



City of Chicago



O2022-660

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	2/23/2022
Sponsor(s):	Taliaferro (29)
Type:	Ordinance
Title:	Vacation of public alley(s) in area bounded by W Wabansia Ave, N Nordica Ave, W North Ave and N Neva Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

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 1615-1657 N. Neva Avenue, 1614-1656 N. Nordica Avenue, 7101-7121 W. Wabansia Avenue and 7125-7141 W. Wabansia Avenue are owned by Harlem and North Development ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley remnant to be vacated herein for construction of a multifamily residential development as approved by the City Council of Chicago under Planned Development 1448 on July 24, 2019; 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 this ordinance; now therefore,

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

SECTION 1.

VACATION OF:

THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH RIGHT OF WAY OF W. WABANSIA AVENUE; LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 107 THROUGH 117; LYING WEST OF AND ADJOINING THE WEST LINE OF LOTS 82 THROUGH 92 AND LYING NORTH OF AND ADJOINING A LINE FROM THE SOUTHEAST CORNER OF SAID LOT 107 TO THE SOUTHWEST CORNER OF SAID LOT 92 (ALSO BEING THE NORTH RIGHT OF WAY OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY), ALL INCLUSIVE, IN MADSEN'S NORTH OF OAK PARK SUBDIVISION, AS RECORDED JUNE 22, 1921, AS DOCUMENT NO. 7181567 BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 7,076 SQUARE FEET OR 0.162 ACRE, 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 and AT&T/SBC, 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 alley shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison and/or AT&T/SBC facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without a 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 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 Two Hundred Forty Thousand dollars (\$ **240,000.00**), 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 are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall also 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.

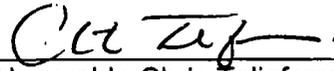
SECTION 6. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

Vacation Approved:



Gia Biagi
Commissioner of Transportation

Introduced by:

