



City of Chicago



O2016-5616

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	7/20/2016
Sponsor(s):	Tunney (44)
Type:	Ordinance
Title:	Vacation of public street(s) on portions of W School St and N Clifton 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 3258 N. Clifton Avenue and 1135-1145 W. School Street are owned by Fletch Development, Inc., an Illinois Corporation ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the street to be vacated herein for garage construction; 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 street, described in the following ordinance; now therefore,

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

SECTION 1. THAT PART OF WEST SCHOOL STREET IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP, 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WEST SCHOOL STREET AND THE WEST RIGHT-OF-WAY LINE OF NORTH CLIFTON AVENUE, BEING ALSO THE NORTHEAST CORNER OF LOT 48 IN BLOCK 8 IN BAXTER'S SUBDIVISION, RECORDED NOVEMBER 16, 1868/ANTE FIRE, OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE NORTH 89 DEGREES 57 MINUTES 16 SECONDS WEST, ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF WEST SCHOOL STREET, A DISTANCE OF 123.65 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 00 DEGREES 01 MINUTES 43 SECONDS EAST, A DISTANCE OF 1.00 FOOT TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTH 89 DEGREES 57 MINUTES 16 SECONDS EAST, ALONG A LINE BEING PARALLEL TO THE SAID SOUTH RIGHT-OF-WAY LINE OF WEST SCHOOL STREET, A DISTANCE OF 123.65 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 00 DEGREES 01 MINUTES 43 SECONDS WEST, A DISTANCE OF 1.00 FOOT TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 123.65 SQUARE FEET OR 0.00283 ACRE, 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.

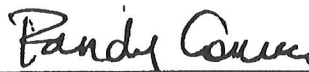
SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, its successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the street 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 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 utility. Any future vacation-beneficiary prompted relocation of facilities lying within the area herein vacated shall be accomplished by the 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 pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the Developer for the part of public street hereby vacated the sum Thirty-One Thousand dollars (\$ 31,000.00), 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 ("Superintendent"), or any acting Superintendent.

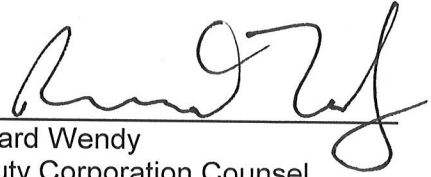
SECTION 5. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

Vacation Approved:

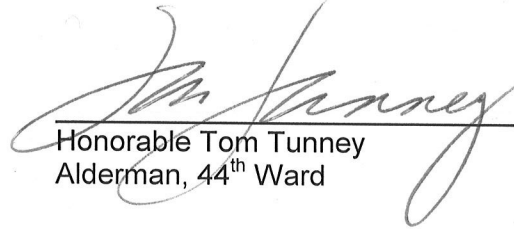


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality

A handwritten signature in black ink, appearing to read "Richard Wendy", written over a horizontal line.

Richard Wendy
Deputy Corporation Counsel

A handwritten signature in black ink, appearing to read "Tom Tunney", written over a horizontal line.

Honorable Tom Tunney
Alderman, 44th Ward

EXHIBIT "A"

PLAT OF VACATION

THAT PART OF WEST SCHOOL STREET IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

