



City of Chicago



O2022-3597

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	10/26/2022
Sponsor(s):	Tunney (44)
Type:	Ordinance
Title:	Release of restrictive use covenant regarding vacation of public alley within area bounded by W School St, N Lakewood Ave, W Melrose St and N Racine Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

HOWARD B. BROOKINS, JR.
ALDERMAN, 21ST WARD

9011 SOUTH ASHLAND AVE SUITE B
CHICAGO, ILLINOIS 60620
PHONE: 773-881-9300
FAX: 773-881-2152



CITY OF CHICAGO
CITY COUNCIL

COUNCIL CHAMBER
CITY HALL ROOM 305
121 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60602
PHONE: 312-744-4810
FAX: 312-744-7738

COMMITTEE MEMBERSHIPS
TRANSPORTATION AND PUBLIC WAY
(CHAIRMAN)

AVIATION

BUDGET & GOVERNMENT OPERATIONS

ECONOMIC, CAPITAL &
TECHNOLOGY DEVELOPMENT

FINANCE

COMMITTEES AND RULES

WORKFORCE DEVELOPMENT & AUDIT

November 16, 2022

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 SCHOOL STREET RESIDENCES, LLC - 02022-3597 A proposed release of past restrictive covenant affecting the previously vacated alley in the area bounded by West School Street, West Melrose Street, North Lakewood Avenue and North Racine Avenue. This property is located in the 44th Ward. This ordinance was referred to Committee on October 26, 2022.

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

(Ward 44)

Respectfully submitted,

Howard Brookins, Jr.,
Chairman

**ORDINANCE
FOR RELEASE OF
USE RESTRICTION COVENANT**

WHEREAS, on February 5, 1998, the City Council of the City of Chicago (the "City Council") passed a certain ordinance (C.J.P. pp. 62183 and 62185 through 62189 (the "Vacation Ordinance"), which provided for an industrial program ("Industrial Program") alley vacation ("Vacation") of the triangular alley remnant in the block bounded by W. School Street, W. Melrose Street, N. Lakewood Avenue and N. Racine Avenue ("Subject Property"), known previously as CDOT File Number 20-44-97-2161 for Craftsman Plating and Tinning Corporation; and

WHEREAS, the Vacation Ordinance provided that the Vacation of the Subject Property was conditioned upon a restrictive use covenant running with the land ("Restrictive Use Covenant"), that required the Subject Property be used only for "manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities"; and

WHEREAS, the Restrictive Use Covenant was recorded on June 2, 1998, with the Office of the Cook County Recorder of Deeds as Document Number 98455855, and is attached hereto as **Exhibit A**; and

WHEREAS, the Vacation Ordinance was recorded on June 2, 1998, with the Office of the Cook County Recorder of Deeds as Document Number 98455856, and is attached hereto as **Exhibit B**; and

WHEREAS, Section 2 of the Vacation Ordinance states, in part, that the Restrictive Use Covenant "may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment", and

WHEREAS, School Street Residences, LLC, an Illinois limited liability company ("Developer"), is the current beneficial titleholder of the vacated Subject Project subject to the Restrictive Use Covenant; and

WHEREAS, the Developer intends to use and assemble the Subject Property and surroundings for residential development, and as such has requested a release of the Restrictive Use Covenant under current CDOT File Number 20-44-22-4005; and

WHEREAS, the City Council, upon due investigation and consideration, has determined

that the public interest now warrants a release of the Restrictive Use Covenant reserved in Section 2 of the Vacation Ordinance for the payment of such additional compensation which it deems to be equal to the benefits accruing to the Developer because of the release of the Restrictive Use Covenant; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. The release of the Restrictive Use Covenant, in its entirety, appearing in Section 2 of the Vacation Ordinance is hereby approved upon the express condition that within one hundred eighty (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 Developer the amount of _____ (\$ _____), which sum in the judgment of this body will be equal to such benefits.

SECTION 3. The release of the Restrictive Use Covenant 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 in the Cook County Clerk / Recordings Division a certified copy of this ordinance.

SECTION 4. The Commissioner of the Department of Transportation is hereby authorized to execute, subject to the approval of the Corporation Counsel, a Release of Restrictive Use Covenant, in substantially the form attached as **Exhibit C**, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Release of Restrictive Use Covenant, with such changes, deletions and insertions as shall be approved by the persons executing the Release of Restrictive Use Covenant.

SECTION 5. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance shall take effect upon its passage and approval.

that the public interest now warrants a release of the Restrictive Use Covenant reserved in Section 2 of the Vacation Ordinance for the payment of such additional compensation which it deems to be equal to the benefits accruing to the Developer because of the release of the Restrictive Use Covenant; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. The release of the Restrictive Use Covenant, in its entirety, appearing in Section 2 of the Vacation Ordinance is hereby approved upon the express condition that within one hundred eighty (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 Developer the amount of Forty Thousand (\$ 40,000.00 which sum in the judgment of this body will be equal to such benefits.

SECTION 3. The release of the Restrictive Use Covenant 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 in the Cook County Clerk / Recordings Division a certified copy of this ordinance.

SECTION 4. The Commissioner of the Department of Transportation is hereby authorized to execute, subject to the approval of the Corporation Counsel, a Release of Restrictive Use Covenant, in substantially the form attached as Exhibit C, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Release of Restrictive Use Covenant, with such changes, deletions and insertions as shall be approved by the persons executing the Release of Restrictive Use Covenant.

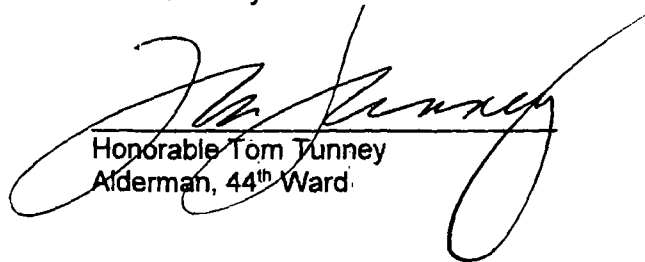
SECTION 5. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance shall take effect upon its passage and approval.

