborhood Mixed Use District)

FIELD MEASUREMENTS COMPLETED ON OCTOBER 23, 2019.

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.

Except for building foot prints improvements omitted at clients request.

NO dimensions shall be assumed by scale measurement upon this plat.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

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CDOT# 08-27-20-3934

SURVEYOR'S CERTIFICATE

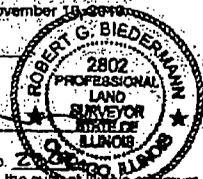
State of Illinois
 County of Cook)ss

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.

Field measurements completed on November 19, 2019.

Signed on: May 5, 2021

By: [Signature]



Professional Illinois Land Surveyor No. 2802
 This professional service conforms to the current Illinois minimum standards for a boundary survey.

DESIGNED BY	15 FREEDLIFT DRIVE	CHECKED	DRANK
ACQUIRED	151 W. LAKE STREET		
GREMLEY & BIEDERMANN			
P.L.C. CORPORATION			
LICENSE NO. 81-05130			
PROFESSIONAL LAND SURVEYORS			
4328 NORTH ELSTON AVENUE, CHICAGO, IL 60630			
TELEPHONE: (773) 443-5411 FAX: (773) 443-5412			
DATE	JANUARY 19, 2021	PAGE NO.	2 OF 2
CDOT#	2020-27554-001	SCALE	AS SHOWN

