



City of Chicago



O2018-3217

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/18/2018
Sponsor(s):	Cardenas (12)
Type:	Ordinance
Title:	Dedication and vacation of public alley(s) in area bounded by W 37th Pl, S Ashland Ave, W 38th St and S Paulina St
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 1640-1658 W. 38th Street, 1639-1657 W. 37th Place and 3733-3757 S. Paulina Street, are owned by The Catholic Bishop of Chicago, an Illinois Corporation Sole ("Developer"); and

WHEREAS, the Developer, currently uses the site as part of its campus for the adjacent Blessed Sacrament Catholic Church; and

WHEREAS, the Developer, is currently occupying the portion of the public alley to be vacated with a building constructed in 1953, but seeks to remedy the situation by vacating the overbuilt area, and dedicating a new public alley to the north for public egress; 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 that 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.

Dedication:

THAT PART OF THE NORTH-SOUTH VACATED 16 FOOT PUBLIC ALLEY VACATED PER DOCUMENT NUMBER 7351246 RECORDED DECEMBER 13, 1921, LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 1, LYING SOUTH OF A LINE DRAWN FROM THE NORTHEAST CORNER OF LOT 1 TO THE NORTHWEST CORNER OF LOT 2, LYING WEST OF AND ADJOINING THE WEST LINE OF LOT 2 AND THE SOUTHERLY EXTENSION THEREOF AND LYING NORTH OF THE SOUTH LINE OF SAID LOT 2 PRODUCED WEST TO THE EAST LINE OF LOT 1 AFORESAID, ALL IN WILSHIRE'S SUBDIVISION OF THE SOUTH HALF OF BLOCK 29 IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST HALF OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS SAID AREA BEING 2,006 SQ. FT. OR 0.05 ACRES MORE OR LESS as shaded and legally described by the words "HEREBY DEDICATED" 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 opened and the public interest will be subserved by such dedication.

Vacation:

THAT PART OF THE NORTH-SOUTH PUBLIC ALLEY LYING EAST OF LOT 1 IN WILSHIRE'S SUBDIVISION OF THE SOUTH HALF OF BLOCK 29, IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST HALF OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 30, 1903 AS DOCUMENT NUMBER 3348099 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 00 DEGREES 15 MINUTES 26 SECONDS WEST 125.33 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE EAST-WEST 16 FOOT PUBLIC ALLEY IN WILSHIRE'S SUBDIVISION AFORESAID AND THE EAST LINE OF SAID LOT 1; THENCE NORTH 89 DEGREES 57 MINUTES 49 SECONDS EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE 16 FOOT PUBLIC ALLEY 21.08 FEET TO THE MOST NORTHERLY NORTHWEST CORNER OF LOT 32 IN WILSHIRE'S SUBDIVISION AFORESAID; THENCE SOUTH 45 DEGREES 25 MINUTES 07 SECONDS WEST ALONG THE NORTHWEST LINE OF LOT 32 AFORESAID 7.11 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF SAID LOT 32; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF LOT 32 AFORESAID 120.35 FEET TO THE SOUTHWEST CORNER OF SAID LOT 32; THENCE SOUTH 89 DEGREES 59 MINUTES 18 SECONDS WEST ALONG THE NORTH LINE OF W. 38th STREET 16.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID AREA BEING 2,017 SQ. FT. OR 0.05 ACRES MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit B, 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 dedication herein provided for is accepted upon the express condition that the Developer shall be responsible for adhering to certain terms of the Chicago Department of Water Management, as follows:

1. Any existing private sewers in the areas to be dedicated will be sealed and removed at the expense of the beneficiary, in accordance with the standard procedures of the Department of Water Management, Sewer Section.
2. If and when the existing private main sewers and appurtenances are abandoned, the abandonment plans must meet the Department of Water Management, Sewer Design Section's requirements.
3. Private structures are not allowed in the public right of way without an ordinance established by the City Council. Existing private structures must be relocated into private property, abandoned or established through a City Council ordinance.
4. It is the owner's / developer's responsibility to provide proper drainage in the areas to be dedicated. When the final plans are available, the owner's / developer's engineering staff must discuss those plans with Sewer Section Engineering Personnel.
5. Any underground sewer work, including the public main sewers and sewer structures associated with the proposed dedication, must be submitted for review and installed at the expense of the beneficiary. The maintenance of the public sewers and sewer structures will be accepted by the Department of Water Management only, after physical and videotape inspection approved by the Department of Water Management.
6. Permits are required to be obtained by a Licensed Drainlayer from the Department of Buildings - Sewer Permit Section for all underground sewer work, in both the public way and on private property. As-built plans of the public alley sewer and combined public main sewers indicating the street location of the main sewer(s) and appurtenances must be submitted to the Department of Water Management for record purposes within 30 days of completion.


