



City of Chicago



O2016-5619

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	7/20/2016
Sponsor(s):	Silverstein (50)
Type:	Ordinance
Title:	Vacation of public alley(s) in area bounded by N Troy St, W Hood Ave N Albany Ave and W Peterson Ave
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 6002-6020 N. Albany Avenue and 6024-6028 N. Albany Avenue (collectively, the "Developer Properties") are owned by Chicago Title Land Trust Company, a Corporation of Illinois, successor Trustee to Pioneer Bank and Trust Company as Trustee under Trust Agreement dated February 10, 1941 and known as trust number 4675 ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for parking and the drive aisle for a new restaurant to be constructed on the Developer Properties; 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. THAT PART OF PUBLIC ALLEY HERETOFORE DEDICATED PER PLAT OF DEDICATION PER DOCUMENT NUMBER 15258668 RECORDED JANUARY 22, 1952 BEING THE SOUTH 16 FEET OF THE NORTH 26.71 FEET OF LOT 2 IN BLOCK 7 IN NIXON & PRASSAS' LINCOLN AND PETERSON AVENUE ADDITION TO NORTH EDGEWATER, RECORDED JUNE 19, 1917 AS DOCUMENT NUMBER 6133092, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, CONTAINING 1,984 SQUARE FEET, 0.0455 ACRES, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat 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 vacation.

SECTION 2 The City of Chicago hereby reserves for the benefit of Commonwealth Edison, 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 and/or Comcast facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement

by the involved utilities. Any future vacation-beneficiary prompted relocation of facilities lying within the area being vacated will be accomplished by the involved utility, and be done at the expense of the 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 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 with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices,

SECTION 4. 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
Eighty-Five Thousand dollars (\$ 85,000.00),
which sum in the judgment of this body will be equal to such benefits.

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 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 ("Superintendent"), or any acting Superintendent.

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:

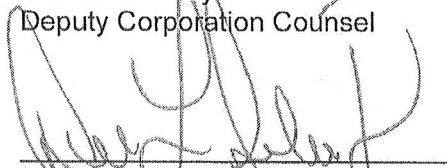


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Richard Wendy
Deputy Corporation Counsel



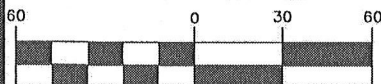
Honorable Debra Silverstein
Alderman, 50th Ward

EXHIBIT "A"

PLAT OF VACATION

THAT PART OF PUBLIC ALLEY HERETOFORE DEDICATED PER PLAT OF DEDICATION PER DOCUMENT NUMBER 15258668 RECORDED JANUARY 22, 1952 BEING THE SOUTH 16 FEET OF THE NORTH 26.71 FEET OF LOT 2 IN BLOCK 7 IN NIXON & PRASSAS' LINCOLN AND PETERSON AVENUE ADDITION TO NORTH EDGEWATER, RECORDED JUNE 19, 1917 AS DOCUMENT NUMBER 6133092, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, CONTAINING 1,984 SQUARE FEET, 0.0455 ACRES, MORE OR LESS.