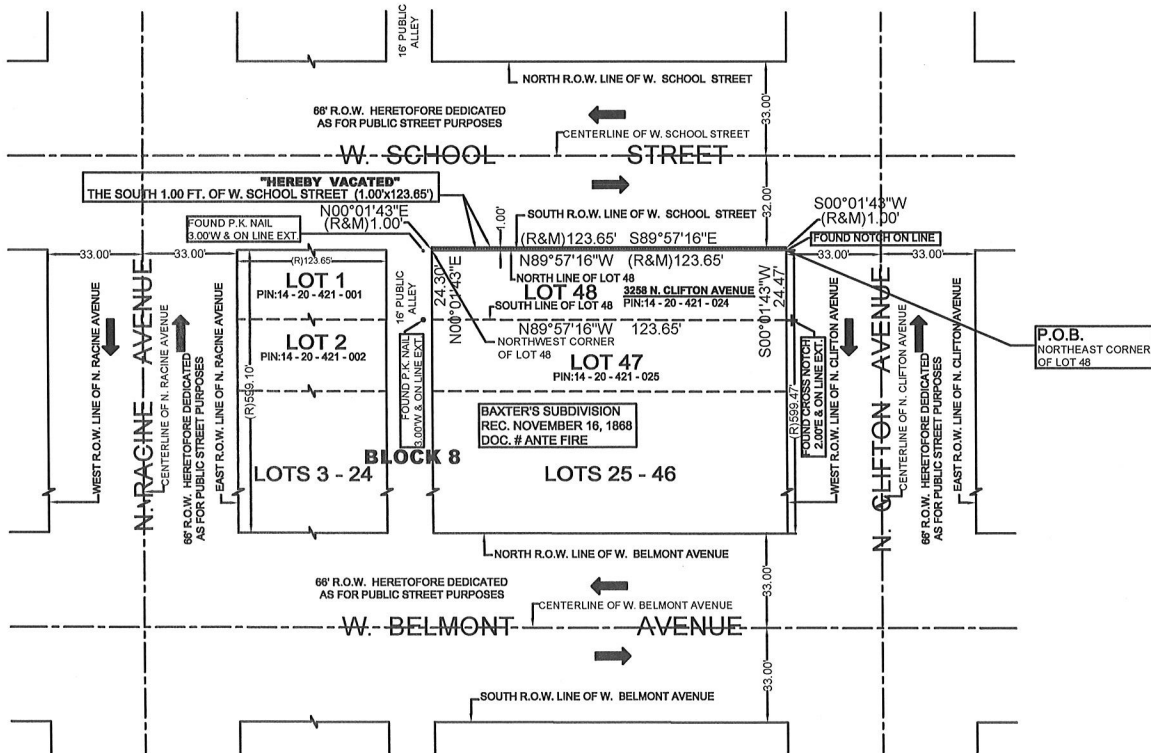
BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WEST SCHOOL STREET AND THE WEST RIGHT-OF-WAY LINE OF NORTH CLIFTON AVENUE, BEING ALSO THE NORTHEAST CORNER OF LOT 48 IN BLOCK 8 IN BAXTER'S SUBDIVISION, RECORDED NOVEMBER 16, 1888/ANTE FIRE, OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

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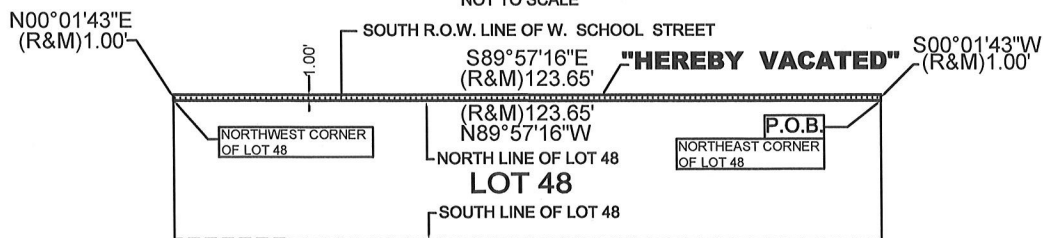
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THENCE SOUTH 89 DEGREES 57 MINUTES 16 SECONDS EAST, ALONG A LINE BEING PARALLEL TO THE SAID SOUTH RIGHT-OF-WAY LINE OF WEST SCHOOL STREET, A DISTANCE OF 123.65 FEET TO THE NORTHEAST CORNER THEREOF;

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(DETAIL "A")
NOT TO SCALE



CDOT # 20-44-16-3750

PROJECT No.: 16-22627-1
ISSUE DATE: 2/19/16
SCALE: 1"=30'

PLAT PREPARED FOR:
MIKE MARESSO
3258 N. CLIFTON AVENUE
CHICAGO, IL 60657

PLAT PREPARED BY:
UNITED SURVEY SERVICE, LLC
CONSTRUCTION AND LAND SURVEYORS
2100 N. 15TH AVENUE, SUITE C, MELROSE PARK, IL 60167
TEL: (847) 299-1010 FAX: (847) 299-5887
E-MAIL: USURVEY@USANDCS.COM

