



City of Chicago



O2016-2656

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/13/2016
Sponsor(s):	Smith (43)
Type:	Ordinance
Title:	Dedication and vacation of public way(s) in area bounded by N Sheffield Ave, W Wrightwood Ave, N Lincoln Ave and W Altgeld St
Committee(s) Assignment:	Committee on Transportation and Public Way

COMMERCIAL 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 2518-2542 N. Lincoln Avenue are owned by Baker Lincoln HRD, LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for inclusion in the footprint of a new mixed-use building as depicted in Planned Development #1284; and

WHEREAS, the Developer has secured the consent of the owner of the neighboring property at 2540 N. Lincoln Avenue, with PIN 14-29-419-029, as described in the Consent to Vacation form herein attached as Exhibit C, which is hereby made a part of this ordinance; 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 the public alley, described in the following ordinance; now therefore,

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

SECTION 1.

DEDICATION:

THAT PART OF LOT 15 LYING WEST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12 (EXCEPT THAT PART OF SAID LOT 15 DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET; THENCE NORTH 9.89 FEET MORE OR LESS TO THE NORTHWESTERLY LINE OF SAID LOT 15; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET TO THE PLACE OF BEGINNING) ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 148 SQUARE FEET OR 0.0034 ACRES MORE OR LESS as shaded and legally described by the words "HEREBY DEDICATED" on the plat hereto attached as Exhibit A, which drawing for greater clarity, is hereby made a part of this ordinance.

COMMERCIAL ORDINANCE

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

SECTION 1.

DEDICATION:

THAT PART OF LOT 15 LYING WEST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12 (EXCEPT THAT PART OF SAID LOT 15 DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET; THENCE NORTH 9.89 FEET MORE OR LESS TO THE NORTHWESTERLY LINE OF SAID LOT 15; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET TO THE PLACE OF BEGINNING) ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 148 SQUARE FEET OR 0.0034 ACRES MORE OR LESS as shaded and legally described by the words "HEREBY DEDICATED" on the plat hereto attached as Exhibit A, which drawing for greater clarity, is hereby made a part of this ordinance.

VACATION:

THAT PART OF A NORTHEASTERLY-SOUTHWESTERLY 11.75 FOOT WIDE PUBLIC ALLEY LYING NORTHWESTERLY AND ADJOINING THAT PART OF THE NORTHWESTERLY LINE OF LOT 15; LYING SOUTHWESTERLY AND ADJOINING THAT PART OF THE SOUTHWESTERLY LINE OF LOT 1; LYING SOUTHEASTERLY AND ADJOINING THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF AFORESAID LOT 1; AND LYING EAST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12, ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 151 SQUARE FEET OR 0.0035 ACRES, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit B, 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 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. 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, facilities. No buildings, permanent structures or obstructions shall be placed over the area herein vacated without express written release of easement by Commonwealth Edison, AT&T/SBC and Comcast. Any future vacation-beneficiary prompted relocation of Commonwealth Edison, AT&T/SBC and/or Comcast facilities lying within the area being vacated will be accomplished by the involved utility, and done at the expense of beneficiary of the vacation.

SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of public alley hereby vacated the sum Thirty Thousand Two Hundred Dollars dollars (\$30,200.00), which sum in the judgment of this body will be equal to such benefits.

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 Developer 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 associated full sized plat as approved by the Superintendent of Maps and Plats.

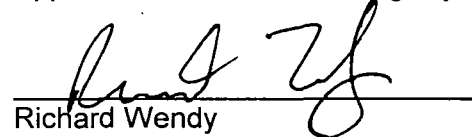
SECTION 5. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

Vacation and Dedication Approved:

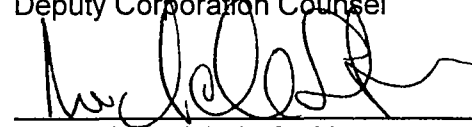


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Richard Wendy
Deputy Corporation Counsel



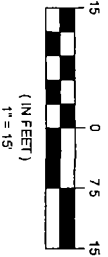
Honorable Michele Smith
Alderman, 43rd Ward

EXHIBIT "A"

PLAT OF DEDICATION

THAT PART OF LOT 15 LYING WEST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12 (EXCEPT THAT PART OF SAID LOT 15 DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET; THENCE NORTH 9.89 FEET MORE OR LESS TO THE NORTHWESTERLY LINE OF SAID LOT 15; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET TO THE PLACE OF BEGINNING) ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351383, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 148 SQUARE FEET OR 0.0034 ACRES MORE OR LESS.

