



City of Chicago



O2016-6466

Office of the City Clerk

Document Tracking Sheet

| | |
|---------------------------------|---|
| Meeting Date: | 9/14/2016 |
| Sponsor(s): | Thompson (11) |
| Type: | Ordinance |
| Title: | Vacation of public alley in area bounded by S Wallace St, W Pershing Rd, S Normal Ave and W 40th Pl |
| Committee(s) Assignment: | Committee on Transportation and Public Way |

COMMERCIAL ORDINANCE

Transportation

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 501-527 W. Pershing Road, 535-559 W. Pershing Road, 3901-3937 S. Wallace Avenue, and 3900-3932 S. Normal Avenue are owned by Chicago Land Trust Company as successor Trustee to Lakeside Bank under the provisions of a Trust Agreement dated January 23, 2001, and known as Trust 10-2242 ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for outdoor storage space for the Developer's adjacent plumbing business; 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 THE NORTH-SOUTH 20 FOOT PUBLIC ALLEY IN BLOCK 2 IN TAYLOR AND KREIGH'S SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AUGUST 26, 1856 ANTE-FIRE, BOUNDED AND DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH 88°32'34" EAST 20.00 FEET TO THE NORTHWEST CORNER OF LOT 1 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE SOUTH 01°36'38" EAST ALONG THE WEST LINES OF LOTS 1, 4, 5 AND 8 IN TAYLOR AND KREIGH'S SUBDIVISION TO THE NORTHEAST CORNER OF THE 20 FOOT VACATED ALLEY PER DOCUMENT NUMBER 12588353; THENCE SOUTH 88°30'34" WEST ALONG THE NORTH LINE OF SAID VACATED ALLEY 20.00 FEET TO THE NORTHWEST CORNER THEREOF ALSO BEING A POINT ON THE EAST LINE OF LOT 7 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH 01°36'38" WEST ALONG THE EAST LINE OF LOTS 2, 3, 6, AND 7, IN TAYLOR AND KREIGH'S SUBDIVISION 439.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS. AREA OF PROPERTY = 8,793 SQ. FT. 0.20 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 alley 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 and 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 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 involved utilities. Any future Developer-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, or its successor and/or assigns.

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 in accordance 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 Thousand dollars (\$ 80,000.00), which sum in the judgment of this body will be equal to such benefits.

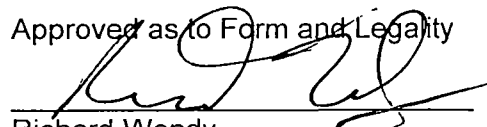
SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall file or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Acting Superintendent of Maps and Plats.

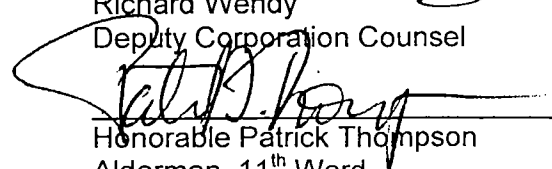
SECTION 6. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

Vacation Approved:


