



City of Chicago



O2023-1549

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/19/2023

Sponsor(s): Sadlowski Garza (10)

Type: Ordinance

Title: Vacation of public alley(s) in area bounded by S. Brandon Ave., E. 92nd St., S. Burley Ave. and E. 93rd St.

Committee(s) Assignment: Committee on Transportation and Public Way

INTERGOVERNMENTAL 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 3211, 3223 and 3227 E. 92nd Street and at 9216, 9220, 9224 and 9238 S. Burley Avenue are owned by the City; and

WHEREAS, the City's Community Development Commission, pursuant to Resolution Number 22-CDC-31, approved on July 12, 2022, recommended that the City Council designate SACRED Apartments Developer LLC ("Successor Developer") as the developer of an affordable housing complex on the aforementioned City-owned property and that the City's Department of Planning and Development ("DPD") be authorized to negotiate, execute and deliver on the City's behalf a redevelopment agreement with Successor Developer for such development, so long as no responsive alternative proposals are timely received by the City, or DPD in its sole discretion determines that Successor Developer's proposal is the best proposal; and

WHEREAS, the properties at 3215 - 3219 and 3229 E. 92nd Street and 9234 S. Burley Avenue are now owned by County of Cook, Illinois dba the Cook County Land Bank Authority, an Illinois municipal corporation (a/k/a "Cook County Land Bank Authority"), which approved a resolution on March 20, 2020 authorizing a land banking agreement relating to such property between the Cook County Land Bank Authority and Successor Developer; and

WHEREAS, the City and the Cook County Land Bank Authority propose to assemble their adjacent properties, including the portion of the alley to be vacated, and, pursuant to separate ordinance, convey them to Successor Developer for the development of an affordable housing complex; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of public use and the public interest to be subserved is such as to warrant the vacation of the public alley described below; now, therefore,

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

SECTION 1. Legal Description

The vacation of:

THAT PART OF THE EAST-WEST 20 FOOT WIDE PUBLIC ALLEY IN BLOCK 87, IN SOUTH CHICAGO, A SUBDIVISION BY THE CALUMET & CHICAGO CANAL & DOCK COMPANY OF

THE EAST HALF OF THE WEST HALF AND PARTS OF THE EAST FRACTIONAL HALF OF SECTION 6, NORTH OF THE INDIAN BOUNDARY LINE, AND THAT PART OF FRACTIONAL SECTION 6, SOUTH OF THE INDIAN BOUNDARY LINE, LYING NORTH OF THE MICHIGAN SOUTHERN RAILROAD, AND FRACTIONAL SECTION 5, NORTH OF THE INDIAN BOUNDARY LINE, ALL IN TOWNSHIP 37 NORTH, RANGE, 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 17, 1874 PER DOCUMENT NUMBER 145821, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 IN SOUTH CHICAGO AFORESAID, A POINT BEING ON THE WEST LINE OF S. BURLEY AVENUE AND THE NORTH LINE OF SAID EAST-WEST ALLEY, THENCE SOUTH 01 DEGREE 35 MINUTES 37 SECONDS EAST 20.00 FEET TO THE NORTHEAST CORNER OF LOT 12 IN SOUTH CHICAGO AFORESAID, A POINT BEING ON SAID WEST LINE AND THE SOUTH LINE OF SAID EAST-WEST ALLEY; THENCE SOUTH 88 DEGREE 23 MINUTES 08 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 12 A DISTANCE OF 130.25 FEET TO THE NORTHWEST CORNER OF SAID LOT 12 BEING ON THE WEST LINE OF ADJOINING NORTH-SOUTH 20 FOOT WIDE PUBLIC ALLEY; THENCE NORTH 01 DEGREE 35 MINUTES 41 SECOND WEST ALONG THE NORTHERLY PROJECTION OF SAID NORTH-SOUTH ALLEY 20.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 6 IN SOUTH CHICAGO AFORESAID ALSO BEING THE NORTH LINE OF THE EAST-WEST ALLEY; THENCE NORTH 88 DEGREE 23 MINUTES 08 SECONDS EAST ALONG THE SOUTH LINE OF LOTS 1 THROUGH 5 AND THAT PART OF LOT 6 IN SOUTH CHICAGO AFORESAID A DISTANCE OF 130.25 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 2,605 SQUARE FEET OR 0.059 ACRES, MORE OR LESS, as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as **EXHIBIT A**, which plat for greater clarity, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, AT&T/SBC, Comcast and their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the alley herein vacated, with the right of ingress and egress, until such time as Successor Developer can pay for relocation and be released. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison, AT&T/SBC or Comcast facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without an express written release of easement by the involved utilities. Any future Successor 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 Successor Developer and its successors or assigns.

