

City of Chicago

Office of the City Clerk

Document Tracking Sheet



O2018-3217

Meeting Date:

Sponsor(s):

Type:

Title:

Committee(s) Assignment:

4/18/2018

Cardenas (12)

Ordinance

Dedication and vacation of public alley(s) in area bounded by W 37th PI, S Ashland Ave, W 38th St and S Paulina St 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 DEGREES15 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 <u>Regulations for</u> <u>Opening, Repair and Construction in the Public Way</u> 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 roperty abutting said part Fifty thousand dollars property part of public alley hereby vacated the sum dollars (\$ 50,000.00), 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.

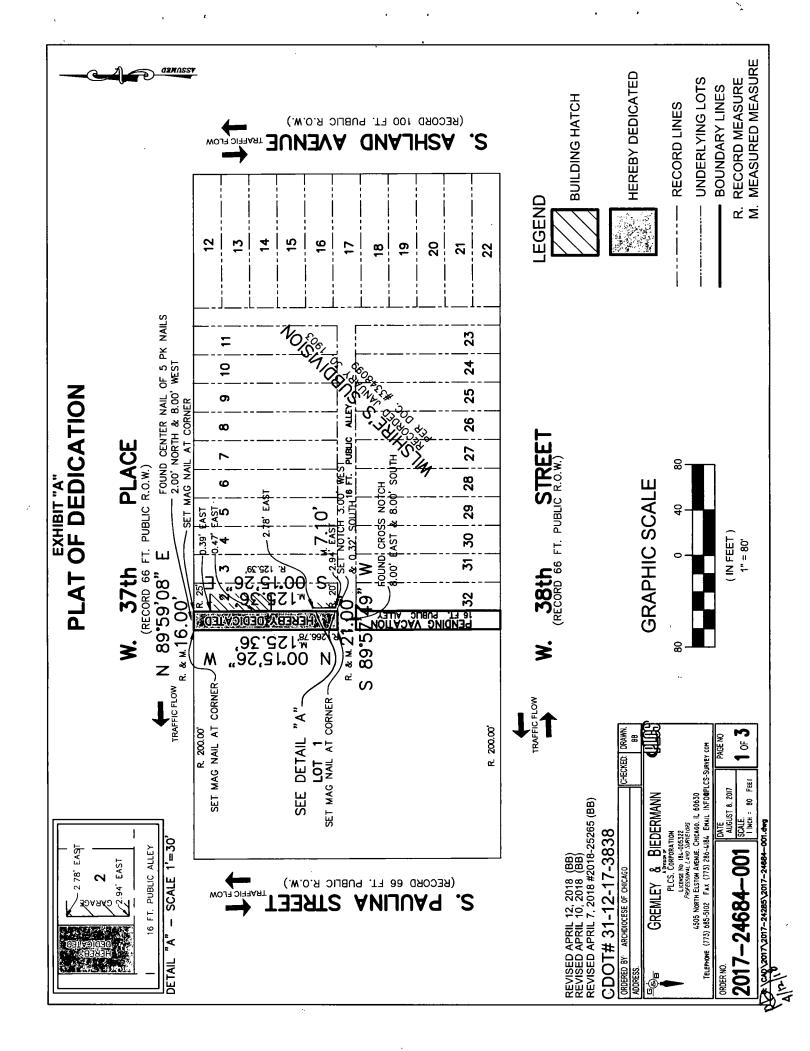
Vacations and Dedication Approved:

Rebekah Scheinfeld Commissioner of Transportation

Approved as to Form and Legality

Lisa Misher Chief Assistant Corporation Counsel

Honorable George Cardenas Alderman, 12th Ward



	State of Illinois) County of Cook)ss 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:	I,	Notary Public	PLETED ON APRIL 7, 2018	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"
PLAT O	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, 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 EAST LINE OF LOT 1 AFORESAID, ALL IN WILSHIRE'S SUBDIVISION OF THE EAST LINE OF LOT 1 AFORESAID, ALL IN WILSHIRE'S SUBDIVISION OF THE EAST 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		SURVEYOR'S NOTES:	FIELD MEASUREMENTS COMPLETED ON APRIL 7, 2018 ZONING = RT4	ED APRIL 12, 2018 (BB) ED APRIL 10, 2018 (BB) ED APRIL 7, 2018 #2018-25265 (BB) 77# 31-12-17-3838	ORDERED BY. ARCHDIOCESE OF CHICAGO OREAL Distances are marked in feet and decimal parts thereof ADDRESS ORDERED BB Distances are marked in feet and decimal parts thereof	PAGE NO.

