



# City of Chicago



O2016-8664

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	12/14/2016
<b>Sponsor(s):</b>	Burnett (27)
<b>Type:</b>	Ordinance
<b>Title:</b>	Vacation of public alley(s) in area bounded by S Damen Ave, W Adams St, S Seeley Ave and W Monroe St
<b>Committee(s) Assignment:</b>	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 2015-2025 W. Monroe Street, 101-107 S. Seeley Avenue, and 111-113 W. Seeley Avenue are owned by Amphitheater, L.L.C. Series Westside-Seely, an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for the assemblage of the to-be-vacated public alley with the adjacent parking lots; 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.

**THE EAST-WEST 12 FOOT PUBLIC ALLEY LYING NORTH OF THE NORTH LINE OF LOT 7 AND LYING SOUTH OF THE SOUTH LINE OF LOTS 1 TO 6, INCLUSIVE, AND LYING EAST OF A LINE DRAWN FROM THE NORTHWEST CORNER OF LOT 7 TO THE SOUTHWEST CORNER OF LOT 1 AND LYING WEST OF A LINE DRAWN FROM THE NORTHEAST CORNER OF LOT 7 TO THE SOUTHEAST CORNER OF LOT 6, ALL IN THORPE'S SUBDIVISION OF LOTS 15, 16, 17 AND THE NORTH 5 FEET OF LOT 14 OF BLOCK 2 OF OWSLEY'S SUBDIVISION OF PART OF THE EAST 1/2 OF THE EAST 1/2 OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 19, 1875, AS DOCUMENT NUMBER 23823, BEING ALSO DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE NORTH 00 DEGREES 00 MINUTES 19 SECONDS WEST 12.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89 DEGREES 48 MINUTES 45 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOTS 1 TO 6, INCLUSIVE, 126.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 12.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 89 DEGREES 48 MINUTES 45 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 126.80 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS. CONTAINING 1,522 SQUARE FEET OR 0.03 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-prompted relocation of facilities lying within the area being vacated will be accomplished by the Commonwealth Edison, and be done at the expense of the beneficiary of the vacation, its successors or assigns.

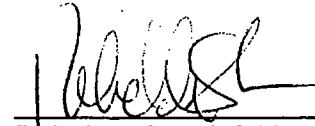
SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing 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 Thirty-Four Thousand dollars (\$ **34,000** ), 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 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.

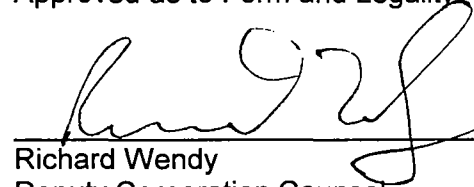
SECTION 6. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

Vacation Approved:

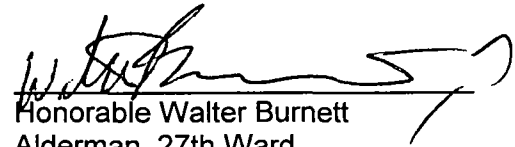


Rebekah Scheinfeld  
Commissioner of Transportation

Approved as to Form and Legality



Richard Wendy  
Deputy Corporation Counsel



Honorable Walter Burnett  
Alderman, 27th Ward





## 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 A proposed vacation of the northernmost west-east alley in the block bounded by West Monroe Street, West Adams Street, South Seeley Avenue and South Damen Avenue. This ordinance was referred to the Committee on December 14, 2016.

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

(Ward 27)

Respectfully submitted,

  
Anthony Beale,  
Chairman