



# Office of the City Clerk

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

## Legislation Details (With Text)

**File #:** O2015-115  
**Type:** Ordinance  
**File created:** 1/21/2015  
**Status:** Passed  
**In control:** City Council  
**Final action:** 3/18/2015  
**Title:** Vacation of portions of S Western Ave, W 115th St and S Oakley Ave  
**Sponsors:** O'Shea, Matthew J.  
**Indexes:** Vacations  
**Attachments:** 1. O2015-115.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
1/21/2015	1	City Council	Referred	

### INTERGOVERNMENTAL 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 2331-2339 W. 115<sup>th</sup> Street and 2326-2336 W. 115' Street, are owned by the Chicago Park District, a Illinois Municipal Corporation; and

WHEREAS, the Chicago Park District, with the support of the City of Chicago's Department of Planning and Development, proposes to assemble properties including the portion of the street to be vacated hereby, for the purpose of creating the Morgan Park Sports Center; and

WHEREAS, The City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of public use and the public interest to be subserved is such as to warrant the vacation of that part of the public street described in the following ordinance; now, therefore,

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

SECTION 1. THAT PART OF WEST 115TH STREET DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF LOT 8, ALSO BEING A POINT ON THE EAST LINE OF S. WESTERN AVENUE, IN THE SUBDIVISION OF ORIGINAL LOTS 1, 2 AND 3 AND THE SOUTH 93 FEET OF ORIGINAL LOTS 4 AND 5, AND ALSO A RE-SUBDIVISION OF LOTS 31, 32, 33, 38, 39 AND 40 OF THE SUBDIVISION OF THE SOUTH HALF OF LOTS 14 AND 15 AND ALL OF LOTS 6 TO 13 INCLUDED, AND THE NORTH 57 FEET OF ORIGINAL LOTS 4 AND 5 IN BLOCK E. MORGAN PARK, WASHINGTON HEIGHTS, SECTION 19, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE

THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 19, 1890 AS DOCUMENT NUMBER 1272083; THENCE SOUTHEASTERLY 77.72 FEET ALONG A CURVE WHOSE RADIUS IS 95.13 FEET AND TO THE NORTH, THE CHORD OF SAID CURVE BEARS SOUTH 66 DEGREES 30 MINUTES 02 SECONDS EAST 75.57 FEET TO A POINT ON THE SOUTH LINE OF LOT 9 OF SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 53 MINUTES 22 SECONDS EAST 55.58 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF LOT 10 IN SAID SUBDIVISION; THENCE SOUTH 00 DEGREES 06 MINUTES 38 SECONDS WEST 80.00 FEET TO THE NORTH LINE OF LOT 59 IN WALKER'S RESUBDIVISION OF BLOCKS A, B, AND D IN THE RESUBDIVISION OF LOTS AND BLOCKS ALL IN MORGAN PARK, WASHINGTON HEIGHTS, SECTION 19, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1888 AS DOCUMENT NUMBER 932920; THENCE NORTH 89 DEGREES 53 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 59, A DISTANCE OF 84.95 FEET; THENCE SOUTHWESTERLY 46.37 FEET

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ALONG THE NORTH LINE OF SAID LOT 59 ON A CURVE WHOSE RADIUS IS 50.00 FEET AND TO THE SOUTH, THE CHORD OF SAID CURVE BEARS SOUTH 63 DEGREES 28 MINUTES 35 SECONDS WEST 44.72 FEET TO THE WEST LINE OF SAID LOT 59, ALSO BEING THE EAST LINE OF SAID S. WESTERN AVENUE; THENCE NORTH 00 DEGREES 06 MINUTES 12 SECONDS EAST, ALONG THE EAST LINE OF SAID S. WESTERN AVENUE, 130.05 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SAID PARCEL CONTAINS 10,879 SQ. FT.(0.250 ACRES), MORE OR LESS

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 transportation use, and the public interest will be subserved by such vacation.