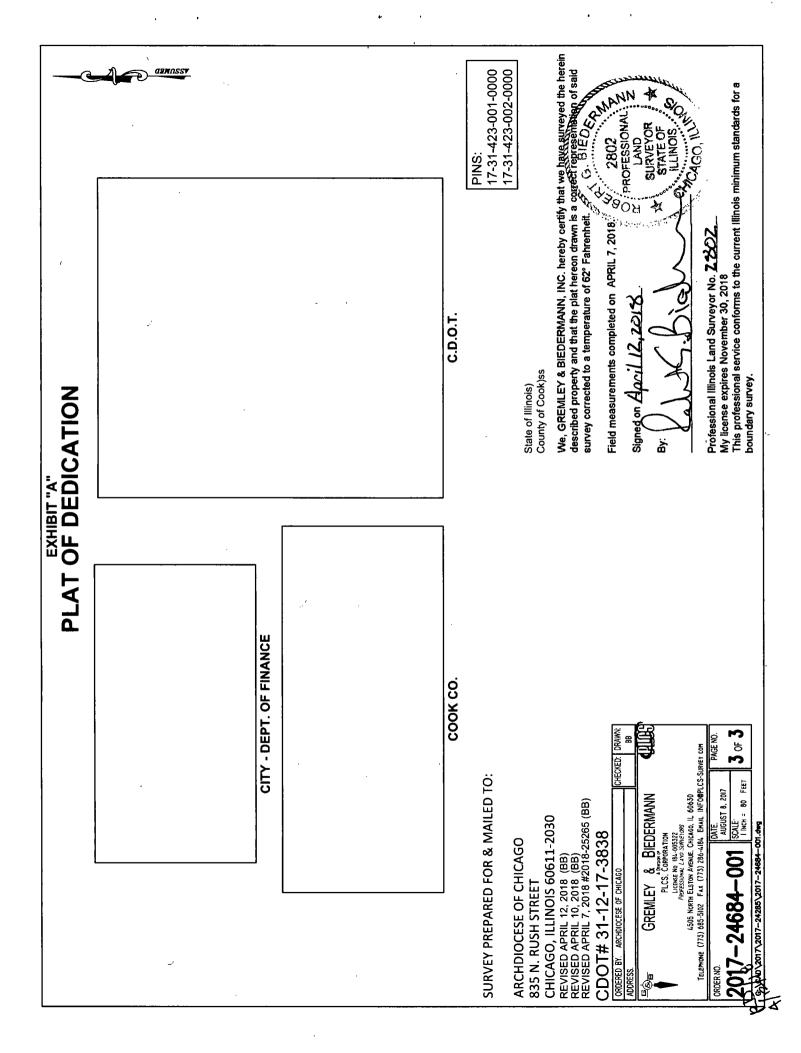
. .

• •

i

, ,

.