Release of Restrictive Use Covenant
Approved:

Gia Biagi
Commissioner
Department of Transportation

Introduced By:



Honorable Tom Tunney
Alderman, 44th Ward

CDOT File:

20-4-22-4005

EXHIBIT A

June 2, 1998

**Recorded Restrictive Use Covenant
(Attached)**

EXHIBIT A

98455855

7811/0067 35 001 Page 1 of 15
1998-06-02 11:10:41
Cook County Recorder 49.50

RESTRICTIVE COVENANT

WHEREAS, the Craftsman Plating and Tinning Corporation and James B. Blackledge ("Owners"), hold legal title to certain parcels of real property ("Abutting Property") which are located at 1223-1231 West School Street, in the County of Cook, State of Illinois, and which are currently used for the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities; and

WHEREAS, on February 5, 1998, the City Council of the City of Chicago approved an ordinance (C.J. pp. 62183, 62185 - 62189), a copy of which is attached as Exhibit A and which is hereby incorporated ("Ordinance") which Ordinance provided for the vacation of that part of a triangular shaped north-south public alley lying north of the westerly extension of the north line of the east-west 16 foot public alley and which lies southeasterly of the southeasterly line of the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by West School Street, North Racine Avenue, North Lakewood Avenue and West Melrose Street (hereinafter referred to as "Subject Premises"), the Subject Premises being more particularly described in Exhibit A which is attached and incorporated; and

WHEREAS, the vacation provided in the Ordinance is conditioned upon the execution and recording by the Owners of a restrictive covenant running with the land that provides that the Subject Premises shall be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities;

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE PASSAGE AND APPROVAL OF THE VACATION ORDINANCE AND THE VESTING OF TITLE IN THE OWNERS, WITHOUT THE REQUIREMENT THAT THE OWNERS PAY COMPENSATION TO THE CITY, THE OWNERS DO HEREBY AGREE WITH AND COVENANT TO THE CITY OF CHICAGO AS FOLLOWS:

1. **USE.** The Owners hereby covenant to the City of Chicago that the above-described Subject Premises shall not be used for any use or purpose other than those which are set forth in Exhibit B, which is attached and incorporated, and for those uses and purposes which are accessory to such activities, including, but not limited to, the location of necessary and appropriate offices and facilities, storage, employee and customer parking and other similar uses and facilities. The consideration for such covenant, which is deemed and agreed to be valuable and sufficient, is the vacation by the City of Chicago of the Subject Premises for the benefit of Owners without the requirement that the Owners pay compensation to the City.

1. **COVENANT TO RUN WITH THE LAND AND TERM THEREOF.** The burdens of the covenant herein contained shall run with the Subject Premises. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns. The

covenant shall be binding on the Owners, their successors and assigns, and shall be enforceable by the City, its successors and assigns. The covenant may be released or abandoned only upon approval of the City Council of the City of Chicago which may condition its approval upon the payment of such additional compensation by the Owners or any persons claiming under the Owners, which said City Council of the City of Chicago deems to be equal to the benefits accruing because of the release or abandonment of the covenant.

2. VIOLATION OF RESTRICTIONS.

(a) **Reversion.** In the event that the Owners cause or permit a violation of a restriction contained herein, the City of Chicago may serve the Owners with a written notice entitled NOTICE OF VIOLATION setting forth the violations. Such notice shall be sent to Owners at 1250 W. Melrose Street, Chicago, Illinois 60657. Within thirty (30) days of receipt of said Notice of Violation, Owners shall cause the correction of or cure the violations set forth therein. In the event that Owners shall fail or refuse to cause the correction of or cure such violations within the period of thirty (30) days, the City of Chicago may then record with the Cook County Recorder of Deeds a copy of the Notice of Violation, proof of service of the Notice of Violation and a Notice of Reversion. Upon the recording of the aforementioned documents by the City of Chicago, the Subject Premises shall be deemed to be conveyed by Owners to the City of Chicago. In the event that the City does not exercise its right of reversion as stated in this Section 3(a) within twenty (20) years from the date of execution and recording of this Covenant, then the provisions of this Section 3(a) shall be deemed null and void.

(b) **Enforcement.** In addition to the foregoing, this Covenant shall be

enforceable by all remedies available in law or in equity, including injunctive relief.

IN WITNESS WHEREOF, the Owners have caused this Covenant to be duly
executed and attested to this 18 day of MAY, 1998.

CRAFTSMAN PLATING AND TINNING CORPORATION

By: James B. Blackledge
Its: PRESIDENT

ATTEST:

Anthony J. Merges
Its: VICE PRESIDENT

JAMES B. BLACKLEDGE

By: James B. Blackledge

ACCEPTED:

Thomas R. Fallon
Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

John D. McDonough
Assistant Corporation Counsel

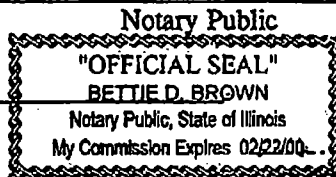
STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO
HEREBY CERTIFY that James B. Blacklidge, is personally known to
me to be the same person whose name is subscribed to the foregoing instrument, appeared
before me this day in person and acknowledged that as such _____
he/she signed and delivered the said instrument, his/her voluntary act, for the uses and
purposes therein set forth.

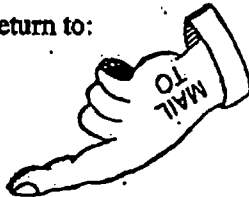
GIVEN under my hand and notarial seal this 18th day of MAY, 1998.

Bettie D. Brown

My commission expires _____



Prepared by and when recorded, return to:
John McDonough
Assistant Corporation Counsel
121 North LaSalle Street
Room 610, City Hall
Chicago, Illinois 60602
312/744-9827



STATE OF ILLINOIS)
)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO
HEREBY CERTIFY that James B. Blackledge, personally known to me
to be the President of Craftsman Plating & Tinning Corp., a
 corporation, who is personally known to me to be the same person whose name is
subscribed to the foregoing instrument, appeared before me this day in person and
acknowledged that as such he/she signed and
delivered the said instrument, as the free and voluntary act of such corporation, for the uses
and purposes therein set forth.

GIVEN under my hand and notarial seal this 18 day of May, 1998.

Arthur H. Brown

My commission expires



Prepared by and when recorded, return to:
John McDonough
Assistant Corporation Counsel
121 North LaSalle Street
Room 610, City Hall
Chicago, Illinois 60602
312/744-9827

EXHIBIT A - VACATION ORDINANCE

No. P.I.N. applicable - document
affects newly vacated public way

2/5/98

thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

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 Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539 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 restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed
on page 62184 of this Journal.]