GRAPHIC SCALE



SURVEY PREPARED FOR AND MAIL TO

BAKER DEVELOPMENT CORP
1156 W. ARMITAGE
CHICAGO, ILLINOIS 60614

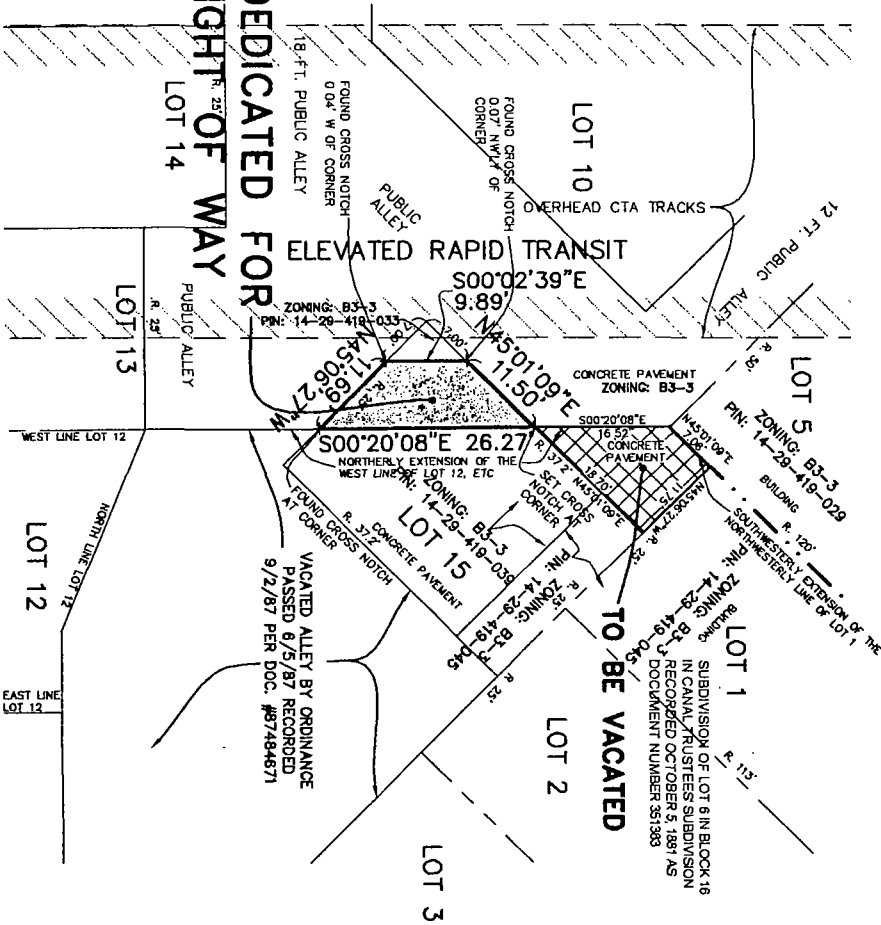
April 5, 2016

REVISED: APRIL 5, 2016 PER #2016-22297

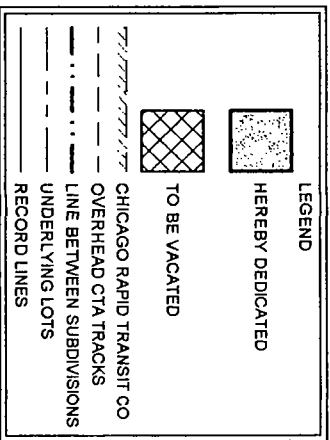
CDOT #29-43-15-3736

HEREBY DEDICATED FOR
PUBLIC RIGHT OF WAY

ORDERED BY	BAKER DEVELOPMENT CORP	ORDERED BY	BAKER DEVELOPMENT CORP
ADDRESS	311-155 NORTH LINCOLN AVE LINCOLN CENTER	ADDRESS	311-155 NORTH LINCOLN AVE LINCOLN CENTER
DATE	4/5/16	DATE	4/5/16
BY	GREINLEY & BIEDERMANN	BY	GREINLEY & BIEDERMANN
PLAT	PLAT OF DEDICATION	PLAT	PLAT OF DEDICATION
EXPIRES	4-5-2017	EXPIRES	4-5-2017
TOWNSHIP	(73) 24-412	TOWNSHIP	(73) 24-412
RANGE	14	RANGE	14
SECTION	29	SECTION	29
ORDER NO	2015-21737-001	ORDER NO	2015-21737-001
DATE	4/5/16	DATE	4/5/16
SCALE	1" = 15'	SCALE	1" = 15'
PAGE NO	1 OF 3	PAGE NO	1 OF 3



