



Office of the City Clerk

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

Legislation Details (With Text)

File #: SO2013-2561

Type: Ordinance **Status:** Passed

File created: 4/10/2013 **In control:** City Council

Final action: 5/8/2013

Title: Acquisition of property at 1800-2000 blocks of W Fullerton Ave, 2300-2500 blocks of N Damen Ave and 2300-2400 blocks of N Elston Ave for improvement of local street traffic flow

Sponsors: Emanuel, Rahm

Indexes: Acquisition

Attachments: 1. O2013-2561.pdf, 2. SO2013-2561.pdf

Date	Ver.	Action By	Action	Result
5/17/2013	1	Office of the Mayor	Signed by Mayor	
5/8/2013	1	City Council	Passed as Substitute	Pass
5/1/2013	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
4/10/2013	1	City Council	Referred	

SUBSTITUTE ORDINANCE

WHEREAS, the City of Chicago ("City") is a duly constituted and existing municipality within the meaning of Section 1, Article VII, of the 1970 Constitution of the State of Illinois ("Constitution"), and is a home rule unit of government under Section 6(a), Article VII, of the Constitution; and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has established the Community Development Commission ("Commission") to, among other things, designate redevelopment areas and approve redevelopment plans, and recommend the acquisition of parcels located in redevelopment areas, subject to the approval of the City Council of the City of Chicago ("City Council"); and

WHEREAS, pursuant to Chapter 2-102-030 of the Municipal Code of the City, the Commissioner ("Commissioner") of the Department of Transportation of the City ("CDOT"), has the power and duty to control the acquisition of rights-of-way for and the improvement, construction, maintenance, and repair of the public ways, and to supervise and control such projects; and

WHEREAS, the City has determined that it is useful, desirable and necessary that the City acquire for public ownership and control (either by the City, or by another governmental entity), with the meaning and authority of 735 ILCS 30/5-5-5(b), those parcels of real property located on the 1800 to 2000 blocks of West Fullerton Avenue, the 2300 to 2500 blocks of North Damen Avenue, and the 2300 to 2400 blocks of North Elston Avenue, all as legally described on Exhibit A to this ordinance (together, the "Acquisition Parcels") for the public purpose of the acquisition of rights-of-way for and the improvement, construction, maintenance, and repair of the public ways, specifically reconfiguring the six-way intersection at Damen Avenue, Elston Avenue, and Fullerton Avenue to improve safety and efficiency of local street traffic flow (the "Project"); and

WHEREAS, the City has determined that the acquisition of the Acquisition Parcels, free and clear of leases, agreements, easements and encumbrances for the Project is useful, advantageous or desirable for

municipal purposes and public welfare, with the meaning and authority of 65 ILCS 5/11-61-1 and 65 ILCS 20-21-19, and that such acquisition may include the acquisition of land and improvements as authorized under 735 ILCS 30/1 et. seq., 735 ILCS 30/5-5-5, and 735 ILCS 30/25-7-103.12; and

WHEREAS, by ordinance adopted by the City Council on July 2, 1997, and published at pages 47493 to 47622 of the Journal of Proceedings (the "T.I.F. Ordinance") a certain redevelopment plan (the "TIF Plan") for the North Branch (North) Redevelopment Project Area (the "TIF Area") was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1, et seq.)(the "TIF Act"); and

WHEREAS, the Plan and the use of tax increment financing provides a mechanism to support new growth, needed public improvements, and financing for land acquisition, demolition, and remediation; and

WHEREAS, one of the goals and objectives of the Plan is to make right-of-way improvements, including the synchronization of traffic signalization at all intersections in order to improve the flow of traffic within the Area; and

WHEREAS, the T.I.F. Ordinance authorizes the use of eminent domain to acquire properties within the Area to meet the requirements of the Plan; and

WHEREAS, in furtherance of the Project and the Plan, the City requires the acquisition of the Acquisition Parcels identified on Exhibit A which are located within and adjacent to the Area; and

WHEREAS, the City desires to establish a schedule for expedited acquisition in order to achieve the objectives of the Plan and Project pursuant to quick-take procedures; and

WHEREAS, the General Assembly in 735 ILCS 30/25-7-103.12 (the "Quick-Take Statute"), has authorized the use of quick-take eminent domain proceedings by municipalities for the purposes set forth in Division 74.2 and 74.3 of Article 2 of the Illinois Municipal Code, said purposes being the redevelopment of commercial or business areas by removing commercial blight for redevelopment purposes, and for the same purposes when established pursuant to home rule powers; and

WHEREAS, the City under its home rule power finds that it useful and necessary to use quick-take to acquire the Acquisition Parcels for the same purposes as those set forth in Divisions 74.2 and 74.3 of the Illinois Municipal Code (65 ILCS 5/11-74.2 and 74.3); and

WHEREAS, pursuant to Resolution No. 13-CDC-09 adopted on April 9, 2013 by the Community Development Commission of the City of Chicago (the "Commission"), the Commission authorized the Department of Transportation to acquire the designated Acquisition Parcels listed on Exhibit A in furtherance of the TIF Plan in the TIF Area without further Commission action; now, therefore,

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

SECTION 1. The foregoing recitals are hereby incorporated herein by reference as if fully set forth in this Ordinance and are adopted as the findings of the City Council.