**VACATION OF PORTION OF PUBLIC ALLEY IN BLOCK BOUNDED
BY WEST SCHOOL STREET, NORTH RACINE AVENUE,
NORTH LAKEWOOD AVENUE AND
WEST MELROSE STREET.**

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

To the President and Members of the City Council:

(Continued on page 62185)

2/5/98

REPORTS OF COMMITTEES

62185

(Continued from page 62183)

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body *Pass* an ordinance for the vacation of that part of a triangular shaped north/south public alley lying north of the westerly extension of the north line of the east/west 16 foot public alley and which lies southeasterly of the southeasterly line of the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by West School Street, North Racine Avenue, North Lakewood Avenue and West Melrose Street. This ordinance was referred to the committee on February 2, 1998.

This recommendation was concurred in unanimously by a viva voce vote of the members of the committee, with no dissenting vote.

Respectfully submitted,

(Signed) THOMAS R. ALLEN,
Vice Chairman.

On motion of Alderman Allen, the said proposed ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Holt, Lyle, Beavers, Dixon, Shaw, Buchanan, Balcer, Frias, Olivo, Burke, Jones, Coleman, Peterson, Murphy, Rugai, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Burrell, Wojcik, Suarez, Gabinski, Mell, Austin, Colom, Banks, Giles, Allen, Laurino, O'Connor, Doherty, Natarus, Bernardini, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 49.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

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 has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, Many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas, or other industrial uses; 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 expanding the City's property tax base; and

WHEREAS, The City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, The properties at 1223 to 1231 West School Street are owned by Craftsman Plating and Tinning Corporation and James B. Blacklidge; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blacklidge employs eighty (80) individuals in the manufacture of electroplated metals; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blacklidge proposes to use the portion of the alley to be vacated herein for warehouse expansion and other such uses which are reasonably necessary therefore; 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 part of public alley described in the following ordinance; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. All of the triangular shaped north/south public alley lying west and southwesterly of the west and southwesterly lines of Lot 19, lying north of the westerly extension of the south line of Lot 19 in John P. Altgeld's Subdivision of that part of the east half of the southwest quarter of Section 20, Township 40 North, Range 14, East of the Third Principal Meridian, lying east of the easterly

2/5/98

REPORTS OF COMMITTEES

62187

line of the right-of-way of the Chicago and Evanston and Lake Superior Railroad presently called the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in Cook County, Illinois, lying southeasterly of the southeasterly line of the former right-of-way of Chicago, Milwaukee, St. Paul and Pacific Railroad said southeasterly former right-of-way line adjoins the northwesterly line of Lot 19 in John P. Altgeld's Subdivision aforesaid; said public alley herein vacated being further described as that part of a triangular shaped north/south public alley lying north of the westerly extension of the north line of the east/west 16 foot public alley and which lies southeasterly of the southeasterly line of the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by West School Street, North Racine Avenue, North Lakewood Avenue and West Melrose Street as shaded and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty, 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 Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the city upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

SECTION 3. 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 Craftsman Plating and Tinning Corporation and James B. Blackledge shall file or cause to be filed for record in the Office of the Recorder

2/5/98

of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant complying with Section 2 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed on page 62189 of this Journal.]

**ESTABLISHMENT OF TAXICAB STAND NUMBER 732
ON PORTION OF SOUTH WABASH AVENUE.**

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

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 an ordinance authorizing and directing the Commissioner of Transportation to establish Taxicab Stand Number 732 on the west side of South Wabash Avenue, from a point 20 feet south of East Madison Street to a point 60 feet south thereof, for three vehicles -- tow-away zone. This ordinance was referred to the committee on January 14, 1998.

(Continued on page 62190)

2/5/98

REPORTS OF COMMITTEES

62189

Ordinance associated with this drawing printed on pages
62186 through 62188 of this Journal.

"A"

John P. Altgeld's Sub. of that part of the E. 1/2 of the
S.W. 1/4 of Sec. 20-40-14, lying E. of the E'ty line of
the Right of Way of the Chicago and Evanston and
Lake Superior R.R.

"B"

Wm. J. Goudy's Sub. of that part of the S.E. 1/4 of
the S.W. 1/4 of Sec. 20-40-14, lying W. of the Right
of Way of the Chicago and Evanston and Lake
Superior R.R.

"C"

Vacated by Ordinance Approved Dec. 22, 1926:
Rec. Dec. 31, 1926 Doc. No. 9509602

Dr. No. 20-44-97-2161

Note: This Alley is being vacated
under the INDUSTRIAL STREET
AND ALLEY PROGRAM.