SECTION 3. The dedication for public way herein provided for is made upon the express condition that the Developer shall construct the newly dedicated public alley, 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, and in accordance with the executed Duty to Build Agreement attached herein and made a part of this ordinance as Exhibit C.

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

SECTION 5. The vacation and dedication herein provided for are made upon the express condition that within 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 attached plats 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 and dedication shall take effect and be in force from and after recording of the approved plats.

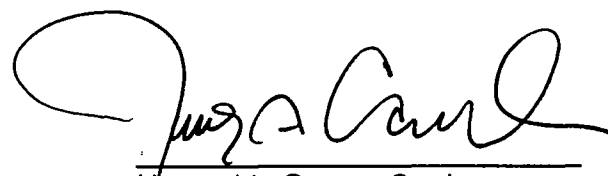
Vacations and Dedication Approved:



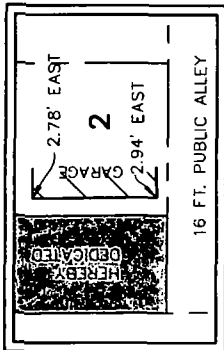
Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Lisa Misher
Chief Assistant Corporation Counsel

Honorable George Cardenas
Alderman, 12th Ward



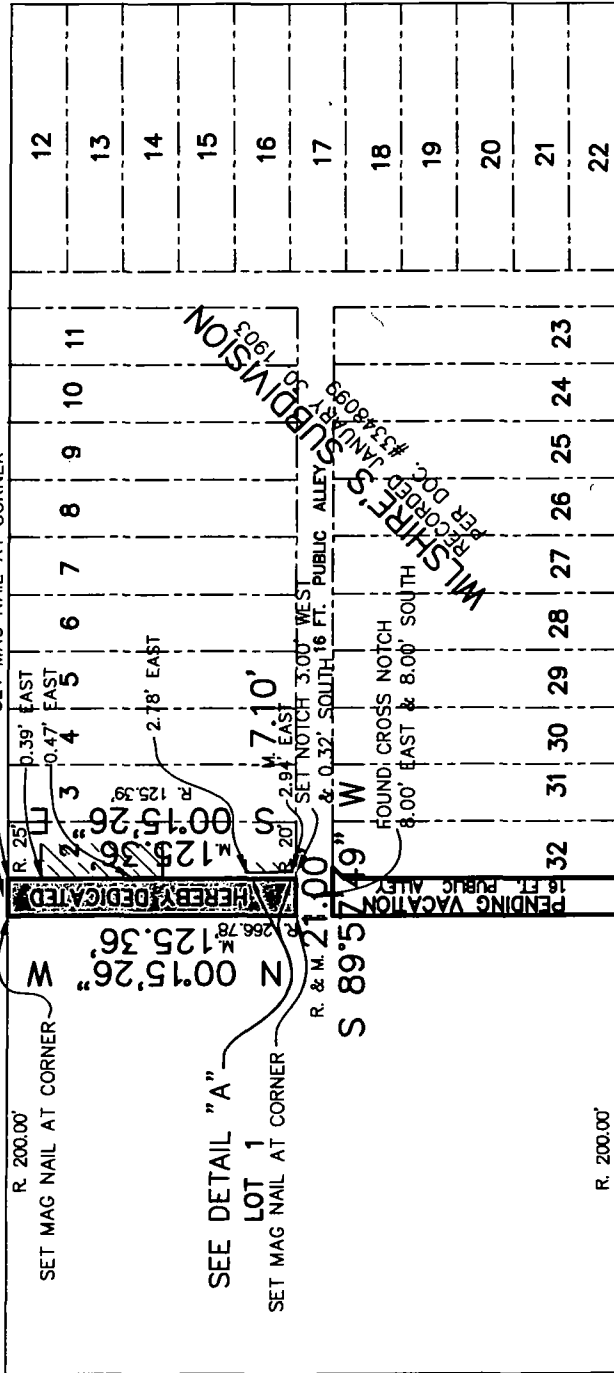
DETAIL "A" - SCALE 1"=30'

EXHIBIT "A" PLAT OF DEDICATION

W. 37th PLACE

(RECORD 66 FT. PUBLIC R.O.W.)