GRAPHIC SCALE



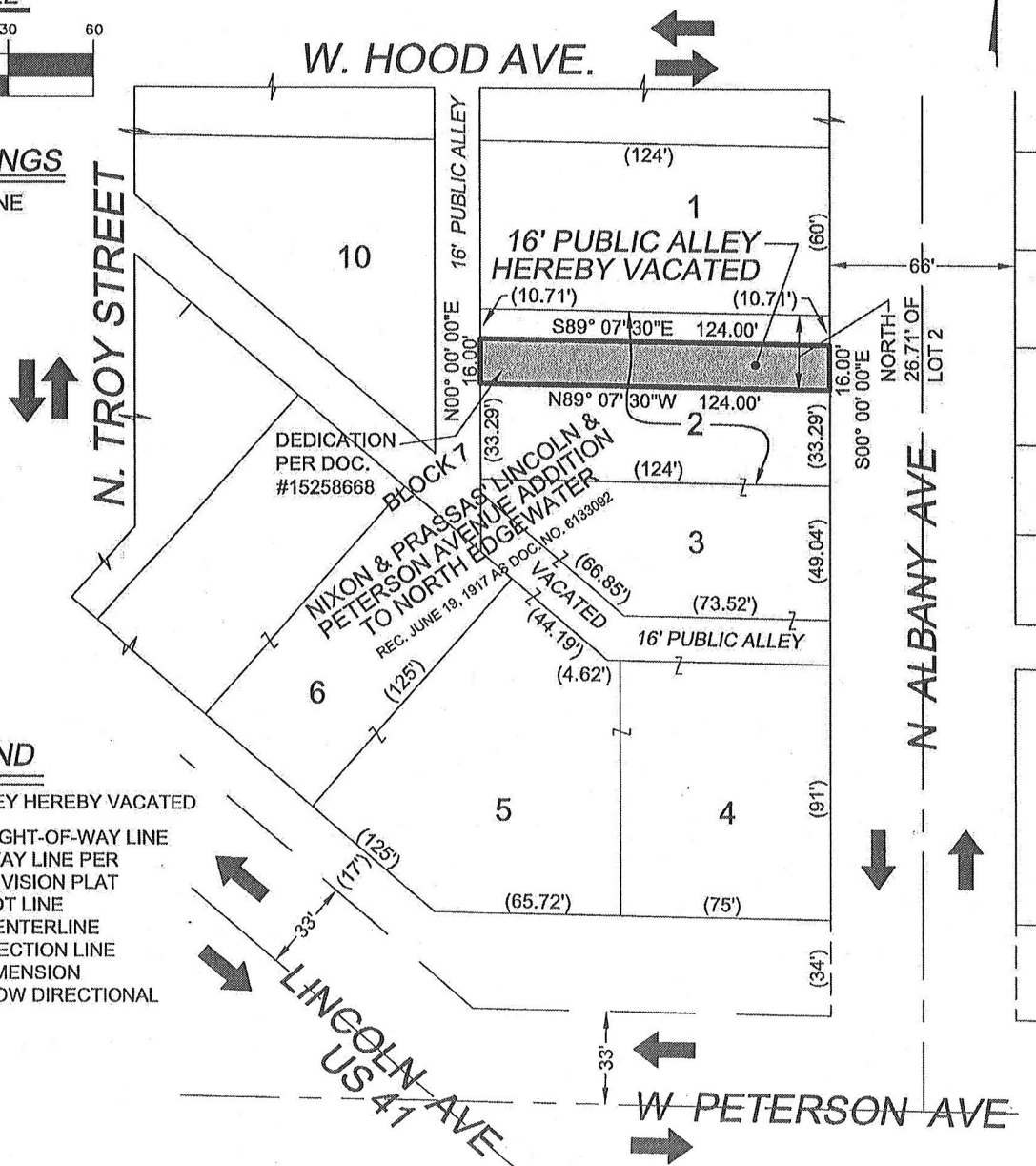
BASIS OF BEARINGS

ASSUMED THE W. LINE
OF N. ALBANY
AVENUE TO BE:
S00°00'00"E

LEGEND

- PUBLIC ALLEY HEREBY VACATED
- EXISTING RIGHT-OF-WAY LINE
- RIGHT-OF-WAY LINE PER SUBDIVISION PLAT
- EXISTING LOT LINE
- EXISTING CENTERLINE
- QUARTER SECTION LINE
- RECORD DIMENSION
- TRAFFIC FLOW DIRECTIONAL

R.D.
7/11/16



CDOT# 01-50-16-3748

SHEET 1 OF 3



Engineers
Scientists
Surveyors

MAIL TO:
7325 Janes Avenue, Suite 100
Woodridge, IL 60517
630.724.9200 voice
630.724.0304 fax
v3co.com

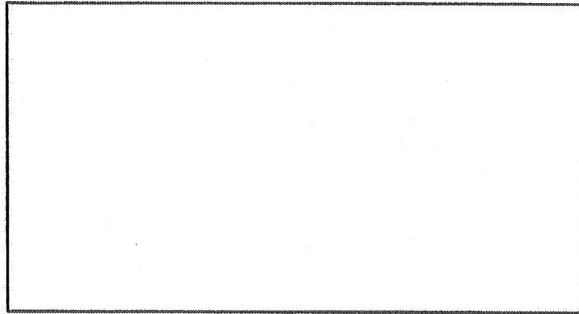
PREPARED FOR:
Sterling Properties
2701 West Peterson Avenue
Chicago, Illinois 60659
773.271.1789

REV.07/07/16
REV.07/05/16

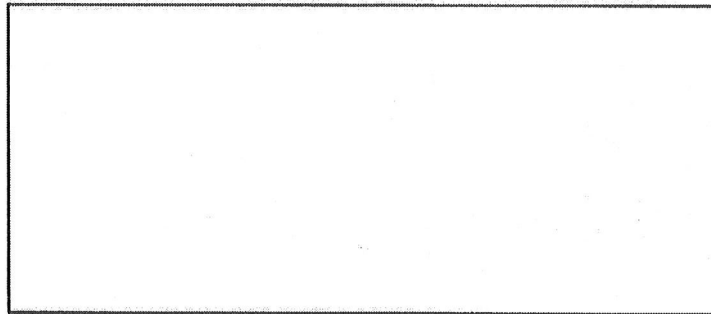
PROJECT NO. 15067.ST
GROUP NO. VP10.1
SCALE: 1"=60'
DATE:06/15/15

