



# Office of the City Clerk

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

## Legislation Text

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File #: O2016-2656, Version: 1

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### 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 2518-2542 N. Lincoln Avenue are owned by Baker Lincoln HRD, LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for inclusion in the footprint of a new mixed-use building as depicted in Planned Development #1284; and

WHEREAS, the Developer has secured the consent of the owner of the neighboring property at 2540 N. Lincoln Avenue, with PIN 14-29-419-029, as described in the Consent to Vacation form herein attached as Exhibit C, which is hereby made a part of this ordinance; 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 part 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.

#### DEDICATION:

THAT PART OF LOT 15 LYING WEST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12 (EXCEPT THAT PART OF SAID LOT 15 DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET; THENCE NORTH 9.89 FEET MORE OR LESS TO THE NORTHWESTERLY LINE OF SAID LOT 15; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET TO THE PLACE OF BEGINNING) ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 148 SQUARE FEET OR 0.0034 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.

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WHEREAS, the properties at 2518-2542 N. Lincoln Avenue are owned by Baker Lincoln HRD, LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for inclusion in the footprint of a new mixed-use building as depicted in Planned Development #1284; and

WHEREAS, the Developer has secured the consent of the owner of the neighboring property at 2540 N. Lincoln Avenue, with PIN 14-29-419-029, as described in the Consent to Vacation form herein attached as Exhibit C, which is hereby made a part of this ordinance; 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 part 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.

**DEDICATION:**

THAT PART OF LOT 15 LYING WEST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12 (EXCEPT THAT PART OF SAID LOT 15 DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT 15; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET; THENCE NORTH 9.89 FEET MORE OR LESS TO THE NORTHWESTERLY LINE OF SAID LOT 15; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 15, A DISTANCE OF 7.0 FEET TO THE PLACE OF BEGINNING) ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 148 SQUARE FEET OR 0.0034 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.

**VACATION:**

THAT PART OF A NORTHEASTERLY-SOUTHWESTERLY 11.75 FOOT WIDE PUBLIC ALLEY LYING NORTHWESTERLY AND ADJOINING THAT PART OF THE NORTHWESTERLY LINE OF LOT 15; LYING SOUTHWESTERLY AND ADJOINING THAT PART OF THE SOUTHWESTERLY LINE OF LOT 1; LYING SOUTHEASTERLY AND ADJOINING THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF AFORESAID LOT 1; AND LYING EAST OF AND ADJOINING THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 12, ALL INCLUSIVE, IN THE SUBDIVISION OF LOT 6 IN BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 5, 1881 IN BOOK 16 PAGE 33 AS DOCUMENT NUMBER 351363, IN COOK COUNTY, ILLINOIS, SAID ABOVE PARCEL CONTAINING 151 SQUARE FEET OR 0.0035 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 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, facilities. No buildings, permanent structures or obstructions shall be placed over the area herein vacated without express written release of easement by Commonwealth Edison, AT&T/SBC and Comcast. Any future vacation-beneficiary prompted relocation of Commonwealth Edison, AT&T/SBC and/or Comcast facilities lying within the area being vacated will be accomplished by the involved utility, and done at the expense of beneficiary of the vacation.

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 abutting public alley hereby vacated the sum of Thirty Thousand Two Hundred Dollars (\$30,200.00), 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 record in the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Superintendent of Maps and Plats.

SECTION 5. 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 and Dedication Approved:

Rebekah Scheinfeld Commissioner of Transportation

Approved as to Form and Legality

Honorable Michele Smith Alderman, 43rd Ward

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**J**

traffic flow NORTH SHEFFIELD AVENUE

CONSENT TO VACATION (attach proof of ownership-title, deed etc) The undersigned, represents that he/she is the (check one)

owner

beneficiary

the duly authorized agent of the owner / beneficiary (CIRCLE ONE) described below:

Name of owner / beneficiary: . ffe({ e Thet^' O^C6.\$G LLC

Name of company (if applicable):

Mailing Address: / CAJ, flq«ie'i

LU/£yzip: CO(oY ?"

Telephone number:

( ) 93S-- H 3 3 C

If agent's address is different from the owner / beneficiary, complete the following:

Name of company:

tel:( )

Mailing Address:

\_zip:

tTroperty tor wnich consent is being given (insert common street addressees;):

with the \*Permanent IndexNumber(s): (PIN#) / H 9 ~ V/? ~<3-2-9 - OOP Q

(PIN tf)

(PIN#)\_

III. As the owner / beneficiary / duly authorized agent of the property described above, I give consent to the vacation of the public right-of-way described as:

TO BE PROVIDED BY THE VACATION APPLICANT- (insert common language description of vacation):

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The undersigned agrees to hold harmless and waive all claims for damages or compensation against the City of Chicago, arising from such vacation:

signed (PL ? h^~^

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\ digit numbers that usually take the form of 12-34-567-890-0000. The PIN is a unique i property and can be found on property tax bills relating to the specific property.

IAkjJci^ date ^/l//S printed CjIW I L^jNN kjU^i^tt^ PJN's are 14 digit numbers that usually take the form of 12-34-567-890-0000. The PIN is a unique number for each

OFFICIAL SEAL CAROL LYNN WHITTAKER Notary
Public - State of Illinois My Commission Expires Jun
23, 2017

ANTHONY A. BEALE

Aldermaw, 9th Ward 34 East 122th Place Chicago, Illinois 60628 telephone: (773) 785-1100
Fax: (773) 785-2790 e-mail: ward09@cityofchicago.org <mailto:ward09@cityofchicago.org>

## CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

City Hall - Second Floor 121 North LaSalle Street Chicago, Illinois 60602 TOLL FREE 312-744-4006 FAX 312-744-8155

June 15, 2016

COMMITTEE MEMBERSHIPS

Transportation & Public Way (Chairman)

Budget and Government Operations Committee, Rules and Ethics Education and Child Development Finance

Public Safety Workforce Development and Audit

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 and dedication of small sections of alley in the block bounded by North Sheffield Avenue, West Wrightwood Avenue, North Lincoln Avenue and West Altgeld Street. This ordinance was referred to the Committee on April 13, 2016.

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

(Ward 43)

Chairman