SECTION 2. It is hereby determined and declared that it is useful, desirable and necessary that the City acquire the Acquisition Parcels for the public purpose of designing, constructing and operating the Project, which shall be under public ownership and control, and for purposes of implementing the objectives of

the Plan.

SECTION 3. The Corporation Counsel of the City of Chicago ("Corporation Counsel") is authorized to negotiate with the owner(s) of the Acquisition Parcels for the purchase of the Acquisition Parcels.

SECTION 4. If the Corporation Counsel is able to agree with the owner(s) of the Acquisition Parcels upon the price to be paid for such Acquisition Parcels, or a portion thereof, the Corporation Counsel is authorized to purchase the Acquisition Parcels, or a portion thereof, in the name of and on behalf of the City of Chicago for the agreed price with such purchase price to be paid out of any legally available funds of the City, including, without limitation, proceeds of any grants or other funds received by the City. If the Corporation Counsel is unable to agree with the owner(s) of the Acquisition Parcels on the purchase price, or if an owner is incapable of consenting to the sale, or if an owner cannot be located, or cannot deliver fee simple title, then the Corporation Counsel may institute and prosecute condemnation proceedings, including "quick-take" condemnation proceedings in the name of and on behalf of

the City for the purpose of acquiring fee simple title or other property interest(s) in the Acquisition Parcels, or a portion thereof, under the City's power of eminent domain.

SECTION 5. A schedule for the acquisition of the Acquisition Parcels is hereby adopted as follows:

- A. Acquire fee simple title to all of the Acquisition Parcels on or before October 1, 2013.
- B. Complete relocation on or before April 1, 2014.
- C. Complete the demolition of structures, environmental testing and remediation, and begin site preparation for the Project on or before July 1, 2015. ■

SECTION 6. The Commissioner, or a designee of the Commissioner, is authorized to (1) execute such documentation as may be necessary to implement the provisions of this Ordinance, (2) amend, modify, or change the schedule for the acquisition of the Acquisition Parcels set forth in Section 5, and (3) determine whether the acquisition of the Acquisition Parcels, or a portion thereof, or less than fee simple title is necessary to implement the Project, all subject to the approval of the Corporation Counsel.

SECTION 7. The Commissioner is further authorized to execute such documents as may be necessary to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

SECTION 8. If any provision of this ordinance is held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this Ordinance.

SECTION 9. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10. This ordinance shall take effect upon its passage and approval.

EXHIBIT A

ACQUISITION PARCELS TO BE ACQUIRED

ROUTE:

SECTION: COUNTY:

JOB NUMBER

PARCEL: STATION:

TO STATION:

OWNER: INDEX:

FAU RTE 2850, FAU RTE 3528,

FAU RTE 1376

05-B1501-00-PV

COOK

R-88-001-10

Parcel 0J80002-A

403+16.11 (Rerouted Elston Ave.)

408+51.00 (Rerouted Elston Ave.)

Vienna Beef, LTD.

14-30-401-003, 14-30-401-019

Parcel 0J80002-A

That part of the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying west and south of the North branch of the Chicago River, north of Fullerton Avenue, northeast of existing Elston Avenue and east of the East line of Robey Street, now known as Damen Avenue, as now located, being more particularly described as follows:

Beginning at the southwest corner of Lot 32 in Block 8 of Fullerton's Addition to Chicago recorded May 7, 1 879 as Document Number 221101; thence on an assumed bearing of North 0 degrees 24 minutes 44 seconds West, along the West line of said Lot, a distance of 41.05 feet to the northwest corner of said Lot; thence northerly 68.75 feet along the East line of Damen Avenue on a curve concave to the west, having a radius of 1283.00 feet, the chord of said curve bears North 2 degrees 51 minutes 31 seconds West, 68.74 feet; thence North 4 degrees 17 minutes 21 seconds West along said East line a distance of 317.44 feet; thence South 8 degrees 05 minutes 33 seconds East a distance of 174.79 feet; thence South 4 degrees 16 minutes 43 seconds East a distance of 36.28 feet; thence South 47 degrees 38 minutes 52 seconds East a distance of 14.27 feet; thence North 88 degrees 58 minutes 59 seconds East a distance of 395.77 feet to a point of curvature of a curve concave to the South; thence 62.61 feet along said curve whose radius is 303.50 feet and whose long chord is 62.50 feet and bears South 85 degrees 06 minutes 26 seconds East to a point on the Owner's easterly property line as described in Special Warranty Deed recorded March 03, 2001 as Document Number 0010172436; thence South 17 degrees 30 minutes 25 seconds East a distance of 119.13 feet along said property line to a point of curvature of a curve concave southerly having a radius of 206.50 feet; thence easterly 99.82 feet along the arc of said curve whose long chord is 98.85 feet and bears North 77 degrees 10 minutes 07 seconds West; thence South 88 degrees 58 minutes 59 seconds West a distance of 394.75 feet; thence South 42 degrees 21 minutes 08 seconds West a distance of 12.36 feet; thence South 4 degrees 16 minutes 43 seconds East a distance of 35.91 feet; thence South 0 degrees 34 minutes 14 seconds East a distance of 73.38 feet to a point on the southwesterly line of said Lot 32; thence North 46 degrees 11 minutes 32 seconds West along said line a distance of 11.39 feet to the Point of Beginning. The parcel described above containing 1.160 acres, more or less.

