

City of Chicago



O2018-7013

Office of the City Clerk

Document Tracking Sheet

Meeting Date:

9/20/2018

Sponsor(s):

Waguespack (32)

Type:

Ordinance

Title:

Vacation of public alley(s) in area bounded by W Oakdale Ave, N Honore St, W Diversey Pkwy and N Wolcott 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 1813-1817 W. Oakdale Avenue, 1821 W. Oakdale Avenue, 1825-1847 W. Oakdale Avenue, 1853 W. Oakdale Avenue, 2901-2911 N. Wolcott Avenue, 2915-2925 N. Wolcott Avenue, and along the north side of vacated W. George Street (extending east from N. Wolcott Avenue) are adjacent to the area proposed for vacation (collectively, the "Adjacent Properties") and are subject to the rights of the Landmark Village Homeowners Association, an Illinois not-for-profit corporation ("LVHA"); and

WHEREAS, LVHA, pursuant to its bylaws, is authorized to act on behalf of the members identified therein, for the purpose set forth therein; and

WHEREAS, LVHA proposes to use the portion of the alley to be vacated herein as an access driveway for the Adjacent Properties; 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 the 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 16 FOOT EAST-WEST AND NORTH-SOUTH ALLEY LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF N. WOLCOTT AVENUE; LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 4 TO 6, INCLUSIVE, IN LANDMARK VILLAGE - UNIT 1, RECORDED JULY 26, 1994 AS DOCUMENT NUMBER 94658101, BEING A RESUBDIVISION OF LOTS 96 TO 105, INCLUSIVE, LOT 107 AND LOTS 154 TO 164, INCLUSIVE, IN WILLIAM DEERING'S DIVERSEY AVENUE SUBDIVISION IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 3, 1895 AS DOCUMENT NUMBER 2195612 AND PART OF VACATED

W. GEORGE STREET ADJACENT TO SAID LOTS 154 THROUGH 164, AND PART OF LOTS 1 AND 2 IN OWNER'S PLAT OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED SEPTEMBER 2, 1896 AS DOCUMENT NUMBER 2436261 AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 94, 95 AND 106 IN SAID WILLIAM DEERING'S DIVERSEY AVENUE SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND LYING SOUTH OF AND ADJOINING THE NORTHERLY LINE OF LOT 20 IN SAID LANDMARK VILLAGE -UNIT 1, EXTENDED WEST TO THE EAST LINE OF LOT 94 IN SAID WILLIAM DEERING'S DIVERSEY AVENUE SUBDIVISION; LYING WEST OF AND ADJOINING THE WESTERLY LINE OF LOT 20 IN SAID LANDMARK VILLAGE - UNIT 1; LYING NORTH OF AND ADJOINING THE NORTHERLY LINE OF LOTS 7 AND 21 IN SAID LANDMARK VILLAGE - UNIT 1, ALL IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 6,865 SQUARE FEET, 0.158 ACRES, 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 vacations.

SECTION 2 The City of Chicago hereby reserves a perpetual, unobstructed, nonexclusive access easement on, over and across the area herein vacated, for the benefit of the owners of Lots 95 and 106 ("Lots") (PINs 14-30-222-013 and 14-30-222-002, respectively), and their successors or assigns, with the right of ingress and egress at all times for the Lot owners, their clients or servicers, as necessary to facilitate the operations of said Lots. It is further provided that no buildings or other structures shall be erected on said easement, or other use made of the area herein vacated which would interfere with the operations of said Lots, without an express written release by the owners of the Lots, or their successors or assigns.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T/SBC 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 and/or AT&T/SBC facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without an express written release of easement by the applicable utility(ies). Any future vacation-beneficiary-prompted relocation of facilities lying within the area being vacated will be accomplished by the applicable utility, and be done at the expense of LVHA, its successors or assigns.

SECTION 4. The City of Chicago hereby reserves for the benefit of The Peoples Gas Light and Coke Co. ("Peoples Gas") an easement to operate, maintain, repair, renew and replace existing underground facilities and to construct new facilities in all of the area to be vacated, with the right of ingress and egress at all times for any and all such purposes. It is further provided that no buildings or other structures shall be erected upon or over said easement herein reserved for Peoples Gas or other use made of the said area which would interfere with the construction, operation, maintenance, repair, removal, or replacement of said facilities, or the construction of additional facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without an express written release of easement by Peoples Gas. Any future vacation-beneficiary prompted relocation of Peoples Gas facilities lying within the area herein vacated will be accomplished by Peoples Gas, and completed at the expense of LVHA, its successors or assigns

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, LVHA 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 that hard and Sixty three hard dollars (\$ 103,000.00)), which sum in the judgment of this body will be equal to such benefits.

SECTION 6. The vacation herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, LVHA 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 7. 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.

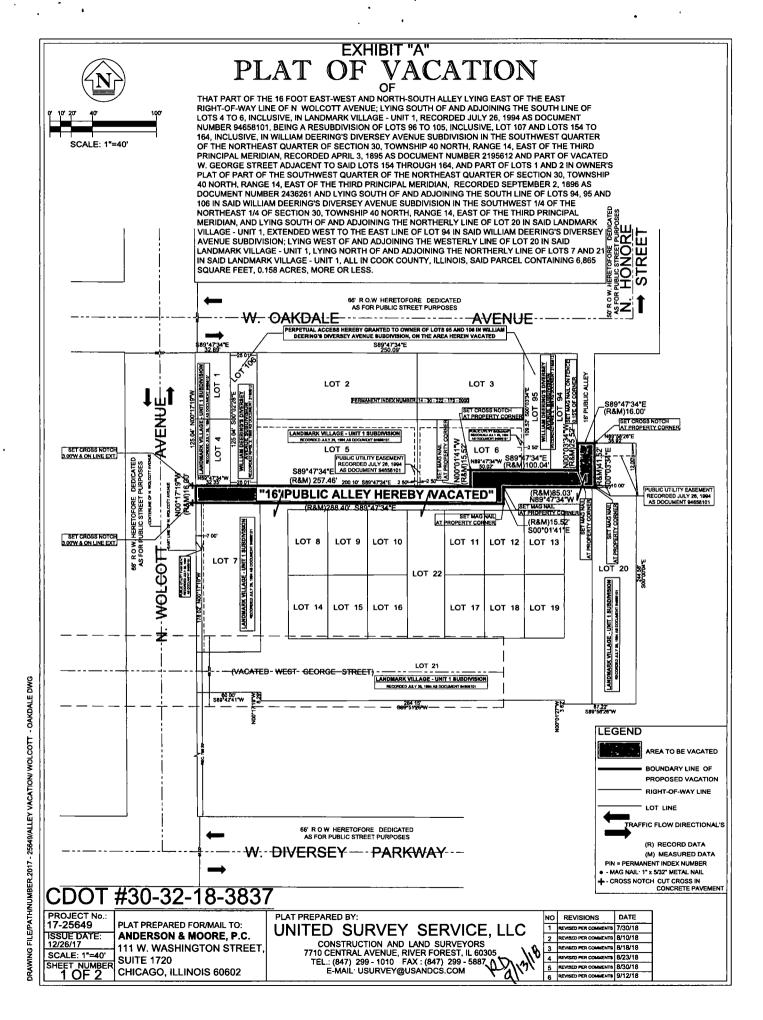
Vacation Approved:

Repekah Scheinfeld Commissioner of Transportation

Approved as to Form and Legality

Deputy Corporation Counsel

Honorable Scott Waguespack Alderman, 32nd Ward



PLAT OF VACATION

	OI VAIOAI.		<u> </u>
	P.I.N S ADJACENT TO THE VACATION		\$ 1929 W. OAKDALE AVENUE, UNIT A, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1007
MAIL TO : ANDERSON & MOORE	# 1821 W. OAKDALE AVENUE, CHICAGO, IL 6 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 0		# 1829 W. OAKDALE AVENUE, UNIT B, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1008
111 W WASHINGTON STREET, SUITE 1720 CHICAGO, IL 60602	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 0 # 1817 W. OAKDALE AVENUE, CHICAGO, IL 6		# 1829 W. OAKDALE AVENUE, UNIT C, CHICAGO, IL 80657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1009
	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	82 - 0000	# 1829 W. OAKDALE AVENUE, UNIT D, CHICAGO, IL 80657
	# 1823 W. OAKDALE AVENUE, CHICAGO, IL 6 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 0	13 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1010 # 1829 W. OAKDALE AVENUE, UNIT E, CHICAGO, IL 80857
	# 1851 W. OAKDALE AVENUE, CHICAGO, IL 6 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 0	0 <u>657</u> 02 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1011 #_1829 W. OAKDALE AVENUE, UNIT F, CHICAGO, IL 80657
	# 2925 N WOLCOTT AVENUE, CHICAGO, IL 60 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1		PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1012 # 1835 W. OAKDALE AVENUE, UNIT A, CHICAGO, IL 60657
CITY-DEPT. OF FINANCE	# 2919 N WOLCOTT AVENUE, CHICAGO, IL 60 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	<u>657</u> 13 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1022
	# 2907 N. WOLCOTT AVENUE, UNIT A, CHICA PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1		# 1835 W. OAKDALE AVENUE, UNIT B, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1023
	# 2907 N. WOLCOTT AVENUE, UNIT B, CHICA PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1		# 1835 W. OAKDALE AVENUE, UNIT C, CHICAGO, IL 60857 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1024
	# 2907 N. WOLCOTT AVENUE, UNIT C, CHICA PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1		# 1835 W. OAKDALE AVENUE, UNIT D, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1025
COOK CO.	# 2909 N. WOLCOTT AVENUE, UNIT A, CHICA PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	GO, IL 60657	# 1835 W. OAKDALE AVENUE, UNIT E, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1026
	# 2909 N. WOLCOTT AVENUE, UNIT B, CHICA	GO, IL 60657	# 1835 W OAKDALE AVENUE, UNIT F, CHICAGO, IL 80857 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1027
	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1 # 2909 N. WOLCOTT AVENUE, UNIT C, CHICA	GO, IL 60657	# 1835 W OAKDALE AVENUE, UNIT G, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1028
	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1		# 1835 W. OAKDALE AVENUE, UNIT H, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1029
	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1		# 1835 W. OAKDALE AVENUE, UNIT I, CHICAGO, IL 60857 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1030
	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1 # 2903 N WOLCOTT AVENUE, UNIT C, CHICAG	21 - 0000	# 2901 N. WOLCOTT AVENUE, UNIT A, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1031
	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	22 - 0000	# 2901 N. WOLCOTT AVENUE, UNIT J, CHICAGO, IL 60657
	# 2905 N WOLCOTT AVENUE, UNIT A, CHICAG PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	23 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1040 # 2835 N. WOLCOTT AVENUE, UNIT I, CHICAGO, IL 80857
	# 2905 N WOLCOTT AVENUE, UNIT B, CHICAG PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	24 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1114 § 2835 N. WOLCOTT AVENUE, UNIT A, CHICAGO, IL 80857
C.D.O.T.	# 2905 N WOLGOTT AVENUE, UNIT C, CHICAG PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	25 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1115 # 2835 N. WOLCOTT AVENUE, UNIT B, CHICAGO, IL 80857
LANDMARK VILLAGE HOMEOWNERS ASSOCIATION HEREBY CERTIFIES THAT IT IS THE ENTITY AUTHORIZED TO ACT UNDER ITS BYLAWS ON BEHALF OF ITS MEMBERS CONTAINED THEREIN REGARDING THE	# 2909 N WOLCOTT AVENUE, CHICAGO, IL 80657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 126 - 0000		PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1116 # 2835 N WOLGOTT AVENUE, UNIT C, CHICAGO, IL 60657
PROPERTY ADJACENT TO THE AREAS HEREIN VACATED, AND GRANTS TO THE OWNERS OF LOTS 95 and 106 AS DEPICTED ON THE ATTACHED PLAT,	# 2909 N WOLCOTT AVENUE, CHICAGO, IL 60 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 1	<u>657</u> 27 - 0000	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1117
PERPETUAL, UNOBSTRUCTED, NONEXCLUSIVE ACCESS EASEMENT OVER THE AREA DESCRIBED IN ACCORDANCE WITH AND AS DEPICTED ON THE ATTACKED BLAT A LEFERY VACANTE, IN METALES A LEFERY VACANTE.			# 2835 N. WOLCOTT AVENUE, UNIT D, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1118
ATTACHED PLAT AS HEREBY VACATED, IN WITNESS THEREOF SAID HOMEOWNER ASSOCIATION HAS SIGNED, OR CAUSED TO BE SIGNED ON ITS BEHALF BY ITS DULY AUTHORIZED AGENT, THIS CERTIFICATE ON THE			# 2835 N. WOLCOTT AVENUE, UNIT E, CHICAGO, IL 60657 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 173 - 1119
DAY OFAD 2018	P.I.N.S WITH PERPETUAL ACCESS HEREBY GRA	NTED	APPLICANT OWNED
BY·	LOT 95 PERMANENT INDEX NUMBER: 14 - 30 - 222 - 0		
NOTARY CERTIFICATE:	LOT 106		
STATE OF ILLINOIS)) S.S.	PERMANENT INDEX NUMBER: 14 - 30 - 222 - 0	SURVEYOR'S NO	
COUNTY OF COOK)		RESUBDIVISION.	
I, A NOTARY PUBLIC IN AND FOR SAID COUNTY AFORESAID DO HEREBY CERTIFY THAT NAME , TITLE	IN THE STATE	0111 01 01110110	ED DEVELOPMENT 536
NAME:, TITLE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE	E SUBSCRIBED TO		LETION OF FIELD WORK: DECEMBER 11, 2017 SHOULD BE ASSUMED BY SCALE MEASUREMENTS.
THE FOREGOING INSTRUMENT AS TITLE: AND TITLE. AND TITLE. RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED, AND DELIVERED SAID INSTRUMENT AS THEIR OWN FREE		STATE OF ILLINOIS) SS.	
AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH, AND THE SAID TITLE: DID		COUNTY OF COOK)	
ALSO THAN AND THERE ACKNOWLEDGE THAT HE/SHE AS CUSTODIAN OF THE CORPORATE SEAL TO SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION FOR THE USES AND PURPOSES THE		I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE PREPARED THE PLAT OF VACATION FOR THE PURPOSE SHOWN HEREON	
FORTH. GIVEN UNDER MY HAND AND NOTARIAL SEAL THISDAY OF		THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.	
GIVEN UNDER MT PAND AND NOTAKIAL SEAL THISDAT OF		DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE	
BY:NOTARY PUBLIC			A TEMPERATURE OF 88" FAHRENHEIT ILLINOIS, AUGUST 30, A.D. 2018.
COMMISSION EXPIRES		A	<i>u d</i> .
Commission Express			NICZAK, REGISTERED ILLINOS LAND SURVEYOR NO. 35-226
DOT #30-32-18-3837		PROFESSION	PIRES: NOVEMBER 30, 2018 NAL DESIGN FIRM LICENSE NO. 184-004576 PIRES: APRIL 30, 2019