TRAFFIC FLOW
← N 89°59'08" E
R. & M. 16.00' FOUND CENTER NAIL OF 5 PK NAILS
2.00' NORTH & 8.00' WEST
SET MAG NAIL AT CORNER



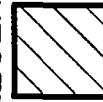
TRAFFIC FLOW
↑ S. PAULINA STREET
(RECORD 66 FT. PUBLIC R.O.W.)

TRAFFIC FLOW
↑ S. ASHLAND AVENUE
(RECORD 100 FT. PUBLIC R.O.W.)

TRAFFIC FLOW
↑

W. 38th STREET
(RECORD 66 FT. PUBLIC R.O.W.)

LEGEND



BUILDING HATCH



HEREBY DEDICATED

RECORD LINES

UNDERLYING LOTS

BOUNDARY LINES

R. RECORD MEASURE
M. MEASURED MEASURE

GRAPHIC SCALE



(IN FEET)
1" = 80'

REVISED APRIL 12, 2018 (BB)
REVISED APRIL 10, 2018 (BB)
REVISED APRIL 7, 2018 #2018-25265 (BB)

CDOT# 31-12-17-3838

ORDERED BY ARCHDIOCESE OF CHICAGO	CHECKED BB	DRAWN BB
GREMLEY & BIEDERMANN A Division of PLCS, CORPORATION LICENSE NO. 184-005322 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE (773) 685-5102 FAX (773) 286-4184 EMAIL INFO@PLCS-SURVEY.COM		
DATE AUGUST 8, 2017	PAGE NO. 1 OF 3	
ORDER NO. 2017-24684-001		

10/10/2017 2017-24684-001.dwg

EXHIBIT "A"
PLAT OF DEDICATION

State of Illinois)
County of Cook)ss

THAT PART OF THE NORTH-SOUTH VACATED 16 FOOT PUBLIC ALLEY
VACATED PER DOCUMENT NUMBER 7351246 RECORDED DECEMBER 13,
1921, LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 1, LYING SOUTH
OF A LINE DRAWN FROM THE NORTHEAST CORNER OF LOT 1 TO THE
NORTHWEST CORNER OF LOT 2, LYING WEST OF AND ADJOINING THE WEST
LINE OF LOT 2 AND THE SOUTHERLY EXTENSION THEREOF AND LYING
NORTH OF THE SOUTH LINE OF SAID LOT 2 PRODUCED WEST TO THE EAST
LINE OF LOT 1 AFORESAID, ALL IN WILSHIRE'S SUBDIVISION OF THE SOUTH
HALF OF BLOCK 29 IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST HALF OF
SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST, OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF PROPERTY = 2,006 SQ. FT. OR 0.05 ACRES MORE OR LESS

Catholic Bishop of Chicago, does hereby certify that it is the owner of the
property described hereon and that it has caused the said property to be
surveyed and dedicated as shown hereon.

Dated: _____ A.D. 2018.

By: _____

State of Illinois)
County of _____)ss

I, _____, a Notary Public in and for the County and
State aforesaid, do hereby certify that _____ personally
known to me to be the same person who appeared before me this day in
person and acknowledged that he (she) is the owner of the property described
on the plat hereon drawn and that as such owner he (she) signed, sealed and
delivered the said instrument for the uses and purposes therein set forth.
Given under my hand and seal
this _____ day of _____ A.D. 2018.

SURVEYOR'S NOTES:

FIELD MEASUREMENTS COMPLETED ON APRIL 7, 2018

ZONING = RT4

Note R. & M. denotes Record and Measured distances respectively.

Except as shown hereon there are no buildings or bodies of water within or adjacent to the property described
hereon. Remaining improvements removed at the clients request.

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.

