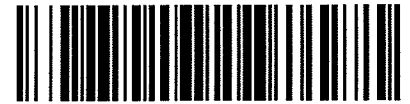




Office of the Chicago City
Clerk



O2012-3343

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	5/9/2012
Sponsor(s):	Cochran, Willie (20)
Type:	Ordinance
Title:	Vacation of Alley(s) in area bounded by E 63rd St, E 62nd St, S Ingleside Ave and S Ellis Ave
Committee(s) Assignment:	Committee on Transportation and Public Way



CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER

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

COMMITTEE MEMBERSHIPS

TRANSPORTATION & PUBLIC WAY
(CHAIRMAN)

BUDGET AND GOVERNMENT OPERATIONS

COMMITTEES, RULES AND ETHICS

EDUCATION AND CHILD DEVELOPMENT

FINANCE

PUBLIC SAFETY

WORKFORCE DEVELOPMENT AND AUDIT

ANTHONY A. BEALE

ALDERMAN, 9TH WARD
34 EAST 112TH PLACE
CHICAGO, ILLINOIS 60628
TELEPHONE: (773) 785-1100
FAX: (773) 785-2790
E-MAIL: WARD09@CITYOFCHICAGO.ORG

May 31, 2012

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 for a proposed vacation of the east-west public alley bounded by East 63rd Street, East 62nd Street, South Ingleside Avenue and South Ellis Avenue. This ordinance was referred to the Committee on May 9, 2012.

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

(Ward 20)

Respectfully submitted,

Anthony Beale,
Chairman

NOT FOR PROFIT 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 wishes to support the charitable, educational and philanthropic activities of established Not for Profit Corporations and encourage the continued viability and growth of such activities; and

WHEREAS, many Not For Profit Corporations own property that adjoins streets and alleys that are no longer required for public use and might more productively be used in furtherance of such activities; 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 providing support for such charitable, educational and philanthropic activities; and

WHEREAS, the City can promote strong communities by facilitating services to the public, and increase the City's job base through the vacation of public street(s) and/or alley(s) for no compensation; and

WHEREAS, the properties at 910-926 E. 63rd Street and 6243-6259 S. Ingleside Avenue are the subject of a Redevelopment Agreement approved by an ordinance of the Chicago City Council dated January 18, 2012 on published at pages 19002 through 19057 of the Journal of the Proceedings of the City Council of the City of Chicago which ultimately conveys the properties to FEDC NMTC, LLC, the federally identified managing entity for Leslie Shankman School Corporation, an Illinois Not For Profit Corporation, and whose purpose is to further charitable, not-for-profit purposes of its members, including the Leslie Shankman School Corporation; and

WHEREAS, the Leslie Shankman School Corporation, an Illinois Not For Profit Corporation, proposes to construct a school campus for emotionally and educationally challenged day and residential students; and

WHEREAS, Leslie Shankman School Corporation, an Illinois Not For Profit Corporation, proposes to use the portion of the public alleys to be vacated herein for construction of a building and green space; 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, for no compensation, of parts of public street(s)/alley(s) as described in the following ordinance; now therefore,
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That part of the 20 foot wide East-West public alley in Block 9, in Lloyd's Resubdivision of Blocks 8, 9, and the West half of Lot 10 in Charles Busby's Subdivision of the South half of the Southwest Quarter of Section 14, lying East of the Southerly extension of the West line of Lot 33 in said Block 9 in Lloyd's Resubdivision and West of the Southerly extension of the East line of said Lot 33 in Block 9 in Lloyd's Resubdivision, all in Township 38 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois as shaded and legally described by the words "HEREBY VACATED" on the drawing hereto attached as Exhibit A, which drawing 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 vacations for no compensation.

SECTION 2. The Commissioner of Transportation is hereby authorized to accept and approve a redevelopment agreement or similar instrument restricting the use and improvement of the public way vacated in Section 1 of this ordinance to educational and social service purposes which includes, but shall not be limited to a school campus and for such use and improvements that are accessory, as that term is defined in the Chicago Zoning Ordinance, to such educational and social service purposes, such uses and improvements to be owned and operated by a non-profit corporation, subject to the approval of the Corporation Counsel as to form and legality. The restriction on use and improvement in the covenant, agreement or instrument shall be for a term of 40 years and upon breach of such restriction the public way herein vacated shall revert to the City and be subject to the terms and conditions of the dedication by which it has been heretofore held by the City.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison its 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(s)/street(s) herein vacated, with the right of ingress and egress. 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's facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison's facilities without written release of easement by Commonwealth Edison. Any future relocation of Commonwealth Edison's facilities lying within the area being vacated will be done by Commonwealth Edison.

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, FEDC NMTC, LLC shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb at the entrance to that part of the public alley hereby vacated, similar to the adjacent and contiguous sidewalk and curb.

