



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Details (With Text)

**File #:** O2021-4779  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/14/2021      **In control:** City Council  
**Final action:** 7/20/2022  
**Title:** Vacation of public alley(s) in area bounded by E 8th St, S Michigan Ave, E 9th St and S Wabash Ave  
**Sponsors:** King, Sophia D.  
**Indexes:** Vacation  
**Attachments:** 1. O2021-4779.pdf

Date	Ver.	Action By	Action	Result
7/20/2022	1	City Council	Passed	Pass
7/13/2022	1	Committee on Transportation and Public Way	Recommended to Pass	
10/14/2021	1	City Council	Referred	

### COMMERCIAL VACATION 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 approximately 833-845 S. Wabash Avenue and 824-834 S. Michigan Avenue are owned by Michigan 830 LLC an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley remnant to be vacated herein to expand their adjacent surface parking lot and other upgrades; 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.

VACATION of:

ALL OF THE EAST-WEST 11 FOOT WIDE ALLEY AND THAT PART OF THE NORTH-SOUTH 10 FOOT WIDE ALLEY DEDICATED FOR PUBLIC ALLEY LYING NORTH OF THE SOUTH LINE OF THE NORTH HALF OF LOT 9 IN BLOCK 17 IN FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ACCORDING TO ANTE-FIRE PLAT ENTITLED "PLAT OF THE WEST 10 FEET OF LOT 9 AND THE EAST 80 FEET OF LOT 10 IN BLOCK 17 FRACTIONAL SECTION 15 ADDITION TO CHICAGO, TOGETHER WITH PORTIONS OF LOTS 7, 8, 9 AND 10 HEREBY DEDICATED AS A PUBLIC ALLEY", RECORDED JULY 5, 1870 AS DOCUMENT NO. 58426, IN BOOK 171 OF MAPS, PAGE 85, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 89 DEGREES 14 MINUTES 21 SECONDS ALONG THE SOUTH LINE OF LOT 9 AFORESAID 10.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST ALONG A LINE 10 FEET WEST AND PARALLEL WITH THE WEST LINE OF LOT 9 AFORESAID 40.19 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 25.69 FEET; THENCE NORTH 56 DEGREES 50 MINUTES 30 SECONDS WEST 16.13 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 39 SECONDS WEST 76.50 FEET TO THE WEST LINE OF THE EAST 80 FEET OF SAID LOT 10; THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 11.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 39 SECONDS EAST 80.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE SOUTH 00 DEGREES 01 MINUTES 27 SECONDS WEST

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ALONG THE WEST LINE OF LOT 8 AFORESAID 1.50 FEET; THENCE SOUTH 79 DEGREES 25 MINUTES 07 SECONDS EAST 20.35 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 9; THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS EAST 40.19 FEET TO SOUTH LINE OF THE NORTH HALF OF SAID LOT 9; THENCE SOUTH 89 DEGREES 14 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF LOT 9 AFORESAID 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. SAID ABOVE DESCRIBED PARCEL CONTAINING 1,438 SQUARE FEET OF LAND, 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, Crowncastle, RCN, 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 said utilities. 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, Crowncastle, RCN, Comcast, their successors or assigns. Any future Developer-prompted relocation of facilities lying within the area being vacated will be accomplished by the involved utility, and be done at the sole expense of the Developer, 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 \_\_\_\_\_ dollars (\$ ), which sum in the judgment of this body will be equal to such benefits.

SECTION 4. The vacation herein provided for is made under the express condition that the Developer, its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

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 Cook County Clerk/ Recordings Division, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Superintendent of Maps and Plats.

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**SECTION 6. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.**

**Vacation Approved:**

**Giswagi Commissioner or transportation**

**Approved as to Form and Legality**

**Arthur Dolinsky Senior Counsel**

**Introduced By:**

EXHIBIT "A"

## PLAT OF VACATION

ALL OF THE EAST WEST 11 FOOT WIDE ALLEY AND THAT PART OF THE NORTH-SOUTH 10 FOOT WIDE ALLEY  
DEDICATED FOR PUBLIC ALLEY LYING NORTH OF THE SOUTH LINE OF THE NORTH- HALF OF LOT 9 IN BLOCK 1 / IN  
FRACTIONAL SECTION 11, TOWNSHIP 3S NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN

ACCORDING TO ANTC.P1R1; oiaT ENTITLED 'PLAT OF THE vWEST !Q FEET OF LOT 0 AND THE EAST WJ FEET Or  
LOT IC IN BLOCK >: FRAC dONA; SFCTION 15 ADO>TICN '■ 'CHK' AiJO TOGETHER WITH =OR'ICNS OF LOTS 7 8 9  
AND 10 HEREBY DEDICA! ED AS A PUBLIC ALLEY". RECORDED JULY 5. 1870 AS DOCUMENT MO. 58426, IN  
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LOT 9 THENCE NOR'H 89 DEGREES '1 MINUTES 21 SECONDS ALONG THE SOUTH LINE OF LOT 9 AFORESAID 10 00  
FEET. THENCE NOR TH 00 DEGREES 01 MINUTES 27 SECONDS WEST ALONG A LINE 10 FEET WEST AND PARALLEL  
WITH THE WEST LINE OF LOT 9 AFORESAID 40 19 FEET TO THE POINT OF BEGINNING. THENCE NORTH 00 DEGREES  
01 MINUTES 27 SECONDS WEST 25 09 FEET. THENCE NORTH 56 DEGREES 50 MINUTES 30 SECONDS WEST IS 13  
FEE T. THENCE SOUTH 89 DEGREES 14 MINUTES 39 SECONDS WEST 76 50 FEET TO THE WEST LINE OF THE EAST 80  
FEET OF SAID LOT 10. THENCE NORTH 00 DEGREES 01 MINUTES 27 SECONDS WEST 11 00 FEET. THENCE NORTH 39  
OEGREES14 MINUTES 3S SECONDS EAST 80 00 FEET TO A FOINT ON THE WEST LINE OF SAID LOT 8, THENCE SOUTH  
00 DEGREES 01 MINUTES 27 SECONDS EAST ALONG THE WEST UNE OF LOT 8 AFORESAID 1.50 FEET. THENCE  
SOUTH 79 DEGREES 25 MINUTES 07 SECONDS EAST 20.35 FEET TO A. POINT ON THE NORTH LINE OF SAID LOT 9.  
THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS EAST 40 19 FEET TO SOUTH LINE OF THE NORTH HALF OF  
SAID LOT 9. THENCE SOUTH 89 DEGREES 14 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH  
HALF OF LOT 9 AFORESAID 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY. ILLINOIS  
SAID ABOVE DESCRIBED PARCEL CON FAINING 1.438 SQUARF FEE X OF LAND, MORE OR LESS

E. 8TH. STREET  
(RECORC 66 FT. PUBLIC R.O W )

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E. 9TH. STREET  
(RECORD 65 FT. PUBUC R O.W )

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EXHIBIT "A"  
**PLAT OF VACATION**

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i15-305-028 SOU<sup>th</sup> HALF OF -IOI' 9 :N FRAC SEC 15-39- 14 :7-15-305-0<sup>th</sup>a SOUTH HALF CF - ,OT 9 IN  
FRAC SEC 15-3S-14 17-15-305-01 7 NORTH HALF OF LOT 9 & LOT 8 IN FRAC SEC 15-39-14 17-15-305-  
010 PART OF LOT 10 IN FRAC SEC 15-39-14 17-15-3C5-C07 SUB LOT 2 !!>; CANAL 4 TRUSTEES  
SUBDIVION 1 7-15-305-008 SUB LOT 2 N CANAL a TRUSTEES SUBDIVION

CHICAGO DEPARTMENT OF TRANSPORTATION

BUILDING  
FOOTPRINT HATCH

HEREBY VACATED

RECORD LINES  
- r ' UNDERLYING LOTS.  
; - BOUNDARY LINES"  
:-7-- PENDING VACATION  
BOUNDARY (R) RECORD\*, (M) MEASURED'

TRAFFRcTIOw TRAFFIC FLOW ■

COOK COUNTY



PREPARED FOR & MAIL TO:

Jordan Macavity  
190 Liberty Road Suite One.

Crystal Lake, IL 60014

**CDOT# 15-04-21-3972**

SURVEYOR'S NOTES:

Field measurements completed on DECEMBER 7, 2011.

EXCEPT FOR BUILDING FOOTPRINTS. IMPROVEMENTS HAVE BEEN OMITTED AT CLIENTS REQUEST

ZONING  
DX-1A DOWNTOWN MIXED-USE DISTRICT, PO 1323 RESIDENTIAL BUSINESS PLANNED DEVELOPMENT

SURVEYOR'S LICENSE EXPIRES NOVEMBER 30, 2022 DESIGN FIRM LICENSE EXPIRES APRIL 30, 2023

Note (R) distances Record and Measured distances

Distances shown in feet and decimal parts. Compare all points BEFORE building by same and all once report any - Jiffs n - see b BEFORE damage n done

For easements, building lines and other notes not shown on survey plan refer to your abstract, deed, contract title policy and local building fire rules.

MO dimensions shall be assumed by scale unless otherwise noted.

Unless otherwise noted hereon the Benchmark Elevation Datum and Coordinate Datum if used is ASSUMED.

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State of Illinois County of Cook

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plan hereon drawn is a correct representation of the survey conducted to a tolerance of 0.02" per station to the current Illinois Monuments for a boundary survey.

Field measurements completed on SEPTEMBER 27, 2021.  
J.S.

Robert C. UWCrmnJin. ProfMion. Land Surveyor. My License expires November 30, 2023 DESIGN FIRM LICENSE EXPIRES A  
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REVISED SEPTEMBER 27, 2021 #2021-29334 ;831

•VV GREMLEY & BIEDERMANN  
**2020-28157-001**  
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