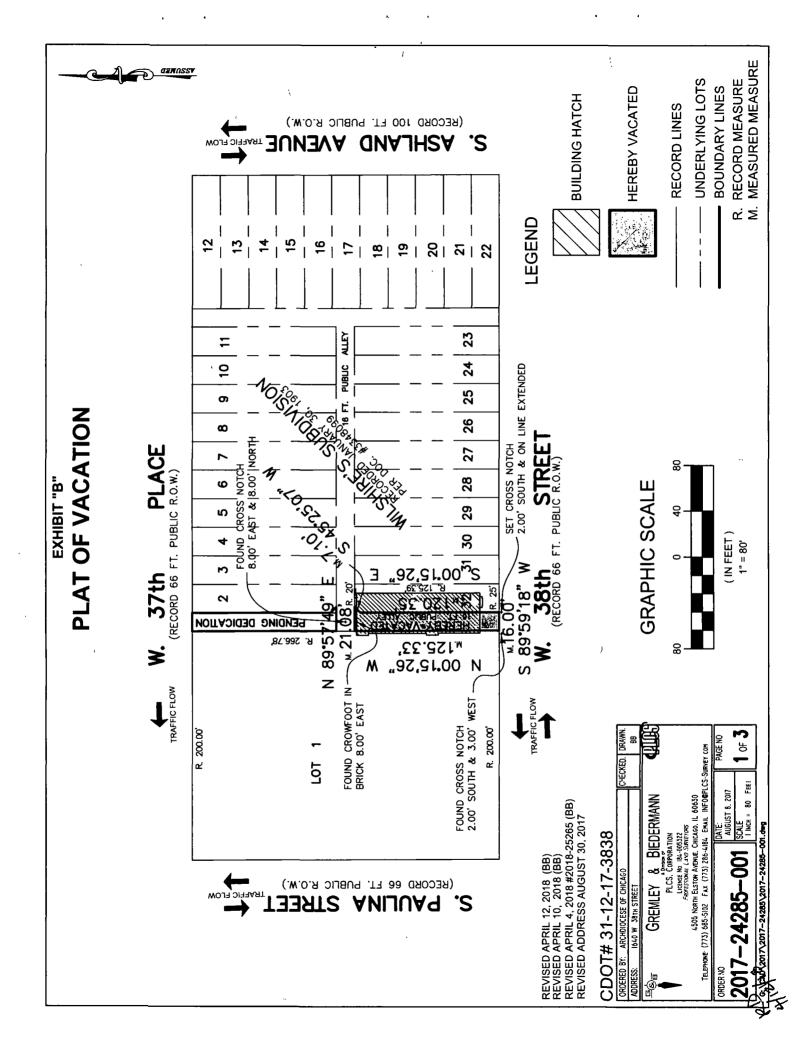


EXHIBIT "B" PLAT OF VACATION

NORTHWEST CORNER OF LOT 32 IN WILSHIRE'S SUBDIVISION AFORESAID; THENCE SOUTH 45 32 AFORESAID 120.35 FEET TO THE SOUTHWEST CORNER OF SAID LOT 32; THENCE SOUTH 89 THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE EAST-WEST 16 FOOT PUBLIC ALLEY THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF LOT DEGREES 59 MINUTES 18 SECONDS WEST ALONG THE NORTH LINE OF W. 38th STREET 16.00 N WILSHIRE'S SUBDIVISION AFORESAID AND THE EAST LINE OF SAID LOT 1; THENCE NORTH 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 DEGREES15 MINUTES 26 SECONDS WEST 125.33 FEET TO A POINT OF INTERSECTION WITH MERIDIAN, RECORDED JANUARY 30, 1903 AS DOCUMENT NUMBER 3348099 DESCRIBED AS 89 DEGREES 57 MINUTES 49 SECONDS EAST ALONG THE WESTERLY EXTENSION OF THE FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 00 AFORESAID 7.11 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF SAID LOT 32; THAT PART OF THE NORTH-SOUTH PUBLIC ALLEY LYING EAST OF LOT 1 IN WILSHIRE'S DEGREES 25 MINUTES 07 SECONDS WEST ALONG THE NORTHWEST LINE OF LOT 32 SOUTH LINE OF THE 16 FOOT PUBLIC ALLEY 21.08 FEET TO THE MOST NORTHERLY FET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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

REVISED APRIL 12, 2018 (BB) REVISED APRIL 10, 2018 (BB) REVISED APRIL 4, 2018 #2018-25265 (BB) CDOT# 31-12-17-3838 ONDERD BY: ARCHDICESS OF CHICAGO

	CHECKED: DRAWN:	88					SURVEY COM	PAGE NO.	1	2 of 3
CD01# 31-12-17-3838	ORDERED BY ARCHCIOCESE OF CHICAGO	ADDRESS. 1640 W 381H STREET	[⊑] © _∰ Gremley & Biedermann	PLCS. CORPORATION	LICENSE NO 184-005322 FROFESSIONAL LAND SIRFIED	4505 NORTH ELSTON AVENUE. CHICAGO. IL 60630	TELEPHONE (773) 685-5102 FAX (773) 286-4184 EMAIL INFOGPLCS-SURVEY COM	DRDFR ND DATE	AUGUST 8. 2017	2017-24285-001 SCALE 101 FIELD

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"

2\2017\2017-24285\2017-24285-001.dw

	· ·		• •
EXHIBIT "B" OF VACATION		C.D.O.I. PINS: 17-31-423-001-0000 17-31-423-012-0000	Bigned on ADCI/12, 22/13 Bigned on ADCI/12, 22
EXHIBIT "B" PLAT OF VAC	CITY - DEPT OF FINANCE	SURVEY PREPARED FOR & MAILED TO: ARCHDIOCESE OF CHICAGO	CHICAGO, ILLINOIS 60611-2030 REVISED APRIL 12, 2018 (BB) REVISED APRIL 10, 2018 (BB) REVISED APRIL 1

.







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:

an

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: 31-12-1-3833

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 <u>Regulation for Openings</u>, <u>Construction and Repair in the Public Way</u>.

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: Wolla	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: <u>Cmorris @archchicago.org</u>		
Notary:		



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

CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER CITY HALL-SECOND FLOOR 121 NORTH LASALLE 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

December 12, 2018

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 proposed ordinance transmitted herewith for a VACATIONS to THE CATHOLIC BISHOP OF CHICAGO (BLESSED SACRAMENT CHURCH) - 02018-3217 A proposed vacation and dedication of 16' wide, north-south alley in the block bounded by West 37th Place, West 38th Street, South Paulina Street and South Ashland Avenue. This ordinance was referred to Committee on April 18, 2018.

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

(Ward 12)

Respectfully submitted,

att albula

Anthony Beale, Chairman