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, FEDC NMTC, LLC 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 and approved by the Corporation Counsel, and the attached plat.

PLAT OF VACATION

THAT PART OF THE 20 FOOT WIDE EAST/WEST PUBLIC ALLEY IN BLOCK 9, IN LLOYD'S RESUBDIVISION OF BLOCKS 8, 9 AND THE WEST HALF OF LOT 10 IN CHARLES BUSBY'S SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14, LYING EAST OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 33 IN SAID BLOCK 9 IN LLOYD'S RESUBDIVISION AND WEST OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 33 IN BLOCK 9 IN LLOYD'S RESUBDIVISION, ALL IN TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 1, 1907, AS DOCUMENT 4028556 AND THE CERTIFICATE OF CORRECTION THEREOF RECORDED MARCH 5, 1908, AS DOCUMENT 4168382, IN COOK COUNTY, ILLINOIS.

SCALE 1 INCH = 100 FOOT

14 300

LLOYD'S RE-SUB. OF
BKS. 8, 9 AND W 1/2
OF 10 IN CHAS.
BUSBY'S SUBDIVISION
OF S 1/2 S.W. 1/4 SEC.

14-38-14
RECORDED MAY 1, 1907

RECORDED MAY 1, 1967
DOCUMENT 4028556

CERT. OF CORR. RECORDED MARCH 5, 1908
DOCUMENT 4168382

GENERAL NOTES:

1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

2. NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENTS.

SURVEYOR'S NOTES:

1. THIS PLAT IS BASED ON FIELD WORK COMPLETED ON 10-30-10.

2. BEARINGS BASED ON ILLINOIS EAST STATE PLANE COORDINATE SYSTEM.

3. THE BEARINGS AND DIMENSIONS DEPICTED AROUND THE PERIMETER OF THE VACATION ARE MEASURED, ALL OTHER DIMENSIONS DEPICTED HEREON ARE RECORD.

4. PROPERTY NOT MONUMENTED AT THIS TIME AT CLIENTS REQUEST.

5. NO IMPROVEMENTS SHOWN AT THIS TIME AT CLIENTS REQUEST.

6. ACCORDING TO THE CITY OF CHICAGO, THE ZONING CLASSIFICATION OF THE PROPERTY ADJACENT TO THE VACATION PARCEL IS "PD 1182".

STATE OF ILLINOIS)) SS
COUNTY OF COOK)

WE, MACKIE CONSULTANTS LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002694, HEREBY STATE THAT WE HAVE PREPARED THE PLAT HEREON DRAWN FOR THE PURPOSE OF VACATING AN ALLEY AREAS SHOWN, AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID VACATION.

GIVEN UNDER MY HAND AND SEAL THIS 5th DAY
OF Apr. A.D. 2012 IN ROSEMONT, ILLINOIS.

MACKIE CONSULTANTS LLC

DALE A GRAY
EMAIL: dgray@mackieconsult.com
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003057
LICENSE EXPIRES: NOVEMBER 30, 2012
THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS FOR A
BOUNDARY SURVEY.



PREPARED FOR/CLIENT:

CANNON DESIGN-BUILD, INC.
111 WEST WASHINGTON STREET, SUITE 210
CHICAGO, ILLINOIS 60602-2711
PHONE: (312) 332-9600

SHEET

1 OF 1

PROJECT	1790
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ILLINOIS FIRM LICENSE 184-002694



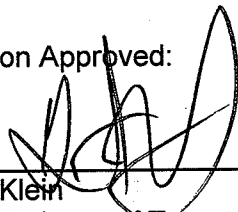
Mackie Consultants, LLC
9575 W. Higgins Road, Suite 500
Rosemont, IL 60018
(847) 696-1400
www.mackieconsult.com

			LOT	
			DESIGNED	
			DRAWN	SDS
			APPROVED	DAG
4-05-12	REVISED PER CDOT COMMENTS	RWC	DATE	04-21-11
07-19-11	REVISED PER CDOT COMMENTS	DAG	SCALE	1"=100'
DATE	DESCRIPTION OF REVISION	BY		

**PLAT OF VACATION
ALLEY AT E. 63rd STREET
AND S. INGLESIDE AVENUE
CHICAGO, ILLINOIS**

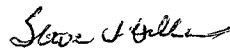
SECTION 6. This ordinance shall take effect and be in force from and after its passage.
The vacation shall take effect and be in force from and after its recording.

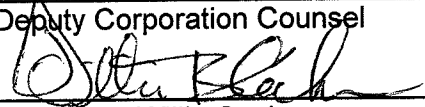
Vacation Approved:



Gabe Klein
Commissioner of Transportation

Approved as to Form and Legality



Deputy Corporation Counsel

Honorable Willie Cochran
Alderman, 20th Ward

APPROVED
Kahn Emanuel, RD
June 20, 2012
Mayor

APPROVED
Stephen R. Kellon
CORPORATION COUNSEL