Rebekah Scheinfeld
Commissioner of Transportation

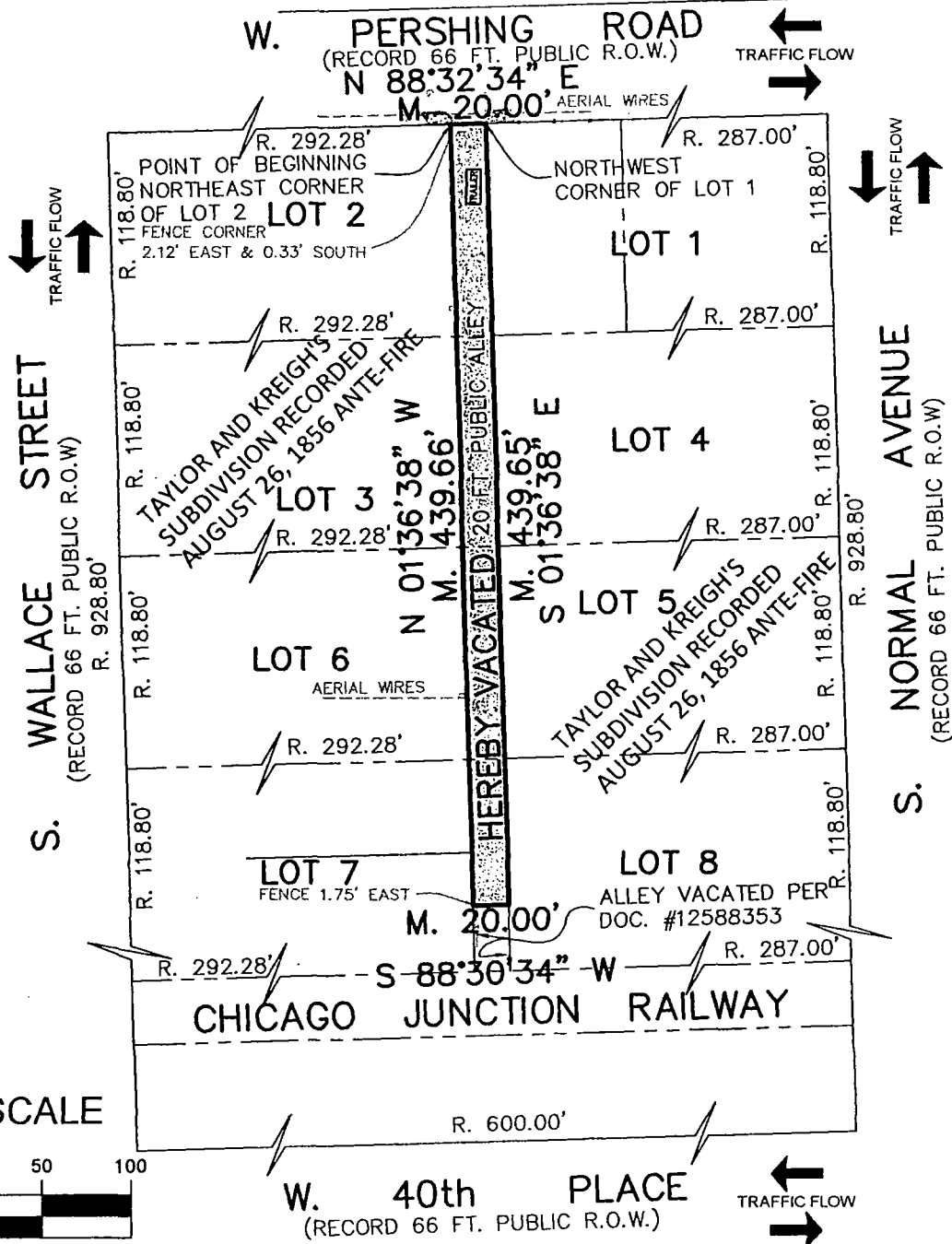
Approved as to Form and Legality


Richard Wendy
Deputy Corporation Counsel

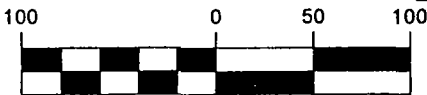

Honorable Patrick Thompson
Alderman, 11th Ward

PLAT OF VACATION

THAT PART OF THE NORTH-SOUTH 20 FOOT PUBLIC ALLEY IN BLOCK 2 IN TAYLOR AND KREIGH'S SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AUGUST 26, 1856 ANTE-FIRE, BOUNDED AND DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH $88^{\circ}32'34''$ EAST 20.00 FEET TO THE NORTHWEST CORNER OF LOT 1 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE SOUTH $01^{\circ}36'38''$ EAST ALONG THE WEST LINES OF LOTS 1, 4, 5 AND 8 IN TAYLOR AND KREIGH'S SUBDIVISION TO THE NORTHEAST CORNER OF THE 20 FOOT VACATED ALLEY PER DOCUMENT NUMBER 12588353; THENCE SOUTH $88^{\circ}30'34''$ WEST ALONG THE NORTH LINE OF SAID VACATED ALLEY 20.00 FEET TO THE NORTHWEST CORNER THEREOF ALSO BEING A POINT ON THE EAST LINE OF LOT 7 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH $01^{\circ}36'38''$ WEST ALONG THE EAST LINE OF LOTS 2, 3, 6, AND 7, IN TAYLOR AND KREIGH'S SUBDIVISION 439.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS. AREA OF PROPERTY = 8,793 SQ. FT. 0.20 ACRES MORE OR LESS



GRAPHIC SCALE



(IN FEET)

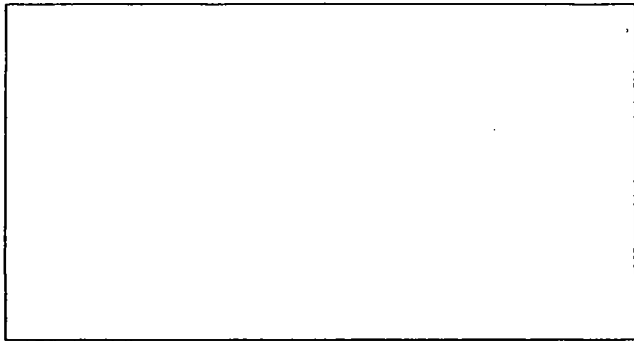
1" = 100'

