



City of Chicago



O2016-7998

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	11/1/2016
Sponsor(s):	Ervin (28)
Type:	Ordinance
Title:	Vacation of public alley(s) in area bounded by S Ashland Ave, W Ogden Ave and W Madison 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 1529-1537 W. Madison Avenue and 1571-1589 W. Ogden Avenue are owned by Madison & Ogden, LLC, an Illinois Limited Liability Company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for additional parking for the adjacent Billy Goat Restaurant; 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 19.83 FOOT WIDE PUBLIC ALLEY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERN CORNER OF LOT 8 IN ASSESSOR'S DIVISION OF LOTS 16 THROUGH 31, INCLUSIVE, AND PARTS OF LOTS 15 AND 32 OF BLOCK 6 OF CANAL TRUSTEE'S SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 14, 1872 AS DOCUMENT NUMBER 71686, SAID CORNER ALSO BEING ON THE SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE AND THE WEST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTHEASTERLY ALONG SAID SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE TO THE INTERSECTION WITH THE NORTH LINE OF LOT 15 IN LAFLIN & LOOMIS' RESUBDIVISION OF BLOCKS 5, 18, 21, 30, 31, 32, 33 AND 41 AND SUBDIVISION OF BLOCKS 6, 9, 19 AND 20 IN CANAL TRUSTEE'S SUBDIVISION, RECORDED JANUARY 8, 9, 10, 11, 1874, AS DOCUMENT NUMBER 76155, SAID INTERSECTION ALSO BEING THE SOUTHERN RIGHT OF WAY OF W. MADISON STREET, THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY AND BEING 29.2 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO A POINT ON THE SOUTH LINE OF SAID LOT 15, 29.20 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 15, SAID POINT ALSO ON THE NORTH LINE OF AN EAST-WEST 20 FOOT WIDE PUBLIC ALLEY; THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF SAID LOT 8 IN ASSESSOR'S DIVISION AND ON SAID WEST LINE OF NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 8 AND SAID WEST LINE OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO THE NORTHERN MOST CORNER AND POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL

CONTAINING 3476 SQUARE FEET OR 0.080 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 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 Commonwealth Edison. Any future Developer-initiated relocation of facilities lying within the area herein vacated will be accomplished by Commonwealth Edison, and be done at the expense of the Developer.

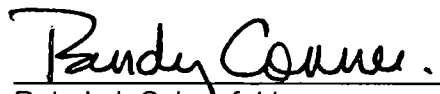
SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and alley curb returns, and constructing 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 Two Hundred Thousand dollars (\$ **200,000**), 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.

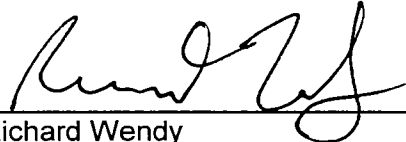
SECTION 6. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

Vacation Approved:

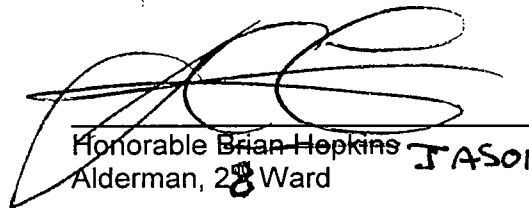


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Richard Wendy
Deputy Corporation Counsel



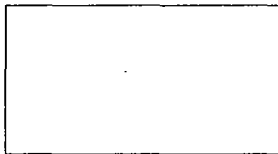
Honorable Brian Hopkins
Alderman, 28th Ward

JASON ERVIN

PLAT OF VACATION

LEGAL DESCRIPTION

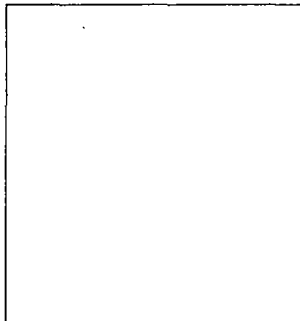
THAT PART OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERN CORNER OF LOT 8 IN ASSESSOR'S DIVISION OF LOTS 16 THROUGH 31, INCLUSIVE, AND PARTS OF LOTS 15 AND 32 OF BLOCK 6 OF CANAL TRUSTEE'S SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 14, 1872 AS DOCUMENT NUMBER 71686, SAID CORNER ALSO BEING ON THE SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE AND THE WEST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTHEASTERLY ALONG SAID SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE TO THE INTERSECTION WITH THE NORTH LINE OF LOT 15 IN LAFLIN & LOOMIS' RESUBDIVISION OF BLOCKS 5, 18, 21, 30, 31, 32, 33 AND 41 AND SUBDIVISION OF BLOCKS 6, 9, 19 AND 20 IN CANAL TRUSTEE'S SUBDIVISION, RECORDED JANUARY 8, 9, 10, 11, 1874, AS DOCUMENT NUMBER 76155, SAID INTERSECTION ALSO BEING THE SOUTHERN RIGHT OF WAY OF W. MADISON STREET, THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY AND BEING 29.2 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO A POINT ON THE SOUTH LINE OF SAID LOT 15, 29.20 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 15, SAID POINT ALSO ON THE NORTH LINE OF AN EAST-WEST 20 FOOT WIDE PUBLIC ALLEY; THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF SAID LOT 8 IN ASSESSOR'S DIVISION AND ON SAID WEST LINE OF NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 8 AND SAID WEST LINE OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO THE NORTHERN MOST CORNER AND POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 3476 SQUARE FEET OR 0.080 ACRES, MORE OR LESS.



DEPT. OF FINANCE



COOK COUNTY



C.D.O.T.