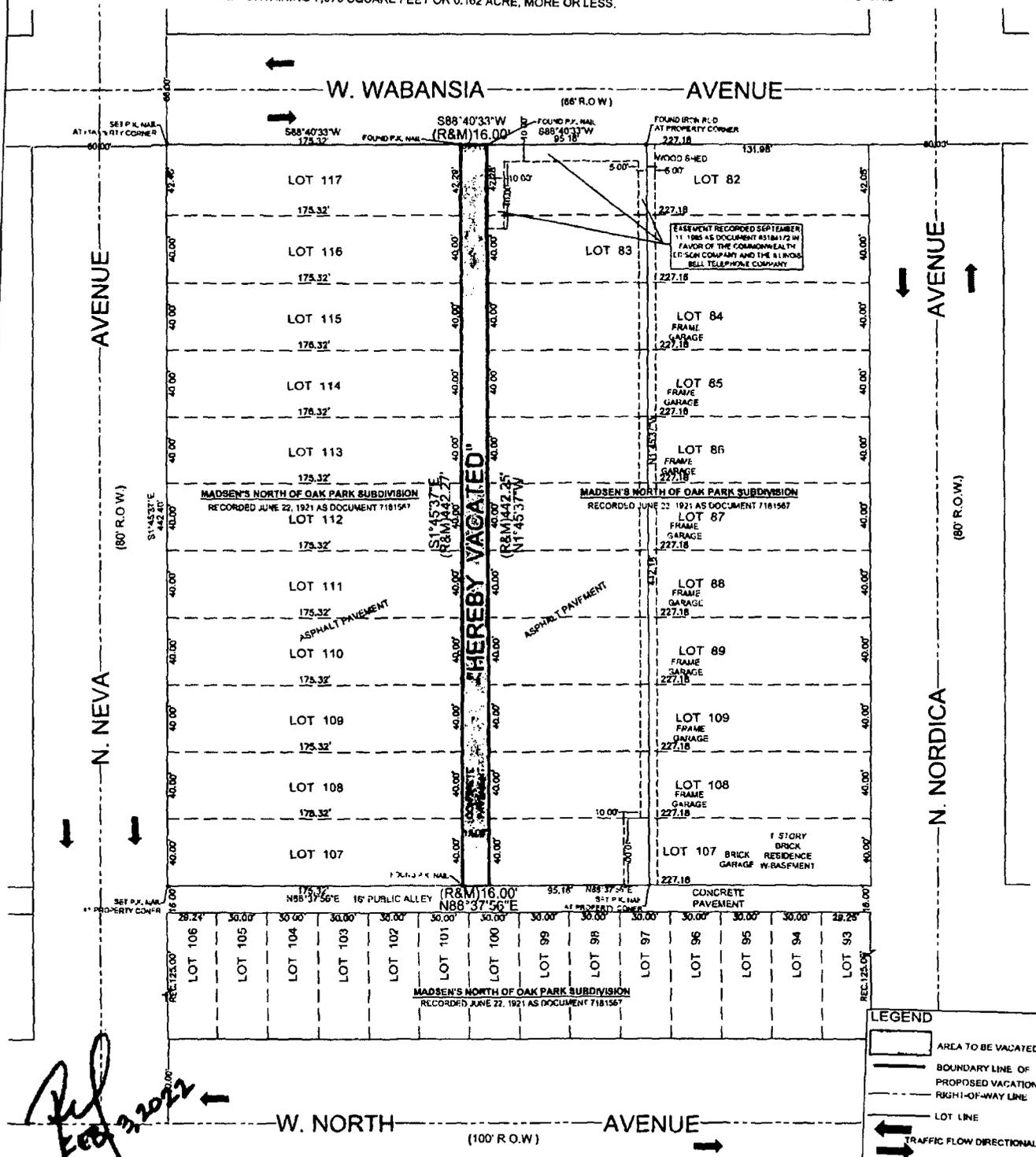


Honorable Chris Taliaferro
Alderman, 29th Ward

EXHIBIT "A"

PLAT OF VACATION

OF
 THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH RIGHT OF WAY OF W. WABANSIA AVENUE, LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 107 THROUGH 117 LYING WEST OF AND ADJOINING THE WEST LINE OF LOTS 82 THROUGH 92 AND LYING NORTH OF AND ADJOINING A LINE FROM THE SOUTHEAST CORNER OF SAID LOT 107 TO THE SOUTHWEST CORNER OF SAID LOT 92 (ALSO BEING THE NORTH RIGHT OF WAY OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY), ALL INCLUSIVE, IN MADSEN'S NORTH OF OAK PARK SUBDIVISION, AS RECORDED JUNE 22, 1921 AS DOCUMENT NO. 7181567 BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS SAID PARCEL CONTAINING 7,076 SQUARE FEET OR 0.162 ACRE, MORE OR LESS.



LEGEND

- AREA TO BE VACATED
- BOUNDARY LINE OF PROPOSED VACATION
- RIGHT-OF-WAY LINE
- LOT LINE
- TRAFFIC FLOW DIRECTIONAL'S
- IRON ROD
- P.K. NAIL
- (R) RECORD DATA
- (M) MEASURED DATA

Ref
FOR 7/2022

CDOT#13-29-21-3991

PROJECT No.:
 2021-29355
 ISSUE DATE:
 9/9/2021
 SCALE: 1"=40'
 SHEET NUMBER
 1 OF 2

PLAT PREPARED FOR:
NOVAK DEVELOPMENT CO.
 3423 N. DRAKE AVENUE,
 CHICAGO, ILLINOIS.

PLAT PREPARED BY:
UNITED SURVEY SERVICE, LLC
 CONSTRUCTION AND LAND SURVEYORS
 7710 CENTRAL AVENUE, RIVER FOREST, ILLINOIS, 60305
 TEL.: (847) 299 - 1010 FAX: (847) 299 - 5887
 E-MAIL: USURVEY@USANDCS.COM

NO.	REVISIONS	DATE
1		
2		
3		
4		
5		
6		

DRAWING FILE PATH \NUMBER: 2021-29355 \ALLEY VACATION \WABANSIA - NEVA.DWG