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

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2017 "All Rights Reserved"

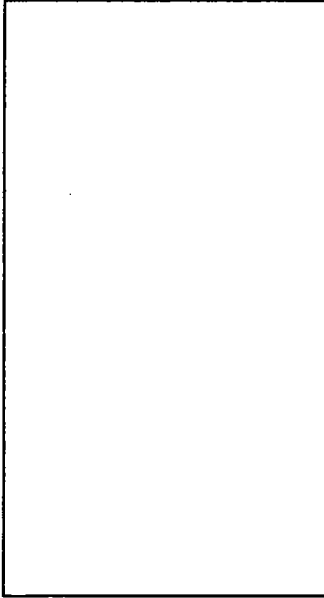
REVISED APRIL 12, 2018 (BB)
REVISED APRIL 10, 2018 (BB)
REVISED APRIL 7, 2018 #2018-25265 (BB)

CDOT# 31-12-17-3838

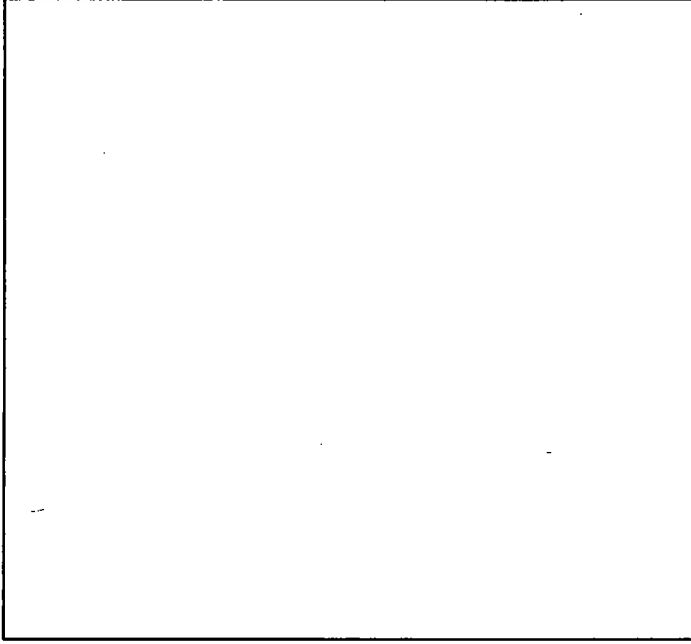
ORDERED BY ARCHDIOCESE OF CHICAGO	CHECKED: DRAWN: BB
ADDRESS:	
GREMLEY & BIEDERMANN PLCS, CORPORATION LICENSE NO. ILL-005322 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE (773) 585-5102 FAX (773) 286-4184 EMAIL INFO@PLCS-SURVEY.COM	
ORDER NO.	DATE: AUGUST 8, 2017
2017-24684-001	SCALE: 1 INCH = 80 FEET
	PAGE NO. 2 OF 3

2017-24684-001-2017-24285-2017-24684-001.dwg

EXHIBIT "A"
PLAT OF DEDICATION



CITY - DEPT. OF FINANCE



COOK CO.

C.D.O.T.

SURVEY PREPARED FOR & MAILED TO:

ARCHDIOCESE OF CHICAGO
835 N. RUSH STREET
CHICAGO, ILLINOIS 60611-2030
REVISED APRIL 12, 2018 (BB)
REVISED APRIL 10, 2018 (BB)
REVISED APRIL 7, 2018 #2018-25265 (BB)
CDOT# 31-12-17-3838

ORDERED BY: ARCHDIOCESE OF CHICAGO	CHECKED: BB	DRAWN: BB
ADDRESS:		
GREMLEY & BIEDERMANN A Division of PLCS, CORPORATION LICENSE NO. 184-005322 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: AUGUST 8, 2017	PAGE NO. 3 OF 3
2017-24684-001		SCALE: 1 INCH = 80 FEET

PINS:
17-31-423-001-0000
17-31-423-002-0000

State of Illinois)
County of Cook)ss

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the herein 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 APRIL 7, 2018

Signed on April 12, 2018

By:

Gregory Biedermann



Professional Illinois Land Surveyor No. 2802

My license expires November 30, 2018


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




EXHIBIT "B"



S. ASHLAND AVENUE
(RECORD 100 FT. PUBLIC R.O.W.)



CDOT# 31-12-17-3838

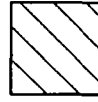
ORDERED BY: ARCHDIOCESE OF CHICAGO	CHECKED:	DRAWN:
ADDRESS: 1640 W 38TH STREET		BB
		