PROJECT No.: 17-25649 ISSUE DATE: 12/26/17 SCALE: 1"=40"

PLAT PREPARED FOR/MAIL TO-ANDERSON & MOORE, P.C. 111 W. WASHINGTON STREET, SHEET NUMBER 2 OF 2 CHICAGO, IL CHICAGO, ILLINOIS 60602

PLAT PREPARED BY:

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

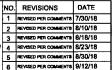
E-MAIL: USURVEY@USANDCS.COM

1 REVISED PER COMMENTS 8/10/18

4 REVISED PER COMMENTS 8/10/18

5 REVISED PER COMMENTS 8/10/18

6 REVISED PER COMMENTS 9/12/18







CITY OF CHICAGO

CITY COUNCIL

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

March 13, 2019

ALDERMAN, 9TH WARD 34 East 112TH PLACE CHICAGO, ILLINOIS 60628

TELEPHONE (773) 785-1100 Fax (773) 785-2790 E-MAIL: WARD 09 @ CITY OF CHICAGO, ORG

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 LANDMARK VILLAGE HOMEOWNERS ASSOCIATION - 02018-7013 A proposed vacation of a portion of the east-west alley in the block bounded by West Oakdale Avenue, West George Street (vacated) North Wolcott Avenue and North Ravenswood 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 32)

Respectfully submitted,

Cuty albula

Anthony Beale, Chairman