SECTION 3 The vacation herein provided for is made under the express condition that Successor Developer and its successors and assigns shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

SECTION 4. 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 City, Cook County Land Bank Authority or Successor Developer shall file or cause to be filed for recordation with the Office of the Cook County Clerk / Recordings Division a certified copy of this ordinance, together with the associated full-sized plat as approved by the Department of Transportation's Superintendent of Maps and Plats.

SECTION 5. 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 the recording of the published ordinance and approved plat.

Vacation Approved:

Gia Biagi
Commissioner
Department of Transportation

Introduced By:

Honorable Susan Sadlowski Garza
Alderman, 10th Ward

CDOT File Number:

06-10-23-4035

PLAT OF VACATION

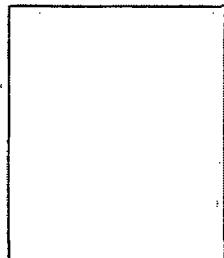
GRAPHIC SCALE



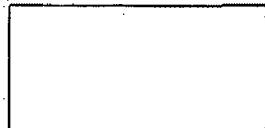
LEGAL DESCRIPTION:

THAT PART OF THE EAST-WEST 20 FOOT WIDE PUBLIC ALLEY IN BLOCK 87, IN SOUTH CHICAGO, A SUBDIVISION BY THE CALLUMET & CHICAGO CANAL & DOCK COMPANY OF THE EAST HALF OF THE WEST HALF AND PARTS OF THE EAST FRACTIONAL HALF OF SECTION 6, NORTH OF THE INDIAN BOUNDARY LINE, AND THAT PART OF FRACTIONAL SECTION 6, SOUTH OF THE INDIAN BOUNDARY LINE, LYING NORTH OF THE MICHIGAN SOUTHERN RAILROAD, AND FRACTIONAL SECTION 5, NORTH OF THE INDIAN BOUNDARY LINE, ALL IN TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 17, 1874 PER DOCUMENT NUMBER 145821, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 IN SOUTH CHICAGO AFORESAID, A POINT BEING ON THE WEST LINE OF S. BURLEY AVENUE AND THE NORTH LINE OF SAID EAST-WEST ALLEY, THENCE SOUTH 01 DEGREE 35 MINUTES 37 SECONDS EAST 20.00 FEET TO THE NORTHEAST CORNER OF LOT 12 IN SOUTH CHICAGO AFORESAID, A POINT BEING ON SAID WEST LINE AND THE SOUTH LINE OF SAID EAST-WEST ALLEY; THENCE SOUTH 88 DEGREE 23 MINUTES 08 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 12 A DISTANCE OF 130.25 FEET TO THE NORTHWEST CORNER OF SAID LOT 17 BEING ON THE WEST LINE OF ADJOINING NORTH-SOUTH 20 FOOT WIDE PUBLIC ALLEY; THENCE NORTH 01 DEGREE 35 MINUTES 41 SECOND WEST ALONG THE NORTHERLY PROJECTION OF SAID NORTH-SOUTH ALLEY 20.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 6 IN SOUTH CHICAGO AFORESAID ALSO BEING THE NORTH LINE OF THE EAST-WEST ALLEY; THENCE NORTH 88 DEGREE 23 MINUTES 08 SECONDS EAST ALONG THE SOUTH LINE OF LOTS 1 THROUGH 5 AND THAT PART OF LOT 6 IN SOUTH CHICAGO AFORESAID A DISTANCE OF 130.25 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 2,605 SQUARE FEET OR 0.059 ACRES, MORE OR LESS.

AFFECTED PINS.
 26-06-413-005 LOT 6 IN SOUTH CHICAGO
 26-06-413-006 LOT 5 IN SOUTH CHICAGO
 26-06-413-007 LOT 4 IN SOUTH CHICAGO
 26-06-413-008 LOT 3 IN SOUTH CHICAGO
 26-06-413-009 LOT 2 IN SOUTH CHICAGO
 26-06-413-010 LOT 1 IN SOUTH CHICAGO
 26-06-413-022 LOT 12 IN SOUTH CHICAGO