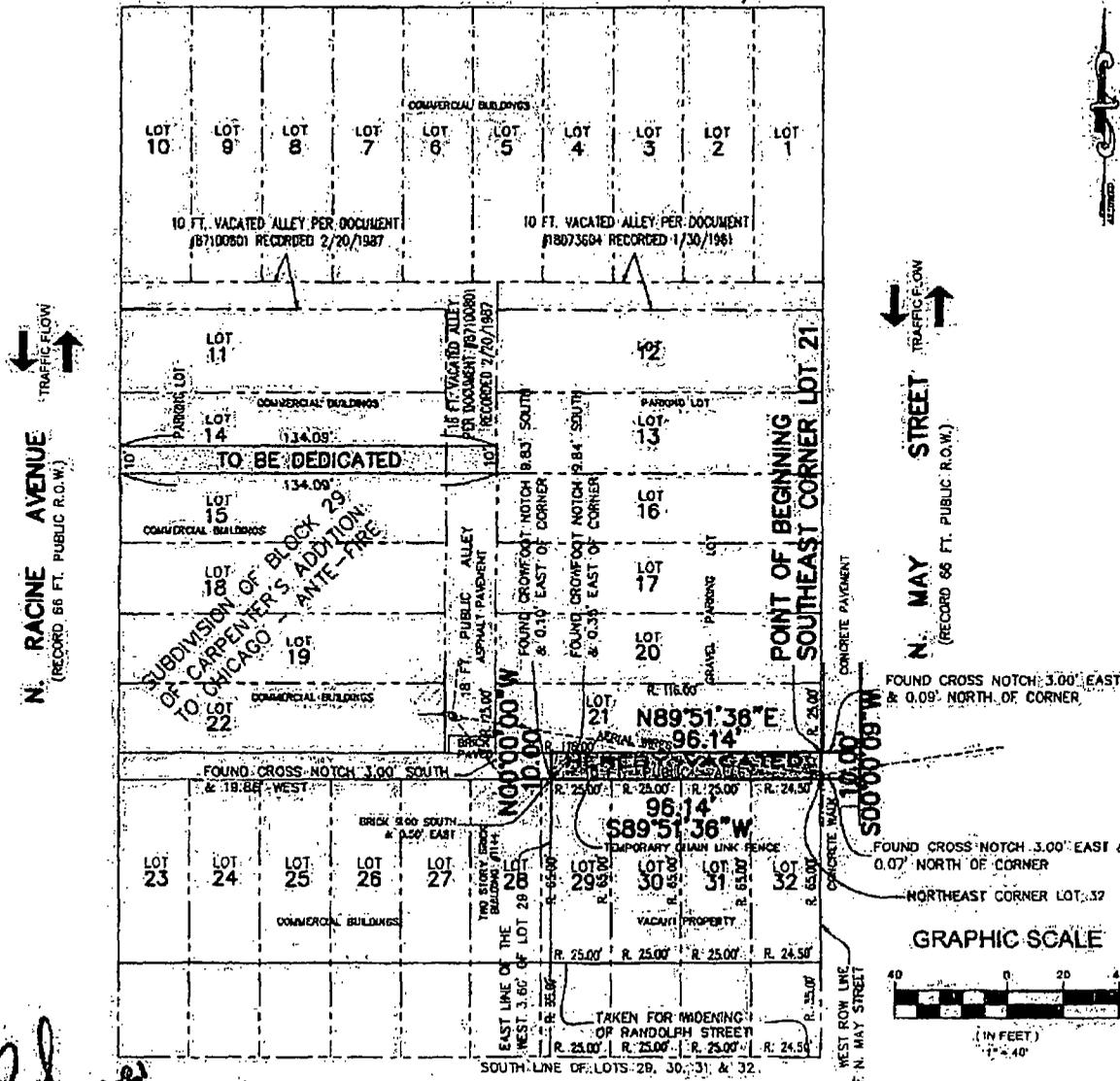
PLAT OF VACATION

LEGAL DESCRIPTION

THAT PART OF THE 10 FOOT WIDE EAST-WEST PUBLIC ALLEY LYING NORTH OF AND ADJOINING THAT PART OF LOT 29 (EXCEPT THE WEST 3.60 FEET THEREOF) AND LOTS 30, 31 AND 32 (EXCEPTING PARTS OF SAID LOTS TAKEN FOR WIDENING OF WEST RANDOLPH STREET), AND LYING SOUTH OF AND ADJOINING LOT 21 ALL IN BLOCK 29 IN THE SUBDIVISION OF BLOCKS 7, 11, 13, 29, 47 AND 53 OF CARPENTER'S ADDITION TO CHICAGO, A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE-FIRE, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 21, ALSO BEING THE WEST RIGHT OF WAY OF N. MAY STREET; THENCE SOUTH 00 DEGREES 00 MINUTES 09 SECONDS WEST 10.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 32, ALSO ON SAID WEST RIGHT OF WAY OF N. MAY STREET; THENCE SOUTH 89 DEGREES 51 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF LOTS 32, 31, 30 AND THAT PART OF LOT 29; AFORESAID 96.14 FEET TO A POINT 3.60 FEET EAST OF THE NORTHEAST CORNER OF SAID LOT 29; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 3.60 EAST AND PARALLEL TO THE WEST LINE OF LOT 29 AFORESAID 10.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 21; THENCE NORTH 89 DEGREES 51 MINUTES 36 SECONDS EAST ALONG THE SOUTH LINE OF LOT 21 AFORESAID 96.14 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 961 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

W. LAKE STREET
(RECORD 80 FT. PUBLIC R.O.W.)

TRAFFIC FLOW



*Ref
4/21/19
5/20/19*

TRAFFIC FLOW

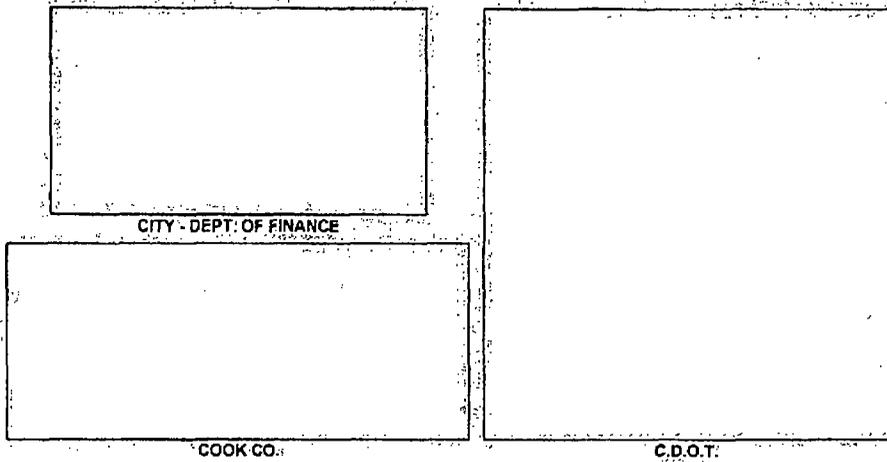
W. RANDOLPH STREET
(RECORD 150 FT. PUBLIC R.O.W.)

ORDERED BY: LG DEVELOPMENT GROUP LLC	CHECKED: [initials]	DATE: [initials]
ADDRESS: 100 W. LAKE STREET		
GRENLEY & BIEDERMANN		
PLCS CORPORATION		
LICENSED PROFESSIONAL LAND SURVEYOR		
1505 NORTH ELSTON AVENUE, CHICAGO, IL 60642		
TELEPHONE: (773) 485-5162 FAX: (773) 485-5167		
ORDER NO. 2019-27087-002	DATE SEPTEMBER 5, 2019	SHEET NO. 1 OF 2
SCALE 1" = 12.4 FEET		

LEGEND	
	RECORD LINES
	UNDERLYING LOTS
	BOUNDARY LINES
	FENCE LINE
	AERIAL WIRES
	R. = RECORD
	M. = MEASURED
	R.O.W. = RIGHT OF WAY
	U. = UTILITY POLE
	HEREBY VACATED
	TO BE DEDICATED
	BUILDING HATCH
	CONCRETE HATCH

CDOT# 08-27-20-3934

EXHIBIT "B"
PLAT OF VACATION



SURVEYOR'S NOTES:

FIELD MEASUREMENTS COMPLETED ON DECEMBER 17, 2018.

THE ZONING CLASSIFICATION OF THE PROPERTY SHOWN HEREON IS C1-1 AND C1-2 AS DELINEATED ON THE CITY OF CHICAGO, DEPARTMENT OF ZONING WEBSITE.

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 hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

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AFFECTED PINS:
 17-08-427-013 - LOT 21
 17-08-427-019 - LOTS 29 & 30
 17-08-427-020 - LOTS 30 & 31
 17-08-427-021 - LOTS 31 & 32

SURVEY PREPARED FOR AND MAIL TO:

LG DEVELOPMENT GROUP LLC
 2234 W. NORTH AVENUE
 CHICAGO IL 60647

*Ref
 MAY 5 2021*

SURVEYOR'S CERTIFICATE

(State of Illinois)
 County of Cook)ss

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the hereon described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit.

Field measurements completed on SEPTEMBER 5, 2019.

Signed on *May 5 2021*

By *Robert G. Biedermann*



ORDERED BY: LG DEVELOPMENT GROUP LLC	DESIGNED	DRAWN
ADDRESS: 841 N. LAKE STREET		
GREMLEY & BIEDERMANN		
P.L.C.S. CORPORATION		
LICENSE NO. 181-005332		
PROFESSIONAL LAND SURVEYORS		
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630		
TELEPHONE: (773) 658-0152 FAX: (773) 658-0152		
ORDER NO.	DATE	PAGE NO.
2019-27087-002	SEPTEMBER 5, 2019	2 OF 2
SCALE: 1" = 40' FEET		

Professional Illinois Land Surveyor No. 2802
 My license expires November 30, 2020

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

CDOT# 08-27-20-3934