NO.	REVISIONS	DATE
1	ADDED CDOT #	3/4/16
2	REVISED	7/1/16
3	REVISED	7/6/16
4		
5		
6		

SHEET NUMBER
1 OF 2

EXHIBIT "A"

PLAT OF VACATION

MAIL TO :

3258 N. CLIFTON AVENUEPERMANENT INDEX NUMBER: 14 - 20 - 421 - 024 - 0000
(APPLICANT OWNED - LOT 48)

LEGEND



AREA TO BE VACATED

BOUNDARY LINE OF
PROPOSED VACATION

RIGHT-OF-WAY LINE

LOT LINE



TRAFFIC FLOW DIRECTIONAL'S

(R) RECORD DATA

(M) MEASURED DATA

PIN = PERMANENT INDEX NUMBER

CITY-DEPT. OF FINANCE

COOK CO.

C.D.O.T.

SURVEYOR'S NOTES:

THE BASIS OF BEARINGS IS ASSUMED.

CITY OF CHICAGO ZONED:

RT-4, RESIDENTIAL TWO-FLAT, TOWNHOUSE AND MULTI-UNIT DISTRICT

DATE OF COMPLETION OF FIELD WORK : AUGUST 5, 2015

NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS.

STATE OF ILLINOIS)
) S.S.
COUNTY OF COOK)I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE
PREPARED THE PLAT OF VACATION FOR THE PURPOSE
SHOWN HEREON.THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE
CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT.

MELROSE PARK, ILLINOIS, JULY 6, A.D. 2016

BY:

ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290
LICENSE EXPIRES: NOVEMBER 30, 2016
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576
LICENSE EXPIRES: APRIL 30, 2017

CDOT # 20-44-16-3750

PROJECT No.:
16-22627-1
ISSUE DATE:
2/19/16
SCALE: 1"=30'

PLAT PREPARED FOR:

MIKE MARESSO
3258 N. CLIFTON AVENUE
CHICAGO, IL 60657

PLAT PREPARED BY:

UNITED SURVEY SERVICE, LLCCONSTRUCTION AND LAND SURVEYORS
2100 N. 15TH AVENUE, SUITE C, MELROSE PARK, IL 60160 - 1017
TEL.: (847) 299 - 1010 FAX : (847) 299 - 5887
E-MAIL: USURVEY@USANDCS.COM

NO.	REVISIONS	DATE
1	ADDED CDOT #	3/4/16
2	REVISED	7/1/16
3	REVISED	7/6/16
4		
5		
6		

SHEET NUMBER
2 OF 2



CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

July 14, 2016

Mr. Stephen Patton
Corporation Counsel
Room 600 - City Hall
Chicago, IL 60602-1289

Attention: Mr. Richard Wendy
Deputy Corporation Counsel

received
F. Wendy 7/22/16

Re: Proposed Vacation for Fletch Development
Commercial File: 20-44-16-3750

Dear Mr. Patton:

Pursuant to a request from Mr. Patrick Miller, we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed vacation of a 1' strip of W. School Street between N. Racine Avenue and N. Clifton Avenue. This property is located in the 44th Ward.

Fletch Development is the owner of record to the property adjoining the public street to be vacated. The person to contact in connection with this proposed ordinance is Mr. Patrick Miller at 773-491-3235.

Section 2 of the ordinance reserves an easement for Commonwealth Edison. All other utility agencies are either uninvolved, or have made suitable arrangements. Section 3 requires compensation to the City for that part of the public street herein vacated. Sections 4 & 5 are standard language regarding the ordinance.

Sincerely,

Randy Conner

Rebekah Scheinfeld
Commissioner

Originated by:

Luann Hamilton

Luann Hamilton
Deputy Commissioner

RS: LH: MW: RD

cc: Alderman Tom Tunney
Alderman Anthony Beale

Sandra Foreman/w Attach. Dwg.-s.f. & Ord. (3) file copies

(2) 30 NORTH LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 60602

Ward: 44

Introduction Date: 7/20/16

Committee Date: 09/08/2016

City Council Date: 09/14/2016

Compensation Amount: \$31,000.00



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

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 a 1 foot strip of West School Street between North Racine Avenue and North Clifton 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 44)

Respectfully submitted,



Anthony Beale,
Chairman