GREIMLEY & BIEDERMANN A Division of PLCS CORPORATION LICENSE NO. 184-005322 PROFESSIONAL LAND SURVEYORS		
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE (773) 685-5102 FAX (773) 286-4184 EMAIL INFO@PLCS-SURVEY.COM		
ORDER NO.	PAGE NO.	
2017-24285-001	DATE:	1 OF 3
	SCALE:	
1 INCH = 80 FEET		
DATE: AUGUST 8, 2017		
SCALE: 1 INCH = 80 FEET		

GRAPHIC SCALE



(IN FEET)
1" = 80'

- ## LEGEND



BUILDING HATCH



HEREBY VACATED

RECORD LINES

UNDERLYING LOTS

BOUNDARY LINES

R. RECORD MEASURE

M. MEASURED MEASURE

EXHIBIT "B"

PLAT OF VACATION

THAT PART OF THE NORTH-SOUTH PUBLIC ALLEY LYING EAST OF LOT 1 IN WILSHIRE'S SUBDIVISION OF THE SOUTH HALF OF BLOCK 29, IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST HALF OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 30, 1903 AS DOCUMENT NUMBER 3348099 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 00 DEGREES 15 MINUTES 26 SECONDS WEST 125.33 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE EAST-WEST 16 FOOT PUBLIC ALLEY IN WILSHIRE'S SUBDIVISION AFORESAID AND THE EAST LINE OF SAID LOT 1; THENCE NORTH 89 DEGREES 57 MINUTES 49 SECONDS EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE 16 FOOT PUBLIC ALLEY 21.08 FEET TO THE MOST NORTHERLY NORTHWEST CORNER OF LOT 32 IN WILSHIRE'S SUBDIVISION AFORESAID; THENCE SOUTH 45 DEGREES 25 MINUTES 07 SECONDS WEST ALONG THE NORTHWEST LINE OF LOT 32 AFORESAID 7.11 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF SAID LOT 32; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF LOT 32 AFORESAID 120.35 FEET TO THE SOUTHWEST CORNER OF SAID LOT 32; THENCE SOUTH 89 DEGREES 59 MINUTES 18 SECONDS WEST ALONG THE NORTH LINE OF W. 38th STREET 16.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AREA OF PROPERTY = 2,017 SQ. FT. OR 0.05 ACRES MORE OR LESS

SURVEYOR'S NOTES:

FIELD MEASUREMENTS COMPLETED ON AUGUST 8, 2017

ZONING = RT4

Note R. & M. denotes Record and Measured distances respectively.

Except as shown hereon there are no buildings or bodies of water within or adjacent to the property described hereon. Remaining improvements removed at the clients request.

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.

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

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2017 "All Rights Reserved"

REVISED APRIL 12, 2018 (BB)
REVISED APRIL 10, 2018 (BB)
REVISED APRIL 4, 2018 #2018-25265 (BB)

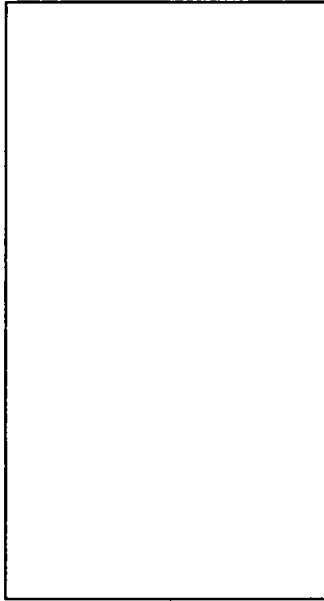
CDOT# 31-12-17-3838

ORDERED BY: ARCHDIOCESE OF CHICAGO	CHECKED: BB	DRAWN: BB
ADDRESS: 1640 W. 38TH STREET		
GREMLEY & BIEDERMANN A Division of PLCS CORPORATION LICENSE NO. 184-005322 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE (773) 685-5102 FAX (773) 286-4184 EMAIL: INFO@PLCS-SURVEY.COM		
DATE: AUGUST 8, 2017	PAGE NO. 2 OF 3	
SCALE: 1 INCH = 80 FEET		
2017-24285-001 ORDER NO. 2017-24285-001.dwg		