ROUTE:

SECTION: COUNTY: JOB NUMBER PARCEL: STATION: TO STATION: OWNER: INDEX:

FAU RTE 2850, FAU RTE 3528,

FAU RTE 1376

05-B1501-00-PV

COOK

R-88-001-10

Parcel 0J80002-B

101+26.40 (Fullerton Ave.)
105+23.45 (Fullerton Ave.)
Vienna Beef, LTD.
14-30-401-003 TO 14-30-401-017,
14-30-401-019

Parcel 0J80002-B

Those parts of Lots 15 through 28, inclusive, of Block 8 of Fullerton's Addition to Chicago, being a Subdivision of the Southeast 1/4 of Section 30 and the Northeast 1/4 of Section 31, Township 40 North, Range 14 East of the Third Principal Meridian, recorded May 7, 1879 as Document Number 221 101, in Cook County, Illinois, being more particularly described as follows:

Beginning at the Southeast corner of Lot 15; thence on an assumed bearing of South 89 degrees 59 minutes 35 seconds West along the south lines of said Lots a distance of 395.20 feet to the southernmost southwest corner of Lot 28; thence North 46 degrees 11 minutes 32 seconds West along the southwesterly line of said Lot 28 a distance of 2.57 feet; thence South 89 degrees 59 minutes 42 seconds East a distance of 397.05 feet to the East line of said Lot 15; thence South 0 degrees 24 minutes 44 seconds East, along said East line, a distance of 1.70 feet to the Point of Beginning.

The parcel described above containing 0.016 acre, more or less.

ROUTE:

SECTION: COUNTY: JOB NUMBER PARCEL: STATION: TO STATION: OWNER: INDEX:

FAU RTE 2850, FAU RTE 3528,

FAU RTE 1376

05-B1501-00-PV

COOK

R-88-001-10

Parcel 0J80002TE-A

407+80.34 (Rerouted Elston Ave.)

305+67.90 (Damen Ave.)

Vienna Beef, LTD.

14-30-401-019

Parcel 0J80002TE-A

That part of the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying west and south of the North branch of the Chicago River, north of Fullerton Avenue, northeast of existing Elston Avenue and east of the East line of Robey Street, now known as Damen Avenue, as now located, being more particularly described as follows:

Commencing at the southwest corner of Lot 32 in Block 8 of Fullerton's Addition to Chicago recorded May 7, 1879 as Document Number 221101; thence on an assumed bearing of North 0 degrees 24 minutes 44 seconds West, along the West line of said Lot, a distance of 41.05 feet to the northwest corner of said Lot; thence northerly 68.75 feet along the East line of Damen Avenue on a curve concave to the west, having a radius of 1283.00 feet, the chord of said curve bears North 2 degrees 51 minutes 31 seconds West, 68.74 feet; thence North 4 degrees 17 minutes 21 seconds West along said East line a distance of 317.44 feet to the Point of Beginning; thence South 8 degrees 05 minutes 33 seconds East a distance of 174.79 feet; thence South 4 degrees 16 minutes 43 seconds East a distance of 36.28 feet; thence South 47 degrees 38 minutes 52 seconds East a distance of 14.27 feet; thence North 88 degrees 58 minutes 59 seconds East a distance of 395.77 feet to a point of curvature of a curve concave to the South; thence 62.61 feet along said curve whose radius is 303.50 feet and whose long chord is 62.50 feet and bears South 85 degrees 06 minutes 26 seconds East to a point on the Owner's easterly property line as described in Special Warranty Deed recorded March 03, 2001 as Document Number 0010172436; thence North 17 degrees 30 minutes 25 seconds West, 39.81 feet; thence South 88 degrees 58 minutes 59 seconds West, 447.23 feet; thence North 8 degrees 05 minutes 33 seconds West, 200.40 feet; thence South 81 degrees 54 minutes 27 seconds West a distance of 9.34 feet to a point on the East line of Damen Avenue; thence South 4 degrees 17 minutes 21 seconds East, along said East line, a distance of 10.00 feet to the Point of Beginning. The parcel described above containing 0.384 acre, more or less.