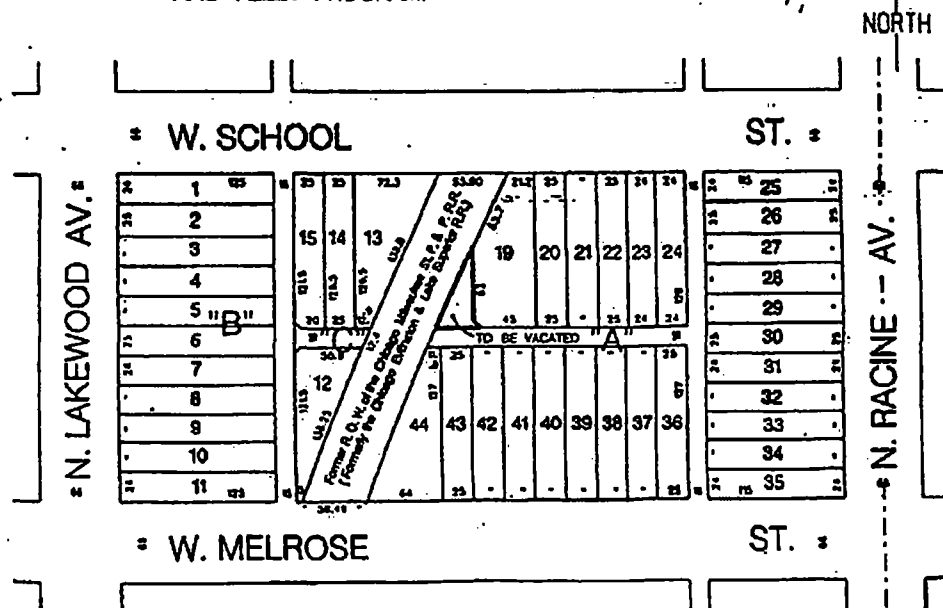


EXHIBIT B - PERMITTED USES

1. Manufacturing, production, processing, assembly, fabricating, cleaning, servicing and repair of materials, goods or products, including but not limited to the following:
 - a. Food and Kindred Products
 - b. Tobacco Products
 - c. Apparel and Other Textile Products
 - d. Lumber and Wood Products
 - e. Furniture and Fixtures
 - f. Paper and Allied Products
 - g. Printed and Published Products
 - h. Chemicals and Allied Products
 - i. Petroleum and Coal Products
 - j. Rubber and Miscellaneous Plastics
 - k. Leather and Leather Products
 - l. Stone, Clay and Glass Products
 - m. Primary Metals
 - n. Fabricated Metal Products
 - o. Industrial Machinery and Equipment
 - p. Electronic and Electric Equipment
 - q. Transportation Equipment
 - r. Instruments and Related Products
 - s. Scrap Metals
2. Transportation and wholesale trade, as distinguished from retail trade, of the materials, goods or products listed above.
3. Research and development of prototypes and processes related to the activities listed above.

a:covenant.012

EXHIBIT B

**June 2, 1998
Recorded Vacation Ordinance
(Attached)**

INDUSTRIAL ALLEY 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 City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas, or other industrial uses; 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 expanding the City's property tax base; and

WHEREAS, the City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities

through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, the properties at 1223 TO 1231 W. School Street are owned by Craftsman Plating and Tinning Corporation and James B. Blackledge; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blackledge employs 80 individuals in the manufacture of electroplated metals; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blackledge proposes to use the portion of the alley to be vacated herein for warehouse expansion and other such uses which are reasonably necessary therefore; 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 part of public alley described in the following ordinance; now therefore,

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

SECTION 1. All of the triangular shaped North-South public alley lying West and Southwesterly of the West and Southwesterly lines of 19, lying North of the Westerly extension of the South line of Lot 19 in

John P. Altgeld's Subdivision of that part of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 20, Township 40 North, Range 14, East of the Third Principal Meridian, lying East of the Easterly line of the right of way of the Chicago and Evanston and Lake Superior Railroad presently called the former right of way of the Chicago, Milwaukee St. Paul and Pacific Railroad in Cook County, Illinois,

lying Southeasterly of the Southeasterly line of the former right of way of the Chicago, Milwaukee St. Paul and Pacific Railroad said Southeasterly former right of way line adjoins the Northwesterly line of Lot 19 in John P. Altgeld's Subdivision aforesaid; said public alley herein vacated being further described as that part of a triangular shaped North-South public alley lying North of the Westerly extension of the North line of the East-West 16 foot public alley and which lies Southeasterly of the Southeasterly line of the former right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by W. School Street, N. Racine Avenue, N. Lakewood Avenue and W. Melrose Street as colored in red and indicated by the words "TO BE VACATED" on the drawing hereto attached, which drawing for greater certainty, 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 Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public

way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the city upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.


SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the CRAFTSMAN PLATING and TINNING CORPORATION AND JAMES B. BLACKLIDGE 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 restrictive covenant complying with Section 2 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

Legal Description Approved:


 Superintendent of Maps *January 25, 1998*

Approved as to Form and Legality


 Chief Asst. Corporation Counsel

98455856

"A"

John P. Altgeld's Sub. of that part of the E. 1/2 of the S.W. 1/4 of Sec. 20-40-14, lying E. of the E'ly line of the Right of Way of the Chicago and Evanston and Lake Superior R.R.

"B"

Wm. J. Goudy's Sub. of that part of the S.E. 1/4 of the S.W. 1/4 of Sec. 20-40-14, lying W. of the Right of Way of the Chicago and Evanston and Lake Superior R.R.

"C"

Vacated by Ordinance Approved Dec. 22, 1926.

Rec. Dec. 31, 1926

Doc. No. 9509602

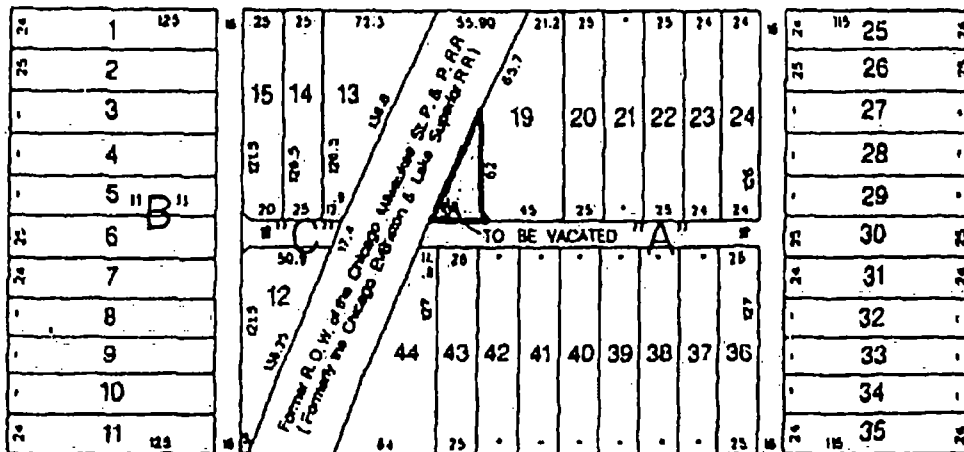
Laurence T. Gerson
Superintendent of Maps
May 29, 1998

Dr. No. 20-44-97-2161

Note: This Alley is being vacated
under the INDUSTRIAL STREET
AND ALLEY PROGRAM.

NORTH

N. LAKEWOOD AV.



W. MELROSE

ST.

N. RACINE -- AV.

I FIND NO DEFERRED INSTALLMENTS OF
OUTSTANDING UNPAID SPECIAL ASSESSMENTS
DUE AGAINST THE LAND INCLUDED IN THE
ABOVE PLAT.

DEPT. OF REVENUE-CHICAGO

BY

I DO HEREBY CERTIFY THAT THE
CURRENT TAX MAPS OF CHICAGO
OR ILLINOIS CORRECTLY REFLECT THE
STREET LINES AND ALLEYS HEREIN.

David D. By
COUNTY CLERK

DATE 5-21-98

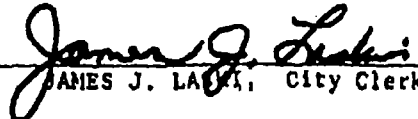
STATE OF ILLINOIS,)
) SS.
COUNTY OF COOK.)

I, JAMES J. LASKI, City Clerk of the City of Chicago, in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance for the vacation that part of a triangular shaped north south public alley lying north of the westerly extension of the north line of the east-west 16 foot public alley, etc; which ordinance was passed by the City Council of the City of Chicago at the regular meeting held on the fifth (5th) day of February, A.D., 1998.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of said City Council, and that the result of said vote so taken was as follows to wit: yeas 49 nays None

I DO FURTHER CERTIFY that the original, of which the foregoing is a true and correct copy, is on file in my office and that I am the lawful custodian of the same.

WITNESS MY HAND and the corporate seal
of the said City of Chicago this eleventh
(11th) day of May, A.D. 1998.


JAMES J. LASKI, City Clerk.

98455856

Document No.

098 287

PASSED by the City Council of the City of Chicago and deposited in the office of the City Clerk of said City.	
FEB - 5 1988	
<i>James J. Hawk</i> City Clerk	City Clerk



Dan V. Crowe
Room 209
Office 14
City Hall
121 N. LaSalle
Chicago, IL 60602

EXHIBIT C

**FORM OF
RELEASE OF
RESTRICTIVE USE COVENANT
(Attached)**

**RELEASE OF
RESTRICTIVE USE COVENANT**

(The Above Space For Recorder's Use Only)

CITY OF CHICAGO, an Illinois municipal corporation ("City"), pursuant to a February 5, 1998 ordinance ("Vacation Ordinance"), which Vacation Ordinance was recorded on June 2, 1998, with the Office of the Cook County Recorder of Deeds as Document Number 98455856, and is attached hereto as **Exhibit A**, and provided for an industrial program ("Industrial Program") alley vacation ("Vacation") of all the triangular alley remnant in the block bounded by W. School Street, W. Melrose Street, N. Lakewood Avenue and N. Racine Avenue ("Subject Property"), as legally described on **Exhibit B** attached hereto.

The Vacation Ordinance provided that the Vacation of the Subject Property was conditioned upon a restrictive use covenant running with the land ("Restrictive Use Covenant"), that required the Subject Property be used only for "the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities".

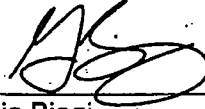
The Restrictive Use Covenant was recorded on June 2, 1998 with the Office of the Cook County Recorder of Deeds as Document Number 98455855, and is attached hereto as **Exhibit C**.

Section 2 of the Vacation Ordinance sets forth that the Restrictive Use Covenant "may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment".

The City, upon due investigation and consideration, has determined that the public interest now warrants a release of the Restrictive Use Covenant reserved in Section 2 of the Vacation Ordinance for the payment of such additional compensation which it deems to be equal to the benefits accruing to the Developer because of such release of the Restrictive Use Covenant.

The City hereby releases the Restrictive Use Covenant from the Subject Property, as legally described on Exhibit B, attached.

Release of Restrictive Use Covenant
Approved:



Gia Biagi
Commissioner
Department of Transportation

Introduced By:

Honorable Tom Tunney
Alderman, 44th Ward

CDOT File:

20-4-22-4005

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Gia Biagi, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered as Commissioner, Department of Transportation, the said instrument as her free and voluntary act, and as the free and voluntary act of the City of Chicago, for the uses and purposes therein set forth.

Given under my hand and official seal, this _____ day of _____, 2022.

Notary Public

THIS INSTRUMENT WAS PREPARED BY:

Arthur Dolinsky
Senior Counsel
City of Chicago, Department of Law
121 N. LaSalle Street, Room 600
Chicago, Illinois 60601
312/744-8731

THIS TRANSFER IS EXEMPT PURSUANT TO THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX ACT, 35 ILCS 200/31-45; AND SECTION 3-3 2-030B7(b) OF THE CHICAGO TRANSACTION TAX ORDINANCE.

(sub)EXHIBIT A
OF THE RELEASE OF RESTRICTIVE USE COVENANT

June 2, 1998
Recorded Vacation Ordinance
(Attached)

INDUSTRIAL ALLEY 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 City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas, or other industrial uses; 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 expanding the City's property tax base; and

WHEREAS, the City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities

through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, the properties at 1223 TO 1231 W. School Street are owned by Craftsman Plating and Tinning Corporation and James B. Blacklidge; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blacklidge employs 80 individuals in the manufacture of electroplated metals; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blacklidge proposes to use the portion of the alley to be vacated herein for warehouse expansion and other such uses which are reasonably necessary therefore; 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 part of public alley described in the following ordinance; now therefore,

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

SECTION 1. All of the triangular shaped North-South public alley lying West and Southwesterly of the West and Southwesterly lines of 19, lying North of the Westerly extension of the South line of Lot 19 in

John P. Altgeld's Subdivision of that part of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 20, Township 40 North, Range 14, East of the Third Principal Meridian, lying East of the Easterly line of the right of way of the Chicago and Evanston and Lake Superior Railroad presently called the former right of way of the Chicago, Milwaukee St. Paul and Pacific Railroad in Cook County, Illinois,

lying Southeasterly of the Southeasterly line of the former right of way of the Chicago, Milwaukee St. Paul and Pacific Railroad said Southeasterly former right of way line adjoins the Northwesterly line of Lot 19 in John P. Altgeld's Subdivision aforesaid; said public alley herein vacated being further described as that part of a triangular shaped North-South public alley lying North of the Westerly extension of the North line of the East-West 16 foot public alley and which lies Southeasterly of the Southeasterly line of the former right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by W. School Street, N. Racine Avenue, N. Lakewood Avenue and W. Melrose Street as colored in red and indicated by the words "TO BE VACATED" on the drawing hereto attached, which drawing for greater certainty, 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 Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public

way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the city upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.


SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the CRAFTSMAN PLATING and TINNING CORPORATION AND JAMES B. BLACKLIDGE 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 restrictive covenant complying with Section 2 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

Legal Description Approved:


Superintendent of Maps *January 25, 1996*

Approved as to Form and Legality


Chief Asst. Corporation Counsel

98455856

"A"

John P. Altgeld's Sub. of that part of the E. 1/2 of the S.W. 1/4 of Sec. 20-40-14, lying E. of the E'ly line of the Right of Way of the Chicago and Evanston and Lake Superior R.R.

"B"

Wm. J. Goudy's Sub. of that part of the S.E. 1/4 of the S.W. 1/4 of Sec. 20-40-14, lying W. of the Right of Way of the Chicago and Evanston and Lake Superior R.R.

"C"

Vacated by Ordinance Approved Dec. 22, 1926.

Rec. Dec. 31, 1926

Doc. No. 9509602

Lawrence T. Hansen
Superintendent of Maps
May 29, 1998

Dr. No. 20-44-97-2161

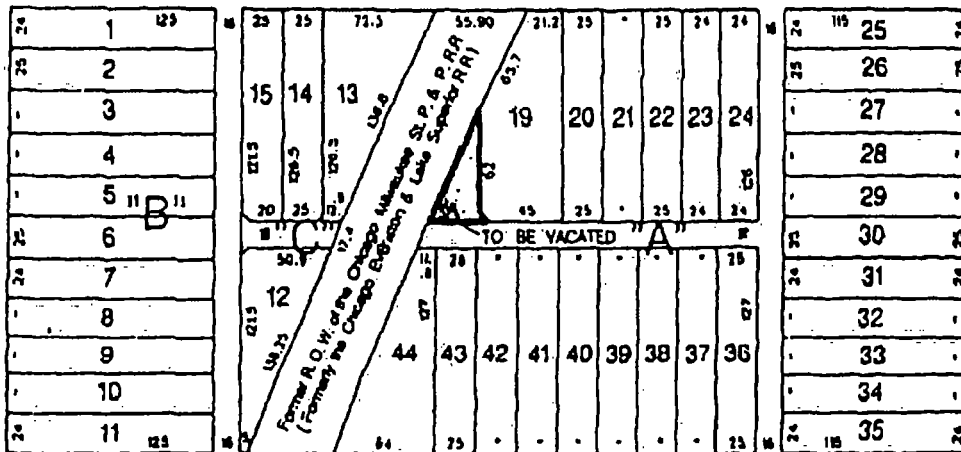
Note: This Alley is being vacated under the INDUSTRIAL STREET AND ALLEY PROGRAM.

NORTH

N. LAKEWOOD AV.

W. SCHOOL ST.

ST.



W. MELROSE ST.

ST.

N. RACINE AV.

FIND NO DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.

DEPT. OF REVENUE-CHICAGO

BY

DO NOT FORGET TO RETURN THIS PLAT TO THE COUNTY CLERK'S OFFICE WITH THE PLAT

David D. Dyer
COUNTY CLERK

DATE 5-21-98

98455856

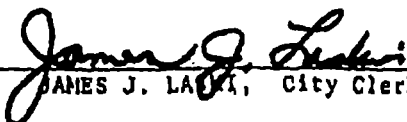
STATE OF ILLINOIS,)
) SS.
COUNTY OF COOK.)

I, JAMES J. LASKI, City Clerk of the City of Chicago, in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance for the vacation that part of a triangular shaped north south public alley lying north of the westerly extension of the north line of the east-west 16 foot public alley, etc; which ordinance was passed by the City Council of the City of Chicago at the regular meeting held on the fifth (5th) day of February, A.D., 1998.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of said City Council, and that the result of said vote so taken was as follows to wit: yeas 49 nays None

I DO FURTHER CERTIFY that the original, of which the foregoing is a true and correct copy, is on file in my office and that I am the lawful custodian of the same.

WITNESS MY HAND and the corporate seal
of the said City of Chicago this eleventh
(11th) day of May, A.D. 1998.


JAMES J. LASKI, City Clerk.

98455856

Document No.

098
287

RECEIVED by the City Council of the City of Chicago and deposited in the office of the City Clerk of said City.	FEB - 5 1998	<i>James J. Cook</i> City Clerk
---	--------------	------------------------------------



Don V. Crowe
Room 209
Office 14
City Hall
121 N. LaSalle
Chicago, IL 60602

(sub) EXHIBIT B
OF THE RELEASE OF RESTRICTIVE USE COVENANT

**Legal Description
of
Subject Property**

ALL OF THE TRIANGULAR SHAPED NORTH-SOUTH PUBLIC ALLEY LYING WEST AND SOUTHWESTERLY OF THE WEST AND SOUTHWESTERLY LINES OF LOT 19, LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOTS 19 IN JOHN P. ALTGELD'S SUBDIVISION OF THAT PART OF THE EAST ½ OF THE SOUTHERWEST ¼ OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND EVANSTON AND LAKE SUPERIOR RAILROAD PRESENTLY CALLED THE FORMER RIGHT OF WAY OF THE CHICAGO, MILWAUKEE ST. PAUL AND PACIFIC RAILROAD, IN COOK COUNTY, ILLINOIS.

(sub)EXHIBIT C
OF THE RELEASE OF RESTRICTIVE USE COVENANT

June 2, 1998
Recorded Restrictive Use Covenant
(Attached)

SUBEXHIBIT C (TO RELEASE)

98455855

7811/0067 35 001 Page 1 of 15

1998-06-02 11:10:41

Cook County Recorder

49.50

RESTRICTIVE COVENANT

WHEREAS, the Craftsman Plating and Tinning Corporation and James B. Blacklidge "Owners"), hold legal title to certain parcels of real property ("Abutting Property") which are located at 1223-1231 West School Street, in the County of Cook, State of Illinois, and which are currently used for the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities; and

WHEREAS, on February 5, 1998, the City Council of the City of Chicago approved an ordinance (C.J. pp. 62183, 62185 - 62189), a copy of which is attached as Exhibit A and which is hereby incorporated ("Ordinance") which Ordinance provided for the vacation of that part of a triangular shaped north-south public alley lying north of the westerly extension of the north line of the east-west 16 foot public alley and which lies southeasterly of the southeasterly line of the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by West School Street, North Racine Avenue, North Lakewood Avenue and West Melrose Street (hereinafter referred to as "Subject Premises"), the Subject Premises being more particularly described in Exhibit A which is attached and incorporated; and

WHEREAS, the vacation provided in the Ordinance is conditioned upon the execution and recording by the Owners of a restrictive covenant running with the land that provides that the Subject Premises shall be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities;

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE PASSAGE AND APPROVAL OF THE VACATION ORDINANCE AND THE VESTING OF TITLE IN THE OWNERS, WITHOUT THE REQUIREMENT THAT THE OWNERS PAY COMPENSATION TO THE CITY, THE OWNERS DO HEREBY AGREE WITH AND COVENANT TO THE CITY OF CHICAGO AS FOLLOWS:

1. **USE.** The Owners hereby covenant to the City of Chicago that the above-described Subject Premises shall not be used for any use or purpose other than those which are set forth in Exhibit B, which is attached and incorporated, and for those uses and purposes which are accessory to such activities, including, but not limited to, the location of necessary and appropriate offices and facilities, storage, employee and customer parking and other similar uses and facilities. The consideration for such covenant, which is deemed and agreed to be valuable and sufficient, is the vacation by the City of Chicago of the Subject Premises for the benefit of Owners without the requirement that the Owners pay compensation to the City.