PREPARED FOR:
J STANULIS ARCHITECTS
125 WEST 61ST. STREET
WESTMONT. IL 60559

LOT LINES

TRAFFIC FLOW ARROW

AREA HEREBY VACATED

GENERAL NOTES:

- 1) RECORD = (00.0') MEASURED = 00.0' MEAS
- 2) THIS SURVEY SHOWS THE BUILDING LINES AND EASEMENTS AS INDICATED BY THE RECORDED PLAT. THIS PLAT DOES NOT SHOW ANY RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES UNLESS SUPPLIED BY THE CLIENT.
- 3) BASIS OF BEARING FOR THIS SURVEY IS ASSUMED NORTH. ARROW INDICATES, AND IS SHOWN TO INDICATE THE ANGULAR RELATIONSHIP OF THE BOUNDARY LINES.
- 4) MONUMENTS NOT SET AT CLIENTS REQUEST.
- 5) LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO INTERPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN HEREON.
- 6) ONLY COPIES WITH AN ORIGINAL SIGNATURE AND SEAL ARE OFFICIAL LEGAL DOCUMENTS. ALL SURVEYS ARE COPYRIGHTED MATERIALS WITH ALL RIGHTS RESERVED.
- 7) LAST DAY OF FIELD WORK 09/02/2014
- 8) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.

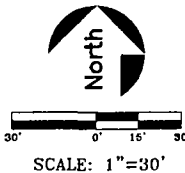
CDOT#17-02-14-3670

Professional Design Registration #164-002790

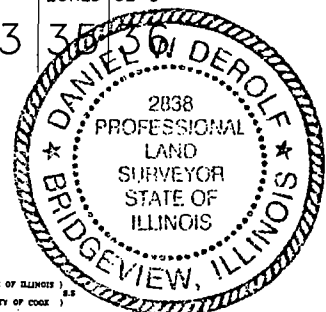
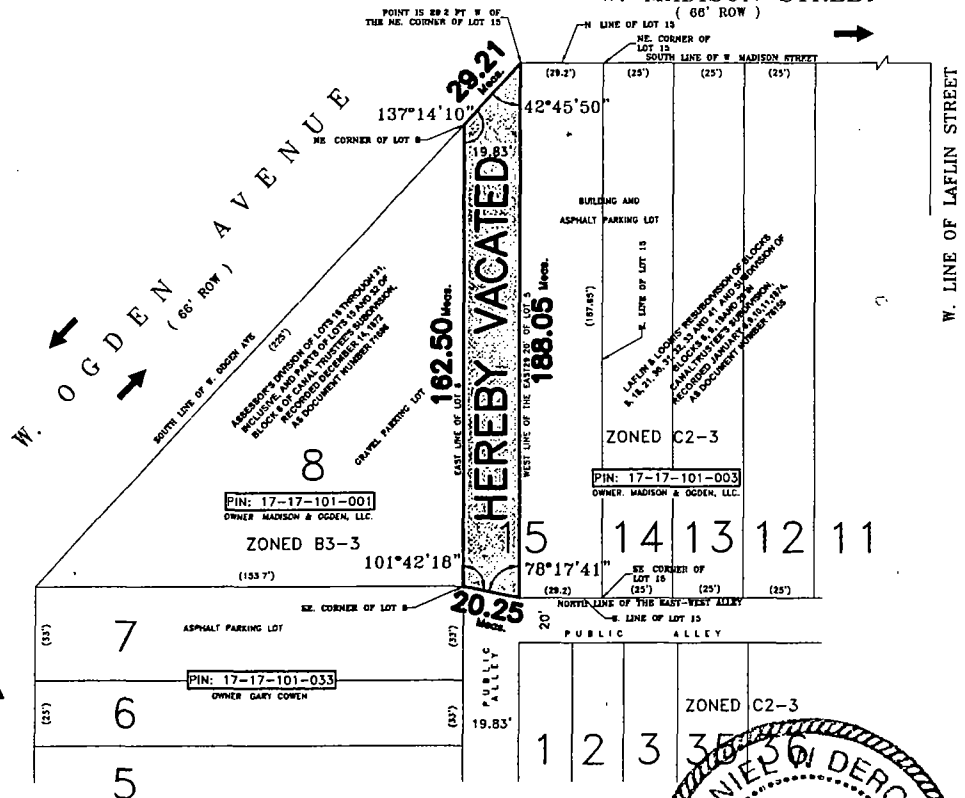
PREFERRED SURVEY, INC.

7845 W. 79TH STREET, BRIDGEVIEW, IL 60455
Phone 708-458-7845 / Fax 708-458-7855
www.psisurvey.com

Field Work Completed	09/23/13	FLD. CDFW	AMZ/TJS
Land Area Surveyed	3,476 Sq Ft	CAD	EM
Drawing Revised	06/07/16 CDOT REV		



W. MADISON STREET
(66' ROW)



STATE OF ILLINOIS)
COUNTY OF COOK)

I, DANIEL W. DEROLF, AS AN EMPLOYEE OF PREFERRED SURVEY, INC. DO HEREBY STATE THAT THIS PROFESSIONAL SERVICE COMPLIES TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

GIVEN UNDER MY HAND AND SEAL THIS

7TH DAY OF JUNE A.D. 2016

Daniel W. Derolf
DANIEL W. DEROLF
LICENSE #0003-000000
EXPIRES ON 11/01/2018 P.S. NO.

DESIGN FIRM #164-002790
EXPIRES ON 06/30/2017



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

January 18, 2017

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 The vacation of public alleys in the area bounded by South Ashland Avenue, West Ogden Avenue and West Madison 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 28)

Respectfully submitted,

Anthony Beale,
Chairman