



City of Chicago



O2016-3955

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	5/18/2016
Sponsor(s):	Cardenas (12)
Type:	Ordinance
Title:	Repeal of prior ordinance and dedication of area alongside W 35th St from S California Ave to S Richmond St
Committee(s) Assignment:	Committee on Transportation and Public Way

Transportation

ORDINANCE

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

The City Council hereby repeals that certain ordinance passed by the City Council on April 13, 2016 (designated by City Clerk Tracking Number O2016-1705) (the "Repealed Ordinance") approving a dedication of certain property owned by the Chicago Title Land Trust Company, as successor Trustee to Lakeside Bank, as trustee, under a trust agreement dated May 3, 1985, and known as trust number 10-1037. This ordinance replaces in its entirety the Repealed Ordinance:

SECTION 1. The Commissioner of the Chicago Department of Transportation, or her designee, is each hereby authorized and directed to approve a dedication of certain property owned by the Chicago Title Land Trust Company, as successor Trustee ("Land Trustee") to Lakeside Bank, as trustee, under a trust agreement dated May 3, 1985, and known as trust number 10-1037 ("Chicago Title Land Trust 10-1037"), along the northern side of W. 35th Street bounded by S. California Avenue and S. Richmond Street, and legally described in the attached plat (Exhibit A, CDOT File: 36-12-15-3725) which, for greater clarity, is hereby made a part of this ordinance.

SECTION 2. The dedication for public way is accepted upon the express condition that funds be deposited into the City Treasury of the City of Chicago sufficient to defray the costs of removing paving and curb returns, and constructing a newly dedicated public street according to the current version of the Chicago Department of Transportation *Regulations for Opening, Repair and Construction in the Public Way* and its appendices, and as agreed to by the beneficial owner of Chicago Title Land Trust 10-1037 ("Beneficial Owner") in the attached Duty to Build Agreement (Exhibit B), hereby made a part of this ordinance.

SECTION 3. The Land Trustee and the Beneficial Owner each acknowledge that all private sewers within the area to be dedicated shall be abandoned or relocated at the expense of the Beneficial Owner. Abandonment plans must be reviewed, approved and permitted by the Chicago Department of Water Management, Sewer Design Section, prior to work, with as-built drawings submitted within forty-five (45) days of completion, with final acceptance dependent upon physical and video tape inspection by the Chicago Department of Water Management.

SECTION 4. The dedication herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Land Trustee and/or the Beneficial Owner 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 the full-sized corresponding plat as approved by the Chicago Department of Transportation / Superintendent of Maps.

SECTION 5. This ordinance shall take effect and be in force from and after its passage. This dedication shall take effect and be in force from and after the recording of the plat.

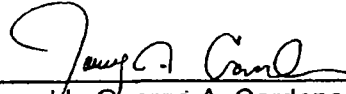
Dedication Approved:



Rebekah Scheinfeld
Commissioner

Approved as to Form and Legality

Richard Wendy
Deputy Corporation Counsel



Honorable George A. Cardenas
Alderman, 12th Ward