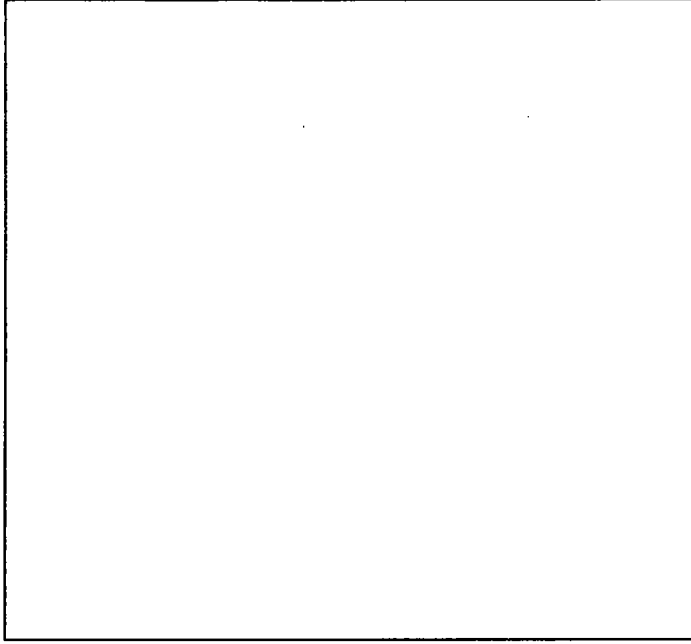


EXHIBIT "B"

PLAT OF VACATION



CITY - DEPT. OF FINANCE



COOK CO.

C.D.O.T.

SURVEY PREPARED FOR & MAILED TO:

ARCHDIOCESE OF CHICAGO
835 N. RUSH STREET
CHICAGO, ILLINOIS 60611-2030

REVISED APRIL 12, 2018 (BB)
REVISED APRIL 10, 2018 (BB)
REVISED APRIL 4, 2018 #2018-25265 (BB)

CDOT# 31-12-17-3838

ORDERED BY: ARCHDIOCESE OF CHICAGO	CHECKED: BB	DRAWN: BB
ADDRESS: 1640 W. 35TH STREET		
GREMLEY & BIEDERMANN <small>PLCS CORPORATION</small> <small>PROFESSIONAL LAND SURVEYORS</small> <small>4505 NORTH ELSTON AVENUE CHICAGO, IL 60630</small> <small>TELEPHONE (773) 685-5102 FAX (773) 286-4184 EMAIL INFO@PLCS-SURVEY.COM</small>		
DATE: AUGUST 8, 2017	PAGE NO: 3	OF 3
2017-24285-001 <small>SCALE: 1 INCH = 80 FEET</small>		

PINS:
17-31-423-001-0000
17-31-423-012-0000

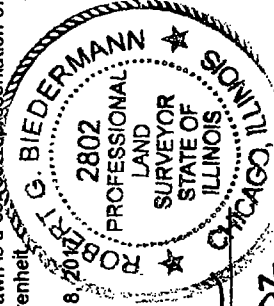
State of Illinois
County of Cook)ss

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the herein 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 AUGUST 8, 2017

Signed on April 17, 2018

By: Robert G. Biedermann



Professional Illinois Land Surveyor No. 2802

My license expires November 30, 2018

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





Office of Real Estate
835 N. Rush Street
Chicago, IL 60611
tel 312.534.8210 fax 312.534.8392
www.archchicago.org

Eric Wollan
Director of Capital Assets
ewollan@archchicago.org

DUTY TO BUILD AGREEMENT FOR CREATION OF NEW STREET/ALLEY

In support of my current application with the Chicago Department of Transportation's Public Way unit, for a dedication of my private property for new public way, I hereby state that I am an applicant or the company agent for the applicant company involved in the project, and that I have the authority to agree to the below terms of the dedication.

PLEASE INITIAL AGREEMENT:

EW

I am aware that I am responsible for the construction of all public and private rights of way (streets, alleys, etc.) described on the Plat of Subdivision/Dedication associate with unique

CDOT FILE: 31-12-17-3833

EW

I further understand that all rights of way (both public and private) must be built to City specifications as detailed in the most current version of CDOT's Regulation for Openings, Construction and Repair in the Public Way.

EW

Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards.

Signed: Eric Wollan

Date: 12/15/2017

Printed name: Title: DIRECTOR OF CAPITAL ASSETS

Full Address: 835 N. RUSH STREET

CHICAGO, IL 60611

Organization Name: The CATHOLIC BISHOP OF CHICAGO

Phone/fax: (312) 534-8317

Email: emorris@archchicago.org

Notary: