



Office of the City Clerk

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

Legislation Text

File #: O2021-4779, Version: 1

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

Page 1

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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.

Page 2

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:

Gisrugi 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 10 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-WEST HALF OF LOT 9 IN BLOCK 11 IN
FRACTIONAL SECTION 15, TOWNSHIP 35 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN
ACCORDING TO ANTIPLAT ENTITLED 'PLAT OF THE WEST 10 FEET OF LOT 10 AND THE EAST 10 FEET OF
LOT 11 IN BLOCK 11, FRACTIONAL SECTION 15, TOWNSHIP 35 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN
AND 10 HEREBY DEDICATED AS A PUBLIC ALLEY'. RECORDED JULY 5, 1870 AS DOCUMENT NO. 58426, IN
BOOK 171 OF MAPS, PAGE 25, AND DESCRIBED AS FOLLOWS COMMENCING AT THE SOUTHWEST CORNER OF SAID
LOT 9 THENCE NORTH 89 DEGREES 11 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 25.09 FEET. THENCE NORTH 56 DEGREES 50 MINUTES 30 SECONDS WEST 13.13
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 39

DEGREES 14 MINUTES 35 SECONDS EAST 80.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8, THENCE SOUTH 00 DEGREES 01 MINUTES 27 SECONDS EAST 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

E. 8TH. STREET
(RECORDED 66 FT. PUBLIC ROW)

LOT 2

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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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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'

TRAFR&TIOW TRAFFIC FLOW ■

COOK COUNTY

PREPARED FOR & MAIL TO:

Jordan Macavity
190 Liberty Road Suite One.

Crystal Lake, IL60014

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) d (M) dsnotes Record and Measured distances ftssucfrveiy

Distances marked in feet and decimal parts lhytecf Compar all points BEFORE building by same and all once report any -Jiffs n» nee b BEFORE damage n done

For easements, building lines and airier rosl notions not shown on survey plat refer to your abstract, deed, contract title policy and local building line rules/long.

MO dimensions shall be assumed by scale rnoa^urenjnt libhp <file:///ibhp> lvs plat

Unless otherwise noted hereon the Bounding 3i3i5. Elevation Datum and Coordinate Datum if used is ASSUMED ,

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State of Wootaj County of Cookjn

We, OREMLEY & BIEDERMANN, INC. hereby certify (fiat we haw curYBywJ ifta sbova daacrbad property and that (So pW heroon drawn ii a correct mpmantjton ofuU aurvty oocracted to a lamperBfeira cf 02"
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Held meaasuremorra completed Sfcaod on SEPTEMBER 27,2021.

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Rotwrt C. UWcrmnJin. ProfaMion>!.lllni>» Land Surveyef! My Ueania expires NovontlMr 30. 3 DESIGN FIRM LICENSE EXPIRES A
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REVISED SEPTEMBER 27, 2021 #2021-29334 ;831

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