RESERVED FOR THE COOK COUNTY RECORDER OF DEEDS



AFFECTED PINS:
14-28-419-039 LOT 15

SURVEY NOTES:
SEE PAGE 2 FOR ADDITIONAL NOTES.
SEE PAGE 3 FOR CERTIFICATIONS.
MONUMENTATION WAS SET OR FOUND FOR THE PREPARATION OF THIS PLAT OF VACATION.
ALL DIMENSIONS SHOWN ON THIS PAGE ARE MEASURED DISTANCES UNLESS OTHERWISE NOTED.

PLAT OF DEDICATION

BAKER DEVELOPMENT CORP
1156 W. ARMITAGE
CHICAGO, ILLINOIS 60614

The first two studies were conducted in the same laboratory, and the third was conducted in a different laboratory. The first two studies were conducted in the same laboratory, and the third was conducted in a different laboratory. The first two studies were conducted in the same laboratory, and the third was conducted in a different laboratory.

1

Case no.	Age	Sex	Occupation	Marital status	Family size	Religion
1	25	Male	Student	Single	3	Islam
2	28	Female	Homemaker	Married	4	Islam
3	32	Male	Teacher	Married	5	Islam
4	35	Female	Nurse	Married	3	Islam
5	38	Male	Engineer	Married	4	Islam
6	40	Female	Homemaker	Married	5	Islam
7	42	Male	Businessman	Married	3	Islam
8	45	Female	Teacher	Married	4	Islam
9	48	Male	Homemaker	Married	5	Islam
10	50	Female	Homemaker	Married	4	Islam
11	52	Male	Homemaker	Married	3	Islam
12	55	Female	Homemaker	Married	4	Islam
13	58	Male	Homemaker	Married	3	Islam
14	60	Female	Homemaker	Married	4	Islam
15	62	Male	Homemaker	Married	3	Islam
16	65	Female	Homemaker	Married	4	Islam
17	68	Male	Homemaker	Married	3	Islam
18	70	Female	Homemaker	Married	4	Islam
19	72	Male	Homemaker	Married	3	Islam
20	75	Female	Homemaker	Married	4	Islam
21	78	Male	Homemaker	Married	3	Islam
22	80	Female	Homemaker	Married	4	Islam
23	82	Male	Homemaker	Married	3	Islam
24	85	Female	Homemaker	Married	4	Islam
25	88	Male	Homemaker	Married	3	Islam
26	90	Female	Homemaker	Married	4	Islam
27	92	Male	Homemaker	Married	3	Islam
28	95	Female	Homemaker	Married	4	Islam
29	98	Male	Homemaker	Married	3	Islam
30	100	Female	Homemaker	Married	4	Islam

CDOT #29-43-15-3736

REVISED: APRIL 5, 2016 PER #2016-22297

[illegible]

_____ does hereby certify that it is the owner of the property described hereon and that it has caused the said property to be surveyed for the purpose of dedicating public right of way/street(s)/alley(s) as shown and depicted on plat hereon in witness thereof said

_____ has caused this certificate to be signed by its duly authorized managing member on its behalf on this _____ day of _____, A.D.20____.

I, _____, a notary public in and for the county in the state aforesaid, do hereby certify that _____ 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 he signed and delivered the same instrument as his own free and voluntary act, as owner of the property, for the uses and purposes therein set forth. Given under my hand and notarial seal this _____ day of _____, A.D. 20__.

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit.

Field measurements completed on SEPTEMBER 9, 2015.

Signed on APRIL 5, 2016.

This professional service conforms to the current Illinois minimum standards for a secondary survey

By: Z. A. [Signature]

Professional Illinois Land Surveyor No. 3584
My license expires November 30, 2016

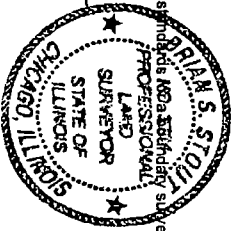


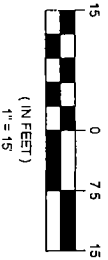
EXHIBIT "B"

PLAT OF VACATION

THAT PART OF A NORTHEASTERLY-SOUTHWESTERLY 11.75 FOOT WIDE PUBLIC ALLEY LYING NORTHWESTERLY AND ADJOINING THAT PART OF THE NORTHWESTERLY LINE OF LOT 15, LYING SOUTHWESTERLY AND ADJOINING THAT PART OF THE SOUTHWESTERLY LINE OF LOT 1; LYING SOUTHEASTERLY AND ADJOINING THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF AFORESAID LOT 1; AND LYING EAST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12, ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 151 SQUARE FEET OR 0.0035 ACRES, MORE OR LESS.



GRAPHIC SCALE

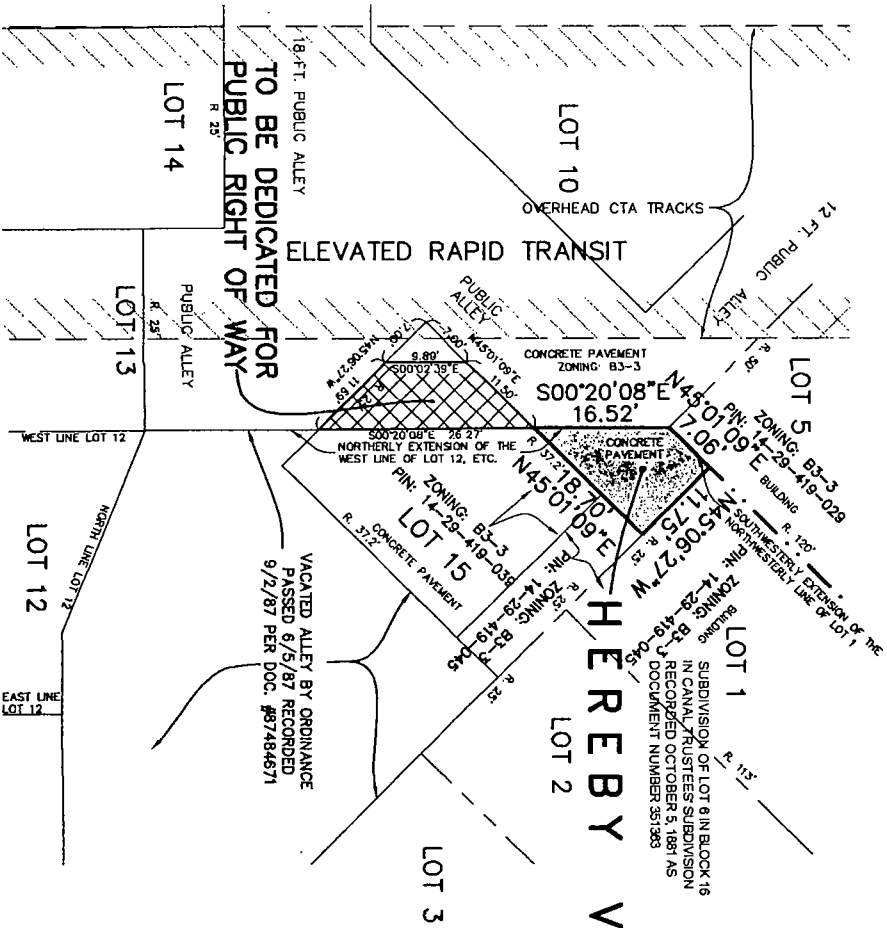


SURVEY PREPARED FOR AND MAIL TO:
BAKER DEVELOPMENT CORP
1156 W ARMITAGE
CHICAGO, ILLINOIS 60614

CDOT #29-43-15-3736

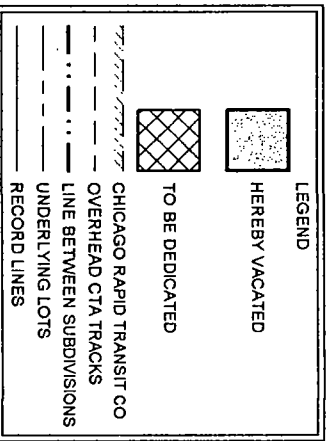
REVISED APRIL 5, 2016 PER #2016-22297
REVISED NOVEMBER 17, 2015 PER #2015-21737

ORDER NO.	2015-21370-001
DATE	NOVEMBER 17, 2015
SCALE	1" = 15'
PROJECT	CHICAGO RAPID TRANSIT CO
CLIENT	CHICAGO RAPID TRANSIT CO
DESIGNED BY	BAKER DEVELOPMENT CORP
LOCATED BY	CHICAGO RAPID TRANSIT CO
FILED	GREINLEY & BIEDERMANN
ADDRESS	1400 NORTH LAKE STREET, CHICAGO, IL 60610
TELEPHONE	(773) 464-4646 FAX (773) 464-4646
EXPIRES	4-30-2017



HEREBY VACATED

RESERVED FOR THE COOK COUNTY RECORDER OF DEEDS



AFFECTED PINS:

14-29-419-029 LOT 5
14-29-419-045 LOTS 1 & 2
14-29-419-039 LOT 15

SURVEY NOTES:

SEE PAGE 2 FOR ADDITIONAL NOTES
SEE PAGE 3 FOR CERTIFICATIONS.

NO MONUMENTATION WAS SET OR FOUND FOR THE PREPARATION OF THIS PLAT OF VACATION
ALL DIMENSIONS SHOWN ON THIS PAGE ARE MEASURED DISTANCES UNLESS OTHERWISE NOTED.

EXHIBIT "B"

PLAT OF VACATION

"A"
Subdivision of Block 16 in Canal Trustees Subdivision of the East 1/2 of Section 29-40-14, Book 167 Page 19.

"B"
Subdivision of Lot 6 in the Subdivision of Block 16 in Canal Trustees Subdivision of the East 1/2 of Section 29-40-14, Book 16 Page 33.
Rec. Oct. 5, 1881
Doc. #351363

"C"
Vacated by Ordinance passed June 5, 1987.
Rec. Sept. 2, 1987
Doc. #87484671

SURVEY NOTES

Note R & M. denotes Record and Measured distances respectively.
Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.

NO dimensions shall be assumed by scale measurement upon this plat.

Monumentation or witness points were not set at the clients request.

Improvements have been omitted at the clients request.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED

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ALL DIMENSIONS SHOWN ON THIS PAGE ARE RECORD DISTANCES UNLESS OTHERWISE NOTED

CDOT #29-43-15-3736

REVISED APRIL 5, 2016 PER #2016-22297

REVISED NOVEMBER 17, 2015 PER #2015-21737

ORDER NO.	2015-21370-001
DATE	NOVEMBER 17, 2015
SCALE	1"=80'
PAGES	2 OF 3
GREMLEY & BIEDERMANN 1400 WEST 10TH STREET, SUITE 100 CHICAGO, ILLINOIS 60605 TEL: (773) 384-4100 FAX: (773) 384-4101 WWW.GREMLEY.COM	