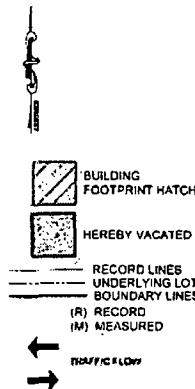
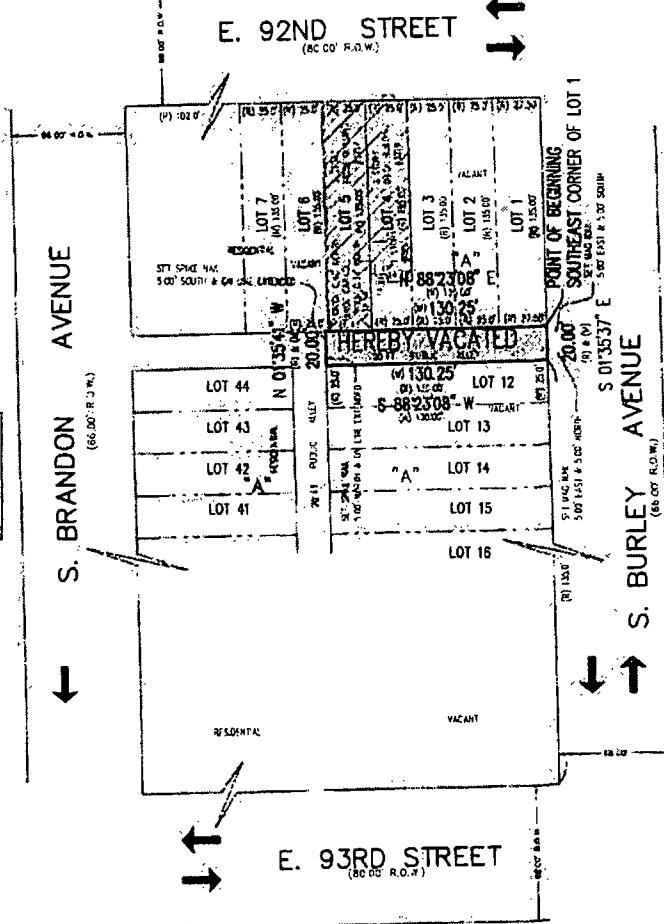
CHICAGO DEPARTMENT OF TRANSPORTATION



CHICAGO DEPARTMENT OF FINANCE



COOK COUNTY



"A"
 SOUTH CHICAGO, A SUBDIVISION BY THE CALLUMET & CHICAGO CANAL & DOCK COMPANY OF THE EAST HALF OF THE WEST HALF AND PARTS OF THE EAST FRACTIONAL HALF OF SECTION 6, NORTH OF THE INDIAN BOUNDARY LINE, AND EAST PART OF FRACTIONAL SECTION 6, SOUTH OF THE INDIAN BOUNDARY LINE, LYING NORTH OF THE MICHIGAN SOUTHERN RAILROAD, AND FRACTIONAL SECTION 5, NORTH OF THE INDIAN BOUNDARY LINE, ALL IN TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 17, 1874 PER DOCUMENT NUMBER 145821.

PREPARED FOR & MAIL TO:

Perry Vieth
 SACRED Apartments Developer LLC
 411 S. WELLS STREET, Suite 401
 CHICAGO IL, 60607

SURVEYOR'S NOTES:

Field measurements completed on MARCH 7, 2022
 EXCEPT FOR BUILDING FOOTPRINTS, IMPROVEMENTS HAVE BEEN OMITTED AT CLIENT'S REQUEST
 ZONING: R2-7 NEIGHBORHOOD MIX-USE DISTRICT
 SURVEYOR'S LICENSE EXPIRES NOVEMBER 10, 2024
 US SIGNING LICENSE EXPIRES APRIL 30, 2025
 Note: (R) & (M) denotes Record and Measure distances respectively
 Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any overruns BEFORE damage is done
 For monuments, building lines and other restrictions not shown on survey, plat refer to your abstract deed, contract, the policy and local building law regulations.
 No claims shall be assumed by scale measurement upon this plat
 Unless otherwise noted herein the Datum Base: Elevation Datum and Coordinate System: NAD 83 / UTM
 COPYRIGHT GREMLEY & BIEDERMANN, INC. 2022 "All Rights Reserved"

State of Illinois
 County of Cook

RAE GREMLEY & BIEDERMANN, INC. hereby certifies that we have surveyed the above described property, and that the plat hereon shown is a correct representation of said survey conducted in accordance with the laws of this State. This plat is not to be construed as a deed or any other instrument, but only as a plat of a survey.

Field measurements completed on March 7, 2022

Signed on: April 5, 2023

By: *Ruben Biedermann*
 Ruben G. Biedermann
 Professional Land Surveyor No. 2492
 My license expires November 30, 2024



Ref April 16, 2023

CDOT# 06-10-23-4035

OWNER: SACRED APARTMENTS DEVELOPERS LLC	NO. OF SHEETS: 08	SHEET NO: 08
ADDRESS: 600 S. BURLEY AVENUE	PROJECT: SACRED	
GREMLEY & BIEDERMANN PLAT COMPANIES		
4355 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE: (773) 233-8400 FAX: (773) 233-8400		
ORDER NO: 2020-27994-002	DATE: JULY 2, 2020	SCALE: 1" = 50 FEET
		PAGE NO: 1 of 1

Vacation Approved:



Gia Biagi
Commissioner
Department of Transportation

Introduced By:

Honorable Susan Sadlowski Garza
Alderman, 10th Ward

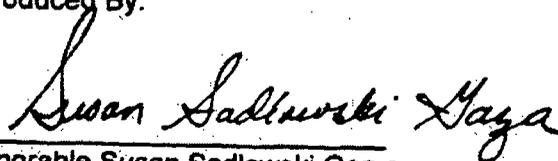
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