1. **COVENANT TO RUN WITH THE LAND AND TERM THEREOF.** The burdens of the covenant herein contained shall run with the Subject Premises. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns. The

covenant shall be binding on the Owners, their successors and assigns, and shall be enforceable by the City, its successors and assigns. The covenant may be released or abandoned only upon approval of the City Council of the City of Chicago which may condition its approval upon the payment of such additional compensation by the Owners or any persons claiming under the Owners, which said City Council of the City of Chicago deems to be equal to the benefits accruing because of the release or abandonment of the covenant.

2. VIOLATION OF RESTRICTIONS.

(a) **Reversion.** In the event that the Owners cause or permit a violation of a restriction contained herein, the City of Chicago may serve the Owners with a written notice entitled NOTICE OF VIOLATION setting forth the violations. Such notice shall be sent to Owners at 1250 W. Melrose Street, Chicago, Illinois 60657. Within thirty (30) days of receipt of said Notice of Violation, Owners shall cause the correction of or cure the violations set forth therein. In the event that Owners shall fail or refuse to cause the correction of or cure such violations within the period of thirty (30) days, the City of Chicago may then record with the Cook County Recorder of Deeds a copy of the Notice of Violation, proof of service of the Notice of Violation and a Notice of Reversion. Upon the recording of the aforementioned documents by the City of Chicago, the Subject Premises shall be deemed to be conveyed by Owners to the City of Chicago. In the event that the City does not exercise its right of reversion as stated in this Section 3(a) within twenty (20) years from the date of execution and recording of this Covenant, then the provisions of this Section 3(a) shall be deemed null and void.

(b) **Enforcement.** In addition to the foregoing, this Covenant shall be

enforceable by all remedies available in law or in equity, including injunctive relief.

IN WITNESS WHEREOF, the Owners have caused this Covenant to be duly
executed and attested to this 18 day of MAY, 1998.

CRAFTSMAN PLATING AND TINNING CORPORATION

By: James B. Blackledge
Its: PRESIDENT

ATTEST:

Anthony J. Merges
Its: VICE PRESIDENT

JAMES B. BLACKLEDGE

By: James B. Blackledge

ACCEPTED:

Shawn R. O'Halloran
Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

John D. McDonough
Assistant Corporation Counsel

STATE OF ILLINOIS)

COUNTY OF COOK)

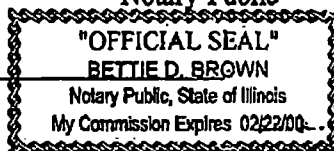
I, the undersigned, a Notary Public in and for the County and State aforesaid, DO
HEREBY CERTIFY that James B. Blackledge, is personally known to
me to be the same person whose name is subscribed to the foregoing instrument, appeared
before me this day in person and acknowledged that as such _____
he/she signed and delivered the said instrument, his/her voluntary act, for the uses and
purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of MAY, 1998.

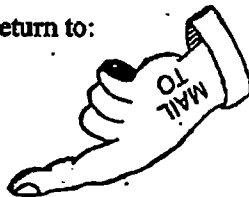
Bettie D. Brown

Notary Public

My commission expires _____



Prepared by and when recorded, return to:
John McDonough
Assistant Corporation Counsel
121 North LaSalle Street
Room 610, City Hall
Chicago, Illinois 60602
312/744-9827



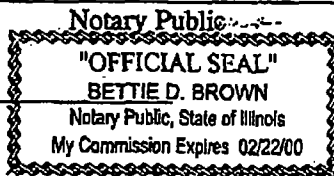
STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO
HEREBY CERTIFY that James B. Blacklidge, personally known to me
to be the President of Craftsman Plating & Tinning Corp., a
_____ corporation, who is personally known to me to be the same person whose name is
subscribed to the foregoing instrument, appeared before me this day in person and
acknowledged that as such _____ he/she signed and
delivered the said instrument, as the free and voluntary act of such corporation, for the uses
and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of MAY, 1998.

Bettie D. Brown

My commission expires _____



Prepared by and when recorded, return to:
John McDonough
Assistant Corporation Counsel
121 North LaSalle Street
Room 610, City Hall
Chicago, Illinois 60602
312/744-9827

EXHIBIT A - VACATION ORDINANCE

No. P.I.N. applicable - document
affects newly vacated public way

2/5/98

thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

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 Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539 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 restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed
on page 62184 of this Journal.]

**VACATION OF PORTION OF PUBLIC ALLEY IN BLOCK BOUNDED
BY WEST SCHOOL STREET, NORTH RACINE AVENUE,
NORTH LAKEWOOD AVENUE AND
WEST MELROSE STREET.**

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

To the President and Members of the City Council:

(Continued on page 62185)

2/5/98

REPORTS OF COMMITTEES

62185

(Continued from page 62183)

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body Pass an ordinance for the vacation of that part of a triangular shaped north/south public alley lying north of the westerly extension of the north line of the east/west 16 foot public alley and which lies southeasterly of the southeasterly line of the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by West School Street, North Racine Avenue, North Lakewood Avenue and West Melrose Street. This ordinance was referred to the committee on February 2, 1998.

This recommendation was concurred in unanimously by a viva voce vote of the members of the committee, with no dissenting vote.

Respectfully submitted,

(Signed) THOMAS R. ALLEN,
Vice Chairman.