April 5, 2016

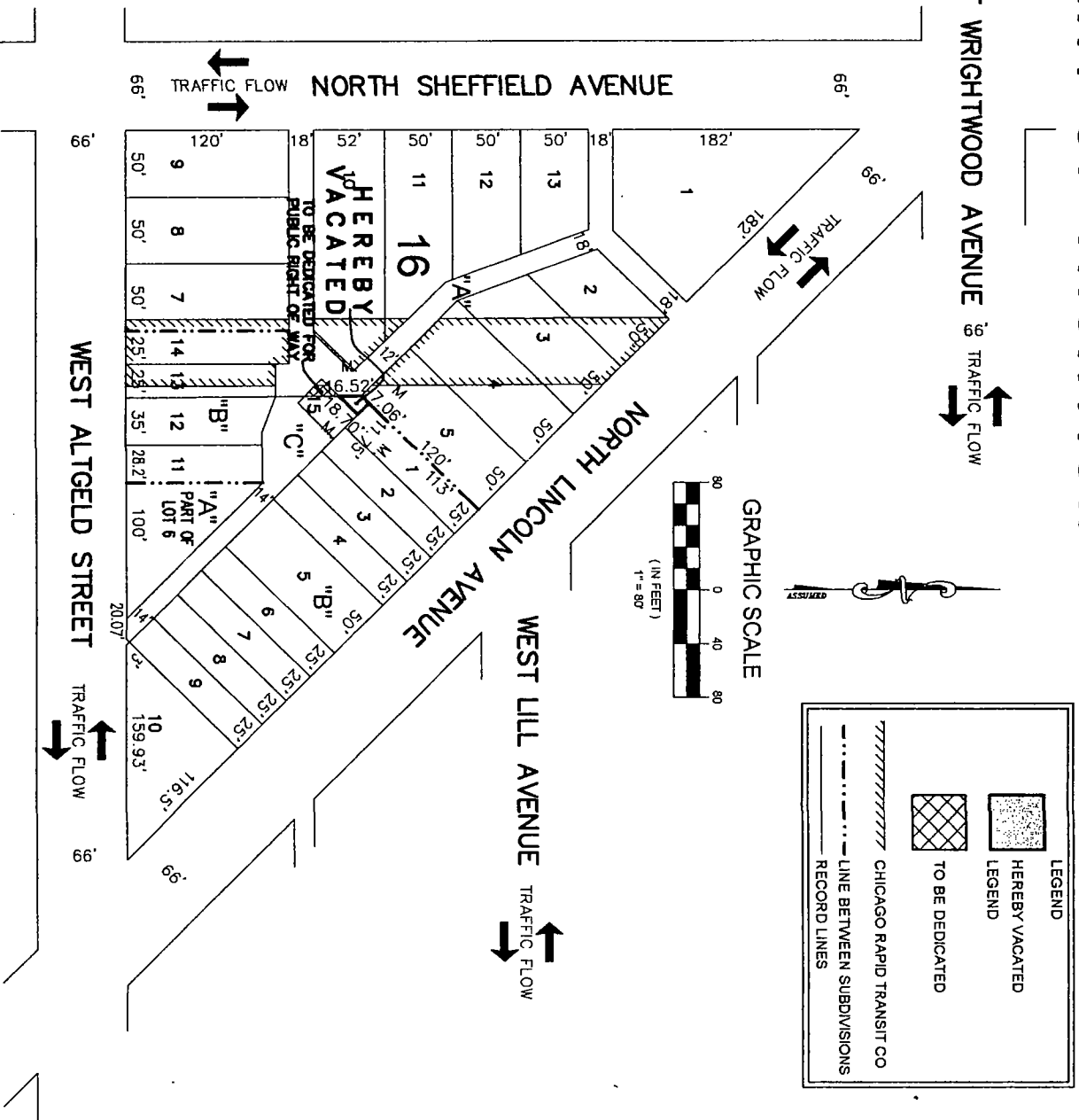




EXHIBIT C

CONSENT TO VACATION

(attach proof of ownership—title, deed etc.)

I. The undersigned, represents that he/she is the (check one)

☒

owner

☐

beneficiary

☐

the duly authorized agent of the owner / beneficiary (CIRCLE ONE) described below:

Name of owner / beneficiary: Apollo Theater Chicago LLC

Name of company (if applicable): _____

Mailing Address: 1625 N. Damen Ave, Chicago zip: 60647

Telephone number: (773) 935-9336

If agent's address is different from the owner / beneficiary, complete the following:

Name of company: _____ tel: () _____

Mailing Address: _____ zip: _____

II. Property for which consent is being given (insert common street address(es)):

2540 N. Lincoln Ave, Chicago, IL 60647

with the *Permanent Index Number(s): (PIN #) 14-29-419-029-0000

(PIN #) _____

(PIN #) _____

III. As the owner / beneficiary / duly authorized agent of the property described above, I give consent to the vacation of the public right-of-way described as:

TO BE PROVIDED BY THE VACATION APPLICANT-- (insert common language description of vacation):

Alley space comprising approximately 400 sq. ft west of N. Lincoln,
north of West Altgeld, & east of Sheffield Ave just west of property at
2518-36 N. Lincoln Ave

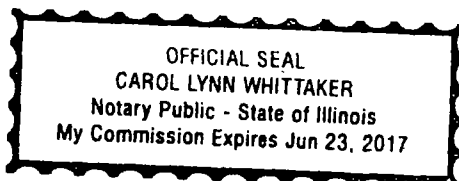
The undersigned agrees to hold harmless and waive all claims for damages or compensation against the City of Chicago, arising from such vacation:

signed Rob Kolson date 12/11/15 printed Rob Kolson

signed _____ date _____ printed _____

Notary Public
signed Carol Lynn Whittaker date 12/11/15 printed Carol Lynn Whittaker

* PIN's are 14 digit numbers that usually take the form of 12-34-567-890-0000. The PIN is a unique number for each property and can be found on property tax bills relating to the specific property.





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

June 15, 2016

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 A proposed vacation and dedication of small sections of alley in the block bounded by North Sheffield Avenue, West Wrightwood Avenue, North Lincoln Avenue and West Altgeld Street. This ordinance was referred to the Committee on April 13, 2016.

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

(Ward 43)

Respectfully submitted,

Anthony Beale,
Chairman