



City of Chicago



O2018-7012

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	9/20/2018
Sponsor(s):	Maldonado (26)
Type:	Ordinance
Title:	Vacation of public alley(s) in area bounded by W Dickens Ave, N Spaulding Ave, W Armitage Ave and N Kimball 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 3320-3326 W. Armitage Avenue and at 3228-3336 W. Armitage Avenue are owned by Chicago Title Land Trust Company trust #1234, pursuant to a trust agreement dated March 27, 1995, and by Devon Bank trust #4971, pursuant to a trust agreement dated October 1, 1984, respectively (collectively, the "Developer"); and

WHEREAS the property owner of 2017-2019 N. Kimball Avenue (PIN 13-35-233-018) has quit claimed to Louis Kyriazopoulos, who is a beneficiary of the Developer trusts, its interests in the alley to be vacated herein ; and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for a delivery driveway for trucks servicing the adjacent Armitage Produce; 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 portion of the public alley described in the following ordinance; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1.

THE 16 WIDE FOOT EAST-WEST ALLEY LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF N. KIMBALL AVENUE; LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOT 14 ; LYING WEST OF THE EAST LINE OF SAID LOT 14 EXTENDED SOUTH; LYING NORTH OF THE NORTH LINE OF LOTS 15, 16, 17 AND PART OF LOT 18 IN BLOCK 10 IN C.N. SHIPMAN, W.A. BILL AND N.A. MERRILL'S SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, PLAT RESTORED JUNE 3, 1889, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 2,891 SQUARE FEET OR

0.066 ACRE, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit A, which plat 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, AT&T/SBC, Comcast and their 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, AT&T/SBC, and/or Comcast facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without the express written release of easement by the involved utilities. Any future vacation beneficiary-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, 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 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 4. 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 plats as approved by the Acting Superintendent of Maps and Plats.


SECTION 5. This ordinance shall take effect and be in force from and after its passage and approval. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

Vacation Approved:

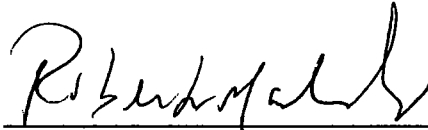


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Lisa Misher
Deputy Corporation Counsel



Honorable Roberto Maldonado
Alderman, 26th Ward

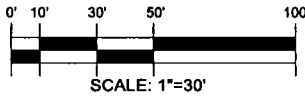
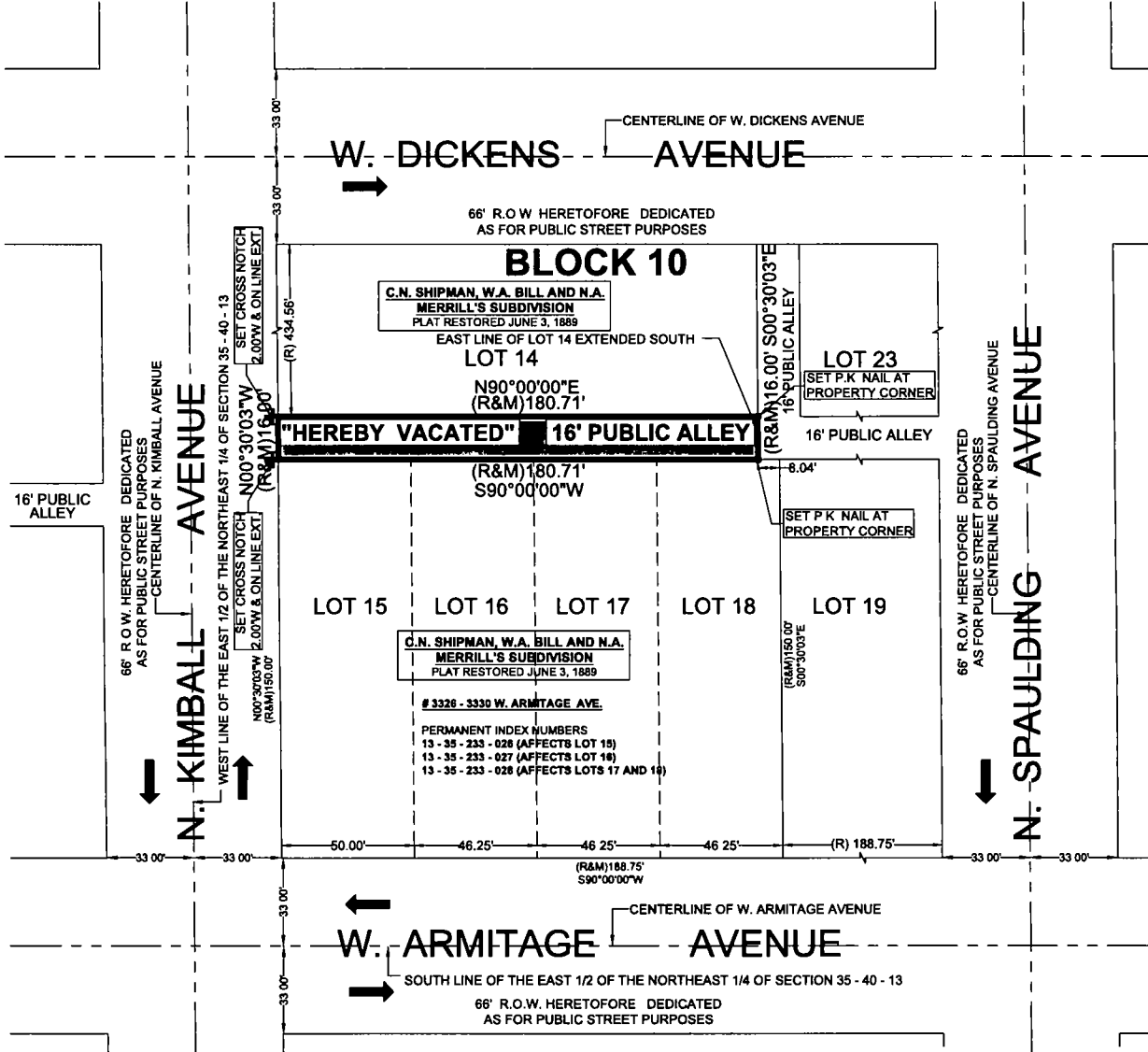