On motion of Alderman Allen, the said proposed ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Holt, Lyle, Beavers, Dixon, Shaw, Buchanan, Balcer, Frias, Olivo, Burke, Jones, Coleman, Peterson, Murphy, Rugai, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Burrell, Wojcik, Suarez, Gabinski, Mell, Austin, Colom, Banks, Giles, Allen, Laurino, O'Connor, Doherty, Natarus, Bernardini, Levar, Shiller, Schalter, M. Smith, Moore, Stone -- 49.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

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 has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, Many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas, or other industrial uses; 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 expanding the City's property tax base; and

WHEREAS, The City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, The properties at 1223 to 1231 West School Street are owned by Craftsman Plating and Tinning Corporation and James B. Blackledge; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blackledge employs eighty (80) individuals in the manufacture of electroplated metals; and

WHEREAS, Craftsman Plating and Tinning Corporation and James B. Blackledge proposes to use the portion of the alley to be vacated herein for warehouse expansion and other such uses which are reasonably necessary therefore; 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 part of public alley described in the following ordinance; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. All of the triangular shaped north/south public alley lying west and southwesterly of the west and southwesterly lines of Lot 19, lying north of the westerly extension of the south line of Lot 19 in John P. Altgeld's Subdivision of that part of the east half of the southwest quarter of Section 20, Township 40 North, Range 14, East of the Third Principal Meridian, lying east of the easterly

2/5/98

REPORTS OF COMMITTEES

62187

line of the right-of-way of the Chicago and Evanston and Lake Superior Railroad presently called the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in Cook County, Illinois, lying southeasterly of the southeasterly line of the former right-of-way of Chicago, Milwaukee, St. Paul and Pacific Railroad said southeasterly former right-of-way line adjoins the northwesterly line of Lot 19 in John P. Altgeld's Subdivision aforesaid; said public alley herein vacated being further described as that part of a triangular shaped north/south public alley lying north of the westerly extension of the north line of the east/west 16 foot public alley and which lies southeasterly of the southeasterly line of the former right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad in the block bounded by West School Street, North Racine Avenue, North Lakewood Avenue and West Melrose Street as shaded and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty, 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 Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the city upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

SECTION 3. 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 Craftsman Plating and Tinning Corporation and James B. Blacklidge shall file or cause to be filed for record in the Office of the Recorder

2/5/98

of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant complying with Section 2 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed on page 62189 of this Journal.]

**ESTABLISHMENT OF TAXICAB STAND NUMBER 732
ON PORTION OF SOUTH WABASH AVENUE.**

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

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 an ordinance authorizing and directing the Commissioner of Transportation to establish Taxicab Stand Number 732 on the west side of South Wabash Avenue, from a point 20 feet south of East Madison Street to a point 60 feet south thereof, for three vehicles -- tow-away zone. This ordinance was referred to the committee on January 14, 1998.

(Continued on page 62190)

2/5/98

REPORTS OF COMMITTEES

62189

Ordinance associated with this drawing printed on pages
62186 through 62188 of this Journal.

"A"

John P. Altgeld's Sub. of that part of the E. 1/2 of the
S.W. 1/4 of Sec. 20-40-14, lying E. of the E'y line of
the Right of Way of the Chicago and Evanston and
Lake Superior R.R.

"B"

Wm. J. Goudy's Sub. of that part of the S.E. 1/4 of
the S.W. 1/4 of Sec. 20-40-14, lying W. of the Right
of Way of the Chicago and Evanston and Lake
Superior R.R.

"C"

Vacated by Ordinance Approved Dec. 22, 1926:

Rec. Dec. 31, 1926

Doc. No. 9509602

Dr. No. 20-44-97-2161

Note: This Alley is being vacated
under the INDUSTRIAL STREET
AND ALLEY PROGRAM.

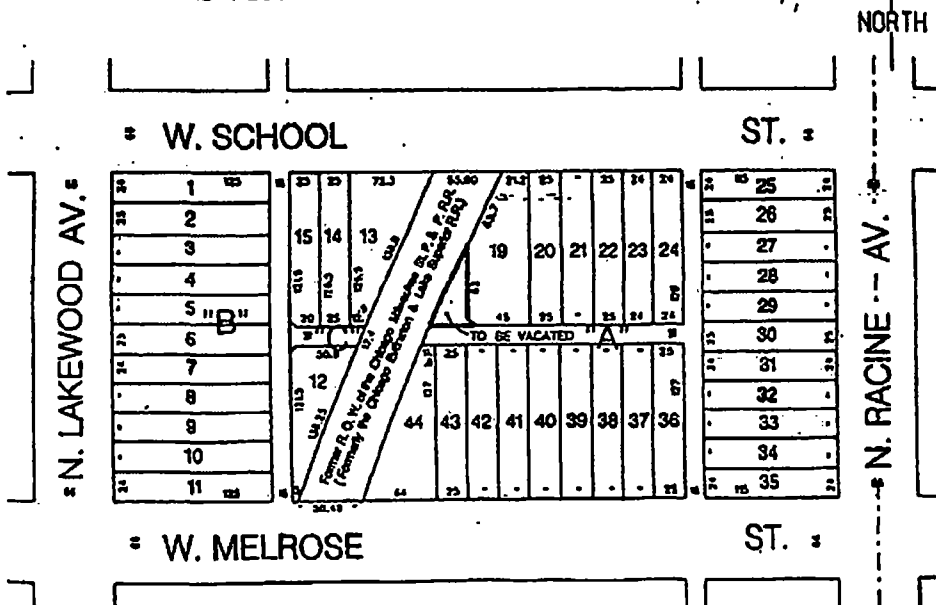


EXHIBIT B - PERMITTED USES

1. Manufacturing, production, processing, assembly, fabricating, cleaning, servicing and repair of materials, goods or products, including but not limited to the following:
 - a. Food and Kindred Products
 - b. Tobacco Products
 - c. Apparel and Other Textile Products
 - d. Lumber and Wood Products
 - e. Furniture and Fixtures
 - f. Paper and Allied Products
 - g. Printed and Published Products
 - h. Chemicals and Allied Products
 - i. Petroleum and Coal Products
 - j. Rubber and Miscellaneous Plastics
 - k. Leather and Leather Products
 - l. Stone, Clay and Glass Products
 - m. Primary Metals
 - n. Fabricated Metal Products
 - o. Industrial Machinery and Equipment
 - p. Electronic and Electric Equipment
 - q. Transportation Equipment
 - r. Instruments and Related Products
 - s. Scrap Metals
2. Transportation and wholesale trade, as distinguished from retail trade, of the materials, goods or products listed above.
3. Research and development of prototypes and processes related to the activities listed above.

a:covenant.012

1. SCHOOL STREET RESIDENCES, LLC