EXHIBIT "A"

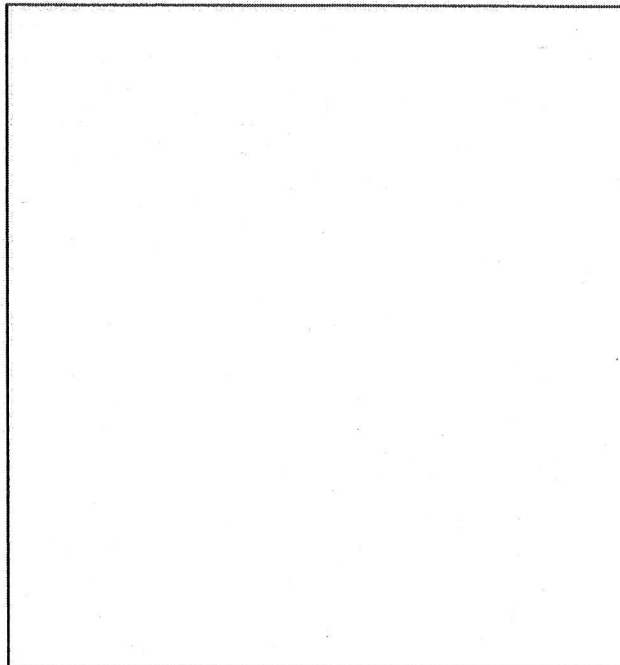
PLAT OF VACATION



CITY-DEPT. OF
FINANCE



COOK CO.



CDOT# 01-50-16-3748

C.D.O.T.

SHEET 2 OF 3



Engineers
Scientists
Surveyors

MAIL TO:
7325 Janes Avenue, Suite 100
Woodridge, IL 60517
630.724.9200 voice
630.724.0384 fax
v3co.com

PREPARED FOR:
Sterling Properties
2701 West Peterson Avenue
Chicago, Illinois 60659
773.271.1789

REV.07/07/16
REV.07/05/16

PROJECT NO. 15067.ST
GROUP NO. VP10.1
SCALE: N/A
DATE: 06/15/15

EXHIBIT "A"
PLAT OF VACATION

P.I.N.
13-01-124-038
13-01-124-051

GENERAL NOTES

1. DO NOT SCALE ANY DIMENSIONS FROM THIS PLAT.
2. ASSUMED THE WEST LINE OF N. ALBANY AVENUE TO BE S 00° 00' 00" E.
3. MONUMENTS AND IMPROVEMENTS NOT SHOWN AT CLIENT'S REQUEST.
4. SUBJECT PROPERTY IS ADJOINED ON THE NORTH SIDE BY A PARKING LOT, LAND ON THE SOUTH IS AN EXISTING COMMERCIAL DEVELOPMENT.
5. PROPERTY ADJACENT TO THE ALLEY PROPOSED TO BE VACATED DEPICTED HEREON IS ZONED RS-3.

SURVEYOR CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

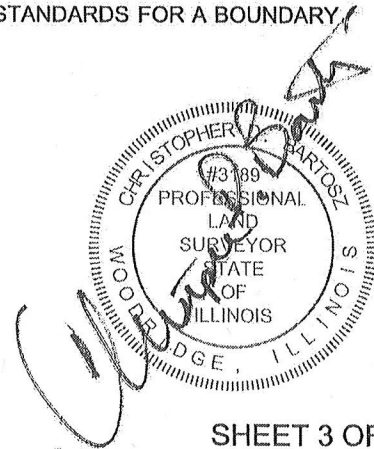
I, CHRISTOPHER D. BARTOSZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3189 DO HEREBY CERTIFY THAT I HAVE SURVEYED THE AFOREMENTIONED DESCRIBED PROPERTY. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL THIS 7TH DAY OF JULY, A.D., 2016.



CHRISTOPHER D. BARTOSZ
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3189
MY LICENSE EXPIRES ON NOVEMBER 30, 2016.
V3 COMPANIES OF ILLINOIS, LTD. PROFESSIONAL DESIGN FIRM NO. 184000902
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2017.
cdbartosz@v3co.com



CDOT# 01-50-16-3748

SHEET 3 OF 3



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REV.07/07/16
REV.07/05/16

PROJECT NO. 15067.ST
GROUP NO. VP10.1
SCALE: N/A
DATE: 06/15/15



CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER

CITY HALL—SECOND FLOOR
121 NORTH LASALLE 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

September 8, 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 of the easternmost East-West alley in the block bounded by North Lincoln Avenue, North Albany Avenue, North Troy Street and West Hood Avenue. This ordinance was referred to the Committee on July 20, 2016.

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

(Ward 50)

Respectfully submitted,

Anthony Beale,
Chairman