EXHIBIT "A" PLAT OF VACATION OF

THE 16 FOOT WIDE EAST-WEST ALLEY LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF N KIMBALL AVENUE, LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOT 14; LYING WEST OF THE EAST LINE OF SAID LOT 14 EXTENDED SOUTH; LYING NORTH OF THE NORTH LINE OF LOTS 15, 16, 17 AND PART OF LOT 18 IN BLOCK 10 IN C N SHIPMAN, W.A. BILL AND N.A. MERRILL'S SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, PLAT RESTORED JUNE 3, 1889, IN COOK COUNTY, ILLINOIS
SAID PARCEL CONTAINING 2,891 SQUARE FEET OR 0.066 ACRE, MORE OR LESS



LEGEND	
	AREA TO BE VACATED
	BOUNDARY LINE OF PROPOSED VACATION
	RIGHT-OF-WAY LINE
	LOT LINE
	TRAFFIC FLOW DIRECTIONAL'S
(R)	RECORD DATA
(M)	MEASURED DATA
R.O.W.	RIGHT OF WAY

CDOT #35-26-18-3860

PROJECT No.:
2017 - 24986
ISSUE DATE
5/22/17
SCALE: 1"=30'
SHEET NUMBER
1 OF 2

PLAT PREPARED FOR:
REGNER (RAY) SUAREZ
4844 W. WOLFRAM ST.
CHICAGO, IL 60641

PLAT PREPARED BY:
UNITED SURVEY SERVICE, LLC
CONSTRUCTION AND LAND SURVEYORS
7710 CENTRAL AVENUE, RIVER FOREST, IL 60305
TEL.: (847) 299 - 1010 FAX: (847) 299 - 5887
E-MAIL: USURVEY@USANDCS.COM

NO	REVISIONS	DATE
1	REVISED PER COMMENTS	08/02/18
2	REVISED PER COMMENTS	09/07/18
3	REVISED PER COMMENTS	09/11/18
4		
5		
6		

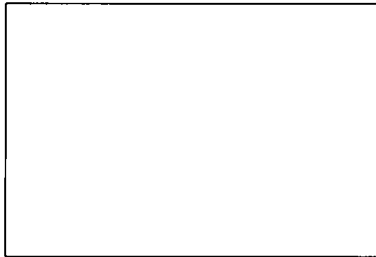
EXHIBIT "A" PLAT OF VACATION

MAIL TO :

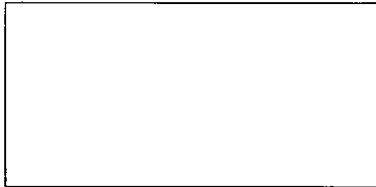
REGNER (RAY) SUAREZ
4844 W. WOLFRAM ST.
CHICAGO, IL 60641

PERMANENT INDEX NUMBERS:

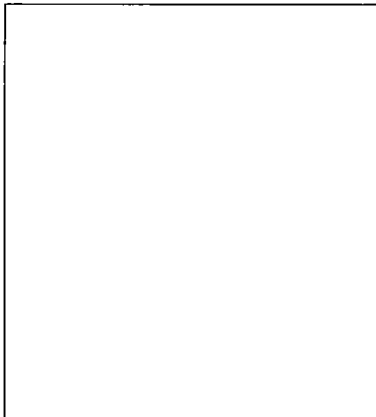
13 - 35 - 233 - 026 (AFFECTS LOT 15) APPLICANT OWNED
13 - 35 - 233 - 027 (AFFECTS LOT 16) APPLICANT OWNED
13 - 35 - 233 - 028 (AFFECTS LOTS 17 AND 18) APPLICANT OWNED
13-35-233-018 (AFFECTS LOT 14) NONAPPLICANT OWNED



CITY-DEPT. OF FINANCE



COOK CO.



C.D.O.T.

SURVEYOR'S NOTES

THE BASIS OF BEARINGS IS ASSUMED.

CITY OF CHICAGO ZONED:
C1-1, NEIGHBORHOOD COMMERCIAL DISTRICT

DATE OF COMPLETION OF FIELD WORK : MAY 22, 2017

NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS.

STATE OF ILLINOIS)
) S.S.
COUNTY OF COOK)

I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE
PREPARED THE PLAT OF VACATION FOR THE PURPOSE
SHOWN HEREON.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE
CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT.

RIVER FOREST, ILLINOIS, AUGUST 2, A.D. 2018

BY:

Roy G. Lawniczak

ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290
LICENSE EXPIRES: NOVEMBER 30, 2018
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004578
LICENSE EXPIRES: APRIL 30, 2019



CDOT #35-26-18-3860

PROJECT No.:
2017 - 24986
ISSUE DATE:
5/22/17
SCALE: 1"=30'
SHEET NUMBER
2 OF 2

PLAT PREPARED FOR:
REGNER (RAY) SUAREZ
4844 W. WOLFRAM ST.
CHICAGO, IL 60641

PLAT PREPARED BY

UNITED SURVEY SERVICE, LLC

CONSTRUCTION AND LAND SURVEYORS
7710 CENTRAL AVENUE, RIVER FOREST, IL 60305
TEL.: (847) 299 - 1010 FAX: (847) 299 - 5887
E-MAIL: USURVEY@USANDCS.COM

NO.	REVISIONS	DATE
1	REVISED PER COMMENTS	08/02/18
2	REVISED PER COMMENTS	09/07/18
3	REVISED PER COMMENTS	09/11/18
4		
5		
6		



CHICAGO DEPARTMENT OF TRANSPORTATION
CITY OF CHICAGO

08/31/18

Mr. Edward Siskel
Corporation Counsel
Room 600 - City Hall
Chicago, IL 60602-1289

Attention: Ms. Lisa Misher
Deputy Corporation Counsel

Re: Proposed Vacation for Trust 1234 and 4971 (Armitage Produce)
Commercial File: 35-26-18-3860

Dear Mr. Siskel:

Pursuant to a request from Mr. Louis Kyriazopoulos, we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed vacation the southernmost E-W alley in the block bounded by W. Armitage Avenue, N. Kimball Avenue, W. Dickens Avenue and N. Spaulding Avenue. This property is located in the 26th Ward.

Trusts 1234 and 4971 (beneficiaries: Louis and Sia Kyriazopoulos) are the owners of record to the property adjoining the public alley to be vacated. The people to contact in connection with this proposed ordinance are Mr. Ray Suarez at 773-501-5807 and Mr. Peter Paulos at 847-738-1097.

An easement has been reserved for Comed, ATT/SBC and Comcast in Section 2 of the ordinance. All other underground utility agencies are either not involved or have made suitable arrangements. Section 3 requires compensation to the City for the land being conveyed. Sections 4 and 5 are standard language regarding the ordinance.

Sincerely,


Rebekah Scheinfeld
Commissioner

Originated by:



Luann Hamilton
Deputy Commissioner

RS: LH: RD

cc: Alderman Maldonado (26)

Alderman Anthony Beale

Sandra Foreman/w Attach. Dwg.-s.f. & Ord. (3) file copies

(2) Maps & Plans LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 60602



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 23, 2019

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 TRUST 1234 AND 4971 (ARMITAGE PRODUCE) - 02018-7012 A proposed vacation of the southernmost east-west alley in the block bounded by West Armitage Avenue, North Kimball Avenue, West Dickens Avenue and North Spaulding Avenue This ordinance was referred to Committee on September 20, 2018.

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

(Ward 26)

Respectfully submitted,

Anthony Beale,
Chairman