



Office of the City Clerk

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Legislation Details (With Text)

File #: O2014-9749
Type: Ordinance **Status:** Passed
File created: 12/10/2014 **In control:** City Council
Final action: 3/18/2015
Title: Vacation of public alley(s) in area bounded by S Morgan St, W 37th Pl, S Sangamon St and W 38th St
Sponsors: Balcer, James
Indexes: Vacation
Attachments: 1. O2014-9749.pdf, 2. O2014-9749(V1).pdf

Date	Ver.	Action By	Action	Result
3/18/2015	1	City Council	Passed	Pass
3/11/2015	1	Committee on Transportation and Public Way	Recommended to Pass	Pass
1/14/2015	1	Committee on Transportation and Public Way	Recommended to Pass	Pass
12/10/2014	1	City Council	Referred	

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 3738-3750 and 3752-3768 S. Sangamon Street, and 944-962 and 968-980 W. 38th Street are owned by 969 Land LLC, an Illinois Limited Liability Company; and

WHEREAS, 969 Land LLC proposes to use the portion of the alleys to be vacated herein for inclusion in a subsequent resubdivision; 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 public alleys, described in the following ordinance; now therefore,

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

SECTION 1. PARCEL 1: THAT PART OF THE 18 FOOT WIDE EAST-WEST ALLEY, LYING SOUTH OF LOT 1 AND LYING NORTH OF LOT 16 IN BLOCK 15 IN GAGE, LEMOYNE AND HUBBARD'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE FIRE, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 16; THENCE NORTH 00 DEGREES 00 MINUTES 19 SECONDS EAST, ON THE EAST LINE OF SAID LOT " 16, A DISTANCE OF 147.19 FEET TO THE NORTHEAST CORNER OF SAID LOT 16 AND TO THE POINT OF BEGINNING; THENCE NORTH 89

DEGREES 53 MINUTES 18 SECONDS WEST, ON THE NORTH LINE OF SAID LOT 16, A DISTANCE OF 31.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 16 AND TO THE EAST LINE OF THE VACATED ALLEY AS VACATED BY DOCUMENT NO. 5861289, RECORDED ON MAY 5TH, 1916; THENCE NORTH 00 DEGREES 00 MINUTES 19 SECONDS EAST, ON SAID EAST LINE, 18.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 54 MINUTES 36 SECONDS EAST, ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 31.02 FEET TO THE EAST LINE OF SAID BLOCK 15; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS WEST, ON SAID EAST LINE, 18.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE 18 FOOT WIDE NORTH-SOUTH ALLEY, LYING EAST OF LOT 17 IN BLOCK 15 IN GAGE, LEMOYNE AND HUBBARD'S SUBDIVISION OF THE EAST ¼ OF THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE FIRE, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 15; THENCE NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST, ON THE SOUTH LINE OF SAID BLOCK 15, A DISTANCE OF 206.17

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FEET TO THE SOUTHWEST CORNER OF LOT 9 AND TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, ON THE WEST LINE OF SAID LOT 9, A DISTANCE OF 26.02 FEET TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 17 AND ALSO BEING THE SOUTH LINE OF THE VACATED ALLEY AS VACATED BY DOCUMENT NO. 5861289, RECORDED ON MAY 5TH, 1916; THENCE NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST, ON SAID SOUTH LINE, 18.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 17; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, ON THE EAST LINE OF SAID LOT 17, A DISTANCE OF 26.02 FEET TO THE SOUTH LINE SAID BLOCK 15; THENCE SOUTH 89 DEGREES 52 MINUTES 00 SECONDS EAST, ON SAID SOUTH LINE, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, as shaded and legally described by the words HEREBY VACATED 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 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 for the benefit of Commonwealth Edison its 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 facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison facilities without express written release of easement by Commonwealth Edison. Any future vacation-beneficiary prompted relocation of Commonwealth Edison facilities lying within the area being vacated will be accomplished by Commonwealth Edison and done at the expense of beneficiary of the vacation.

SECTION 3. The vacation and dedication herein provided for are made upon the express condition that within 180 days after the passage of this ordinance, 969 Land LLC shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalk and curb at the entrance to that part of the alleys hereby vacated, in accordance with current Department of Transportation Construction Guidelines for construction of public way.

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, 969 Land LLC 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 herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance 969 Land LLC 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 a full sized plat as approved by the Superintendent of Maps and Plats.

SECTION 6. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

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Vacation Approved:

Rebekah Scheinfeld Commissioner of Transportation
Honorable James A. Balcerderman, 11th Ward

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CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

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COMMITTEE MEMBERSHIPS

Transportation & Public Way (Chairman)

Budget and Government Operations Committees, Rules and Ethics Education and Child Development

Finance Public Safety

ANTHONY A. BEALE

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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 A proposed vacation of all the remaining public alley segments in the block bounded by South Morgan Street, South Sangamon Street, West 37th Place, and West 38th Street in the 11th Ward. This ordinance was referred to the Committee on December 10, 2014.

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

(Ward 11)

Anthony (B*falet, Chairman

Respectfully submitted, '■

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