CDOT# 04-11-16-3767

PAGE 1 OF 2

G:\CAD\2016\2016-22083\2016-22083-001.dwg

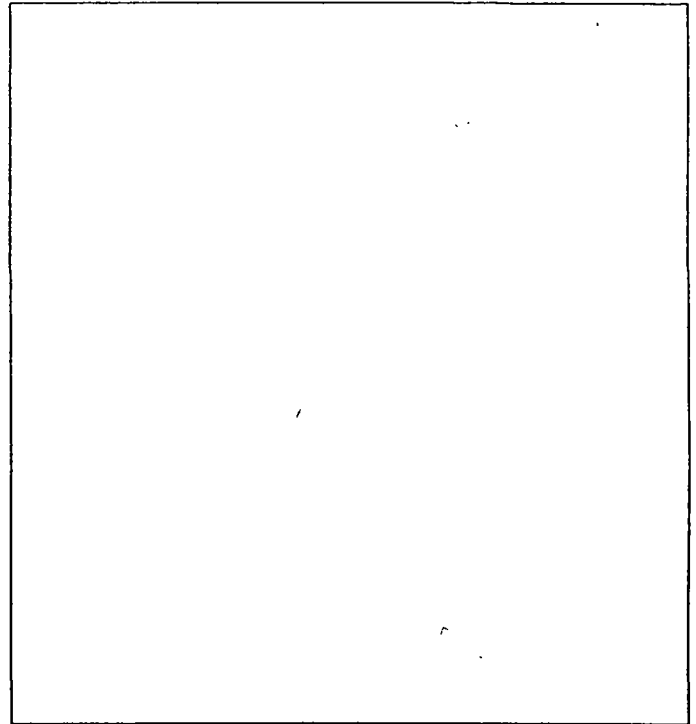
PLAT OF VACATION



CITY - DEPT. OF FINANCE



COOK CO.



C.D.O.T.



LEGEND

| | |
|-----------|---------------------|
| | HEREBY VACATED |
| | CONCRETE HATCH |
| ---- | AERIAL WIRES |
| - - - - - | FENCE LINES |
| ---- | UNDERLYING LOTS |
| ⊙ | Telephone MH |
| ⊕ | Utility Pole |
| ⊞ | Electric Vault |
| ⊛ | Electric Light Pole |

PINs

20-4-104-002
 20-4-104-004
 20-4-104-010
 20-4-104-013
 20-4-104-015
 20-4-104-016

State of Illinois)
 County of Cook)ss

MAIL TO AND PREPARED FOR:

DALEY AND GEORGES LTD
 20 SOUTH CLARK STREET, SUITE 400
 CHICAGO, ILLINOIS 60603

CDOT# 04-11-16-3767

REVISED 8/31/16 #2016-22969

REVISED 8/30/16 #2016-22969 (BB)

| | | |
|---------------------------------|----------|--------|
| ORDERED BY: DALEY & GEORGES LLP | CHECKED: | DRAWN: |
| ADDRESS: PERSHING & NORMAL | | BB |

GREMLEY & BIEDERMANN
 A DIVISION OF
PLCS, CORPORATION
 LICENSE No. 184-005332 EXPIRES 4-30-2017
 PROFESSIONAL LAND SURVEYORS
 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630
 TELEPHONE: (773) 685-5102 FAX: (773) 286-4184 EMAIL: INFO@PLCS-SURVEY.COM

| | | |
|-----------------------|-----------------------------|---------------|
| ORDER NO. | DATE: FEBRUARY 22, 2016 | PAGE NO. |
| 2016-22083-001 | SCALE: 1 INCH = 100 FEET | 2 OF 2 |

G:\CAD\2016\2016-22083\2016-22083-001.dwg

SURVEY NOTES:

THE ZONING CLASSIFICATION OF THE PROPERTY SHOWN HEREON IS M2-3 AS DELINEATED ON THE CITY OF CHICAGO, DEPARTMENT OF ZONING WEBSITE.

Field measurements completed on February 22, 2016.

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.

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

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2016 "All Rights Reserved"

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 February 22, 2016.

Signed on Aug. 31, 2016

By Robert G. Biedermann

Professional Illinois Land Surveyor No. 2302

My license expires November 30, 2016

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



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

December 7, 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 remaining segment of dead ended alley in the block bounded by West Pershing Road, West 40th Place, South Normal Avenue and South Wallace Avenue. This ordinance was referred to the Committee on November 1, 2016.

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

(Ward 11)

Respectfully submitted,

Anthony Beale,
Chairman