ROUTE:

SECTION: COUNTY: JOB NUMBER PARCEL: STATION: TO STATION: OWNER: INDEX:

FAU RTE 2850, FAU RTE 3528,

FAU RTE 1376

05-B1501-00-PV
COOK
R-88-001-10
Parcel 0J80002TE-B
408+71.22 (Rerouted Elston Ave.)
105+23.44 (Fullerton Ave.)
Vienna Beef, LTD.
14-30-401-003 TO 14-30-401-017,
14-30-401-019

Parcel 0J80002TE-B

Those parts of Lots 15 through 32, inclusive, of Block 8 of Fullerton's Addition to Chicago, being a Subdivision of the Southeast 1/4 of Section 30 and the Northeast 1/4 of Section 31, Township 40 North, Range 14 East of the Third Principal Meridian, recorded May 7, 1879 as Document Number 221101 and that part of the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying west and south of the North Branch of the Chicago River, north of Fullerton Avenue, northeast of existing Elston Avenue and east of the East line of Robey Street, now known as Damen Avenue, as now located, all in Cook County, Illinois, being more particularly described as follows:

Commencing at the Southeast corner of Lot 15; thence on an assumed bearing of North 0 degrees 24 minutes 44 seconds West along the east line of said Lot 15, a distance of 1.70 feet to the Point of Beginning; thence continuing along said line, 5.00 feet; thence North 89 degrees 59 minutes 42 seconds West, 395.00 feet; thence North 46 degrees 11 minutes 32 seconds West, 115.95 feet; thence North 0 degrees 34 minutes 14 seconds West, 101.16 feet; thence North 88 degrees 58 minutes 59 seconds East, 395.97 feet; thence 107.75 feet along the arc of a curve concave southerly having a radius of 191.50 feet, the chord of said curve bears South 74 degrees 53 minutes 51 seconds East, 106.34 feet to a point on the Owner's easterly property line as described in Special Warranty Deed recorded March 03, 2001 as Document Number 0010172436; thence North 17 degrees 30 minutes 25 seconds West along said line, 21.76 feet; thence 99.82 feet along the arc of a curve concave southerly having a radius of 206.50 feet, the chord of said curve bears North 77 degrees 10 minutes 07 seconds West, 98.85 feet; thence South 88 degrees 58 minutes 59 seconds West, 394.75 feet; thence South 42 degrees 21 minutes 08 seconds West, 12.36 feet; thence South 4 degrees 16 minutes 43 seconds East, 35.91 feet; thence South 0 degrees 34 minutes 14 seconds East, 73.38 feet to a point on the southwesterly line of said Lot 32; thence South 46 degrees 11 minutes 32 seconds East along said line, 120.06 feet; thence South 89 degrees 59 minutes 42 seconds East, 397.05 feet to the Point of Beginning.

The parcel described above containing 0.245 acre, more or less.

ROUTE:

SECTION: COUNTY:

JOB NUMBER:

PARCEL: STATION:

TO STATION: OWNER:

INDEX:

FAU RTE 2850, FAU RTE 3528,

FAU RTE 1376

05-B1501-00-PV

COOK

R-88-001-10

Parcel 0J80003

407+80.34 (Rerouted Elston Ave.) 411+36.49 (Rerouted Elston Ave.) EXOHO Associates Limited

Partnership

14-30-401-018

Parcel 0.180003

That part of the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying west and south of the North Branch of the Chicago River, north of Fullerton Avenue, northeast of Elston Avenue and east of the East line of Robey Street now known as Damen Avenue, as

now located, more particularly described as follows: Beginning at the northeast corner of Fullerton and Wolcott Avenues, being also the southwest corner of vacated Block 10, in Fullerton's Addition to Chicago recorded May 7, 1879 as Document Number 221101, in said Southwest 1/4 of the Southeast 1/4; thence on an assumed bearing of North 0 degrees 24 minutes 44 seconds West along the East line of North Wolcott Avenue, 141.00 feet to the easterly extension of the north line of the 16 foot wide public alley first north of Fullerton Avenue; thence South 89 degrees 59 minutes 35 seconds West, 37.80 feet to the owners westerly property line as described in Special Warranty Deed recorded November 21, 2008 as Document Number 0632502574; thence North 17 degrees 30 minutes 25 seconds West along said line, 168.64 feet; thence southeasterly 412.16 feet along the arc of a nontangential curve concave southwesterly having a radius of 303.50 feet, the chord of said curve bears South 40 degrees 17 minutes 35 seconds East, 381.21 feet; thence South 46 degrees 24 minutes 05 seconds East, 16.00 feet to the North line of Fullerton Avenue; thence South 89 degrees 59 minutes 35 seconds West along said line, 168.57 feet to the Point of Beginning; all in Cook County, Illinois.

The parcel described above containing 0.907 acre, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,

SECTION: COUNTY:

FAU RTE 1376

05-B1501-00-PV

JOB NUMBER:

COOK

PARCEL: STATION:

R-88-001-10

Parcel 0J80003TE

TO STATION: OWNER:

407+60.24 (Rerouted Elston Ave.)

411+36.49 (Rerouted Elston Ave.)

EXOHO Associates Limited

INDEX:

Partnership

14-30-401-018

Parcel Qj80003TE

That part of the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying west and south of the North Branch of the Chicago River, north of Fullerton Avenue, northeast of Elston Avenue and east of the East line of Robey Street now known as Damen Avenue, as now located, more particularly described as follows: Commencing at the northeast corner of Fullerton and Wolcott Avenues, being also the southwest corner of vacated Block 10, in Fullerton's Addition to Chicago recorded May 7, 1879 as Document Number 221101, in said Southwest 1/4 of the Southeast 1/4; thence on an assumed bearing of North 0 degrees 24 minutes 44 seconds West along the East line of North Wolcott Avenue, 141.00 feet to the easterly extension of the north line of the 16 foot wide public alley first north of Fullerton Avenue; thence South 89 degrees 59 minutes 35 seconds West along said line, 37.80 feet to the westerly property line of the owner's property as described in Special Warranty Deed recorded November 21, 2008 as Document Number 0632502574; thence North 17 degrees 30 minutes 25 seconds West along said line, 168.64 feet to the Point of Beginning; thence continuing North 17 degrees 30 minutes 25 seconds West along said line, 59.25 feet to the westerly extension of the south line of a certain masonry building; thence North 90 degrees 00 minutes 00 seconds East along the sinuosities of said south building line and it's easterly extension, 326.53 feet to the easterly line of the owner's property as described in said Deed; thence South 28 degrees 15 minutes 43 seconds East along said line, 69.27 feet to an angle point in said line; thence South 0 degrees 56 minutes 43 seconds East along said line 129.46 feet to an angle point in said line; thence South 0 degrees 40 minutes 56 seconds West along said line, 167.85 feet to the north line of Fullerton Avenue; thence South 89 degrees 59 minutes 35 seconds West along said line, 83.53 feet; thence North 46 degrees 24 minutes 05 seconds West,

16.00 feet; thence northwesterly 412.16 feet along the arc of a nontangential curve concave southwesterly having a radius of 303.50 feet, the chord of said curve bears North 40 degrees 17 minutes 35 seconds West, 381.21 feet to the Point of Beginning; all in Cook County, Illinois. The parcel described above containing 1.516 acres, more or less.

ROUTE: FAU RTE 2850, FAU RTE 3528,
FAU RTE 1376
SECTION: 05-B1501-00-PV
COUNTY: COOK
JOB NUMBER: R-88-001-
10
PARCEL: Parcel 0J80004
STATION: 412+16.49 (Rerouted Elston Ave.)
TO STATION: 418+69.28 (Rerouted Elston Ave.)
OWNER: Fullerton Avenue Company
INDEX: 14-31-200-038, 14-31-200-024, 14-
31-200-025, 14-31-200-051, 14-31-200-052, 14-
31-501-015, 14-31-501-016, 14-31-200-042

Parcel 0J80004

Those parts of Lot 1 and Lot 26 through Lot 34, all in Block 11 in Fullerton's Addition to Chicago recorded May 7, 1879 as Document Number 221101, together with that part of the vacated public alley described by Ordinance passed July 11, 1910 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois September 9, 1910 as Document Number 4624286, together with that part of the vacated public alley described by Ordinance passed January 14, 1982 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois March 5, 1982 as Document Number 26163908, all in the Northeast Quarter of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, Cook County, Illinois, more particularly described as follows:

Commencing at the northwest corner of said Lot 1; thence easterly along the north line of said Lot 1 on an assumed bearing of North 89 degrees 59 minutes 35 seconds East, 50.86 feet to the Point of Beginning; thence South 44 degrees 59 minutes 51 seconds East, 16.02 feet; thence South 0 degrees 00 minutes 00 seconds East, 194.60 feet; thence South 90 degrees 00 minutes 00 seconds West, 18.96 feet to the southwesterly line of said Lot 34; thence South 46 degrees 15 minutes 11 seconds East along said line, 46.38 feet to the northeasterly extension of the southeasterly line of the northwesterly 16 feet of said Lot 26; thence South 43 degrees 39 minutes 44 seconds West along said line 140.97 feet to the northeasterly line of existing Elston Avenue; thence South 46 degrees 11 minutes 48 seconds East along said line, 369.05 feet; thence North 39 degrees 28 minutes 52 seconds West, 28.50 feet; thence 206.72 feet along the arc of a curve concave easterly having a radius of 300.00 feet, the chord of said curve bears North 19 degrees 44 minutes 26 seconds West, 202.66 feet; thence North 0 degrees 00 minutes 00 seconds East, 371.34 feet; thence North 45 degrees 00 minutes 09 seconds East, 16.05 feet to the north line of said Lot 1; thence South 89 degrees 59 minutes 35 seconds West along said line, 119.67 feet to the Point of Beginning.

The parcel described above containing 1.249 acres, more or less.

ROUTE:
FAU RTE 2850, FAU RTE 3528,
SECTION: COUNTY:
FAU RTE 1376
05-B1501-00-PV
JOB NUMBER
COOK
PARCEL: STATION:
R-88-001-10

Parcel 0J80004TE-A

TO STATION:

412+16.48 (Rerouted Elston Ave.)

OWNER: INDEX:

419+54.80 (Rerouted Elston Ave.)

Fullerton Avenue Company

14-31-200-038, 14-31-200-052, 14-
31-501-015, 14-31-501-016

Parcel 0J80004TE-A

Part of Lot 1 and Lots 31-37, inclusive, as well as a 16 foot alley adjacent thereto, said alley vacated by document 4624286, all in Block 11 in Fullerton's Addition to Chicago, in the Northeast 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, recorded May 7, 1879 as Document Number 221101, in Cook County, Illinois, described as follows:

Beginning at the northeast corner of said Lot 1; thence South 0 degrees 20 minutes 51 seconds West on an assumed bearing, 183.00 feet along the east line of said Lot 1; thence South 46 degrees 16 minutes 34 seconds East, 20.00 feet; thence South 43 degrees 28 minutes 47 seconds West, 109.20 feet; thence South 45 degrees 55 minutes 07 seconds East, 76.49 feet; thence South 43 degrees 55 minutes 37 seconds West, 105.37 feet; thence southeasterly 177.34 feet along a curve to the left, having a radius of 290.00 feet, the chord of said curve bears South 21 degrees 57 minutes 46 seconds East, 174.59 feet; thence North 43 degrees 39 minutes 01 seconds East, 22.42 feet; thence South 46 degrees 15 minutes 46 seconds East, 47.81 feet; thence South 43 degrees 39 minutes 01 seconds West, 28.11 feet; thence South 39 degrees 28 minutes 52 seconds East, 65.28 feet to the northeast line of existing Elston Avenue; thence North 46 degrees 11 minutes 48 seconds West, 85.51 feet along said northeast line of Elston Avenue; thence North 39 degrees 28 minutes 52 seconds West, 28.50 feet; thence Northwesterly 206.72 feet along a curve to the right, having a radius of 300.00 feet, the chord of said curve bears North 19 degrees 44 minutes 26 seconds west, 202.66 feet; thence North 0 degrees 00 minutes 00 seconds East, 371.34 feet; thence North 45 degrees 00 minutes 09 seconds East, 16.05 feet to the north line of said Lot 1; thence North 89 degrees 59 minutes 35 seconds East, 79.47 feet along said north line of Lot 1 to the Point of Beginning. The parcel described above containing 0.767 acres, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,

SECTION: COUNTY: JOB NUMBER PARCEL: STATION: TO STATION: OWNER: INDEX:

FAU RTE 1376

05-B1501-00-PV

COOK

R-88-001-10

Parcel 0J80004TE-B

412+16.51 (Rerouted Elston Ave.)

414+22.43 (Rerouted Elston Ave.)

Fullerton Avenue Company

14-31-200-038. 14-31-501-016

Parcel 0J80004TE-B

Part of Lot 1 and Lot 34, all in Block 11 in Fullerton's Addition to Chicago, in the Northeast 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian recorded May 7, 1879 as Document Number 221101, in Cook County, Illinois, described as follows: Beginning at the northwest corner of said Lot 1 in Block 11 in Fullerton's Addition to Chicago; thence North 89 degrees 59 minutes 35 seconds East on an assumed bearing, 50.86 feet along the north line of said Lot 1; thence South 44 degrees 59 minutes 51 seconds East, 16.02 feet; thence South 0 degrees 00 minutes 00 seconds East, 194.60 feet; thence South 90 degrees 00 minutes 00 seconds West, 18.96 feet to the northeasterly line of a 16 foot alley as shown on the plat of Fullerton's Addition to Chicago; thence North 46 degrees 15 minutes 11 seconds West, 61.20 feet to the west line of said Lot 1; thence North 0 degrees 20 minutes 51 seconds East, 163.60 feet along said west line to the

Point of Beginning. The parcel described above containing 0.274 acres, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,

SECTION: COUNTY:

FAU RTE 1376

05-B1501-00-PV

JOB NUMBER

COOK

PARCEL: STATION:

R-88-001-10

Parcel 0J80006

TO STATION: OWNER:

102+12.34 (Fullerton Ave.)

102+89.41 (Fullerton Ave.)

525 W. Barry No. 1, LLC, an Illinois

Limited Liability Company as to an

undivided 75% interest and The Yale
Company L.L.C., an Illinois Limited
Liability Company
14-31-200-040

INDEX:

Parcel 0J80006

Those parts of Lot 1 and Lot 4 in Kuehl's Resubdivision of Lots 8, 9, 10, 11, 12, 13, 14 and 15 and vacated alley in Block 11 in Fullerton's Addition to Chicago, in the Northeast Quarter of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, said Resubdivision recorded June 14, 1909 as Document Number 4391223, in Cook County, Illinois, more particularly described as follows:

Beginning at the northwest corner of said Lot 1; thence on an assumed bearing of North 89 degrees 59 minutes 35 seconds East along the north line of said Lot, a distance of 77.08 feet; thence South 0 degrees 00 minutes 25 seconds East, 73.94 feet to the southwesterly line of said Lot 4, said line also being the northeasterly line of Elston Avenue; thence North 46 degrees 11 minutes 48 seconds West along said line, 106.81 feet to the Point of Beginning. The parcel described above containing 0.065 acre, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,

SECTION: COUNTY:

FAU RTE 1376

05-B1501-00-PV

JOB NUMBER

COOK

PARCEL: STATION:

R-88-001-10

Parcel 0J80007

TO STATION: OWNER:

298+64.77 (Damen Ave.)

299+59.37 (Damen Ave.)

American National Bank and Trust

Company of Chicago (or its

successor) as Trustee under Trust
Agreement dated April 1, 1986
known as Trust No. 67081

14-31-203-001

INDEX:

Parcel 0J80007

That part of Lot 1 in Fullerton's Addition to Chicago in Section 31, Township 40 North, Range 14, East of the Third Principal Meridian recorded May 7, 1879 as Document Number 221101, in Cook County, Illinois, more particularly described as follows:

Beginning at the northwest corner of said Lot 1; thence easterly on an assumed bearing of North 89 degrees 59 minutes 35 seconds East along the north line of said Lot, a distance of 16.77 feet; thence South 46 degrees 36 minutes 26 seconds West, 20.90 feet; thence South 0 degrees 34 minutes 14 seconds East, 80.23 feet to the southwesterly line of said Lot; thence North 46 degrees 11 minutes 52 seconds West along said line, 1.90 feet to the westerly line of said Lot; thence North 0 degrees 37 minutes 05 seconds West along said line, 93.27 feet to the Point of Beginning.

The parcel described above containing 0.006 acre, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,

SECTION: COUNTY:

FAU RTE 1376

05-B1501-00-PV

JOB NUMBER

COOK

PARCEL: STATION:

R-88-001-10

Parcel 0J80007TE

TO STATION: OWNER-

201+94.13 (Elston Ave.)

202+32.13 (Elston Ave.)

American National Bank and Trust

Company of Chicago (or its

successor) as Trustee under Trust
Agreement dated April 1, 1986
known as Trust No. 67081
14-31-203-001

INDEX:

Parcel 0J80007TE

That part of Lots 1, 2 and 3 in Fullerton's Addition to Chicago in Section 31, Township 40 North, Range 14, East of the Third Principal Meridian recorded May 7, 1879 as Document Number 221101, in Cook County, Illinois, more particularly described as follows: Beginning at the northeast corner of said Lot 1; thence southeasterly on an assumed bearing of South 46 degrees 11 minutes 48 seconds East along the southwest line of North Elston Avenue, 38.00 feet; thence South 43 degrees 48 minutes 12 seconds West, 10.50 feet; thence South 89 degrees 59 minutes 35 seconds West, 30.00 feet; thence North 0 degrees 00 minutes 25 seconds West, 33.88 feet to the northerly line of said Lot; thence North 89 degrees 59 minutes 35 seconds East along said line, 9.85 feet to the Point of Beginning. The parcel described above containing 0.020 acre, more or less.

ROUTE:

SECTION: COUNTY:

JOB NUMBER

PARCEL: STATION:

TO STATION: OWNER:

FAU RTE 2850, FAU RTE 3528, FAU RTE 1376
05-B1501-00-PV COOK R-88-001-10 Parcel

0J80008 298+34.80 (Damen Ave.) 299+60.02
(Damen Ave.) American National Bank and Trust
Company of Chicago (or its successor) as
Trustee under Trust Agreement dated December 11,
1995 known as Trust No. 121132-05 14-31-110-
007 .

INDEX:

Parcel 0J80008

That part of Lot 1 in Block 1 in Vincent, a subdivision of the Northeast Quarter of the Northwest Quarter of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian recorded May 10, 1887 as Document Number 827250, in the County of Cook and State of Illinois, more particularly described as follows: Beginning at the northeast corner of said Lot; thence on an assumed bearing of South 0 degrees 37 minutes 05 seconds East along the east line of said Lot, a distance of 125.22 feet to the southeast corner of said Lot; thence South 89 degrees 59 minutes 35 seconds West along the south line of said Lot, a distance of 1.92 feet; thence North 4 degrees 23 minutes 04 seconds West, 63.86 feet; thence North 0 degrees 34 minutes 14 seconds West, 43.60 feet; thence North 35 degrees 11 minutes 58 seconds West, 21.96 feet to the north line of said Lot; thence North 89 degrees 59 minutes 35 seconds East along said line, 18.54 feet to the Point of Beginning. The parcel described above containing 0.017 acre, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,

SECTION: COUNTY:

FAU RTE 1376

05-B1501-00-PV

JOB NUMBER

COOK

PARCEL: STATION:

R-88-001-10

Parcel 0J80009

TO STATION: OWNER:

300+40.02 (Damen Ave.)

301 + 10.33 (Damen Ave.)

Michigan Avenue National Bank of
Chicago as Trustee under Trust

Agreement dated March 17, 1987
known as Trust No. 4610
14-30-319-016

INDEX:

Parcel 0J80009

That part of Lot 12 in Assessor's Subdivision of part of the Southwest Quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian recorded July 30, 1859 in Book 160, Page 39, in Cook County, Illinois, more particularly described as follows: Beginning at the intersection of the east line of the west 40 feet of the east 73 feet of said Lot 12 and the north line of Fullerton Avenue; thence westerly along said north line on an assumed bearing of South 89 degrees 59 minutes 35 seconds West, 40.00 feet; thence North 45 degrees 01 minutes 46 seconds East, 48.34 feet; thence North 0 degrees 34 minutes 14 seconds West, 36.09 feet to the existing southwesterly right of way line of Elston Avenue; thence South 46 degrees 15 minutes 46 seconds East along said line, 7.90 feet to the existing westerly right of way line of Damen Avenue; thence South 0 degrees 23 minutes 55 seconds East along said line, 64.79 feet to the Point of Beginning.

The parcel described above containing 0.022 acre, more or less.

ROUTE:

FAU RTE 2850, FAU RTE 3528,
SECTION: COUNTY:
FAU RTE 1376
05-B1501-00-PV

JOB NUMBER
COOK

PARCEL: STATION:
R-88-001-10
Parcel 0J80010

TO STATION: OWNER:
195+76.85 (Elston Ave.)
302+29.45 (Damen Ave.)
American National Bank and Trust
Company of Chicago, or their

successor, as Trustee under Trust
Agreement dated August 5, 1975

INDEX:

known as Trust No. 91223
14-30-301-006, 14-30-301-008, 14-
30-301-009

Parcel 0J80010

That part of Lot 1 in Assessor's Subdivision of part of the Southwest Quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian recorded July 30, 1859 in Book 160, Page 39, more particularly described as follows:

Commencing at the most southern southeast corner of Lot 1 in Snow Estate Subdivision, recorded February 14, 1873 in Cook County as document number 80819; thence southeasterly along the existing northeasterly right of way line of Elston Avenue on an assumed bearing of South 46 degrees 15 minutes 46 seconds East, 52.66 feet to the Point of Beginning; thence South 60 degrees 38 minutes 04 seconds East, 88.05 feet; thence South 79 degrees 02 minutes 52 seconds East, 29.03 feet; thence easterly 85.74 feet on a curve concave northerly having a radius of 253.50 feet, the chord of said curve bears South 81 degrees 19 minutes 37 seconds East, 85.34 feet; thence North 46 degrees 16 minutes 58 seconds East, 13.39 feet to the existing westerly right of way of Damen Avenue; thence South 4 degrees 17 minutes 21 seconds East along said right of way, 108.59 feet; thence 10.26 feet on a curve concave westerly having a radius of 1217.00 feet, the chord of said curve bears South 4 degrees 09 minutes 09 seconds East, 10.26 feet; thence South 65 degrees 16 minutes 05 seconds West, 6.51 feet; thence North 4 degrees 16 minutes 43 seconds West, 10.64 feet; thence North 50 degrees 33 minutes 15 seconds West, 13.20 feet; thence westerly 30.60 feet on a curve concave northerly having a radius of 346.50 feet, the chord of said curve bears North 88 degrees 29 minutes 13 seconds West, 30.59 feet to the existing northeasterly right of way line of Elston Avenue; thence North 46 degrees 15 minutes 46 seconds West along said line, 222.38 feet to the Point of Beginning; all in Cook County, Illinois. ' The parcel described above containing 0.241 acre, more or less.

City Council - City of Chicago City Hall, Room 200 121 North LaSalle Street
Chicago, Illinois 60602 Telephone: (312) 744-6102 Fax: (312) 744-0770 rsuarez@cityofchicago.org
<<mailto:rsuarez@cityofchicago.org>>

RAY SUAREZ

Alderman, 31 st Ward

Vice Mayor - City of Chicago

4502 West Fullerton Avenue Chicago, Illinois 60639 Telephone: (773) 276-9100 Fax: (773) 276-2596

www.ward31.com <<http://www.ward31.com>>

Committee Memberships:

Housing and Real Estate (Chairman)

Committees, Rules and Ethics (Vice-Chairman)

Aviation

Budget and Government Operations Finance

Transportation and Public Way Workforce Development and Audit Zoning, Landmarks and Building Standards

**May 8, 2013
CHICAGO,
ILLINOIS**

TO THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL:

Your Committee on Housing and Real Estate which was referred a Substitute ordinance from the Department of Transportation approving the authority to acquire the property located at 1800-2000 blocks of W. Fullerton Ave., 2300-2500 blocks of N. Damen Ave. and 2300-2400 blocks of N. Elston Ave. to improve flow of traffic within the six-way intersection.

32nd WARD

(02013-2561)

Having the same under advisement, begs leave to report and recommend that Your Honorable Body Pass the proposed substitute ordinance transmitted herewith.

This recommendation was concurred in by a unanimous vote of the members of the committee present with no dissenting votes.

(signed)

Ray Suarez, Chairman
Committee
on Housing & Real Estate