SECTION 2. The City of Chicago hereby reserves the street as herein vacated, as a right of way for an existing 12" Water Department main and its associated appurtenances thereto, and for the installation of any additional water mains and appurtenances which in the future may be located in the street as herein vacated, and for the maintenance, renewal, and reconstruction of such facilities, with the right of ingress and egress at all times upon reasonable notice. It is also provided that the City shall have 24 hour access to the area to be vacated, that no buildings or other structures shall be erected on the said right of way herein reserved, or other use made of said area, which in the judgment of the municipal officials having control of the aforesaid service facilities would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the construction of additional municipally-owned service facilities. It is further provided that any vacation-beneficiary prompted adjustments to water facilities in the area to be vacated, and the repair, renewal or replacement of any private materials, or private property damaged in the area to be vacated as a result of the City exercising its easement rights shall be done at the beneficiary's expense.

SECTION 3. The Chicago Park District acknowledges that the existing 6" Water Department main and its associated appurtenances within the area to be vacated shall become the private property and the maintenance responsibility of the Chicago Park District. All abandonment and reconfiguration work involving City water main facilities will be accomplished at the expense of the Chicago Park District. The value of the amortized water main shall be paid to the Department of Water Management prior to recording.

SECTION 4 The City of Chicago hereby reserves the area herein vacated, as a right of way for existing Water Department sewers and sewer structures, for the installation of any additional sewers, sewer structures and appurtenances now located, or which in the future may be located in the street as herein vacated, and for the maintenance, renewal and reconstruction of such facilities. It is also provided that, the City shall have 24 hour access to

the area to be vacated; that no buildings or other permanent structures shall be erected on said right of way herein reserved, or other use made of said area, which in the sole discretion and judgment of the respective municipal officials having control of the aforesaid service facilities, would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the

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construction of additional municipally-owned service facilities; and that all sewers structures shall be exposed to grade. It is further provided that any vacation-beneficiary prompted adjustments to sewer facilities in the area to be vacated; and the repair, renewal or replacement of any private materials, or private property damaged in the area to be vacated as a result of the City exercising its easement rights shall be done at the expense of the beneficiary of the vacation.

SECTION 5. 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 street 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, Comcast facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison, AT&T/SBC and/or Comcast facilities without express written release of easement by the involved utility. Any future vacation-beneficiary prompted relocation of Commonwealth Edison, AT&T/SBC and/or Comcast facilities lying within the area to be vacated will be accomplished by respective utility provider and be done at the expense of beneficiary of the vacation.

SECTION 6. The City of Chicago hereby reserves for the benefit of The Peoples Gas Light and Coke Co. an easement to operate, maintain, repair, renew and replace existing underground facilities and to construct new facilities in all of the area to be vacated, with the right of ingress and egress at all times for any and all such purposes. It is further provided that no buildings or other structures shall be erected on said easement herein reserved for The Peoples Gas Light and Coke Co. or other use made of the said area which would interfere with the construction, operation, maintenance, repair, removal, or replacement of said facilities, or the construction of additional facilities. Any future vacation-beneficiary prompted relocation of Peoples Gas facilities lying within the area to be vacated will be accomplished by Peoples Gas, and done at the expense of beneficiary of the vacation.

SECTION 7. 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 Chicago Park District 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 full sized corresponding plat as approved by the Superintendent of Maps and Plats.

SECTION 8. 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 its recording, and the recording of the full sized plat as approved by the CDOT Superintendent of Maps and Plats.

Vacation Approved:

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Rebekah Scheinfeld Commissioner

Approved as to Form and Legalijy

Richard Wendy Deputy Corporation Counsel

Honorable Matt O'Shea Alderman, 19<sup>th</sup> Ward

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EXHIBIT -A°

## PLAT OF VACATION

That part of West 115th Street described as follows; Beginning at the Southwest corner of Lot 8, also being a point on the East line of S. Western Avenue, In the Subdivision of Original Lots 1, 2 and 3 and the South 93 feet of original Lots 4 and 5, and also a Re-subdivision of Lots 31, 32, 33, 38, 39 and 40 of the Subdivision of the South Half of Lots 14 and 15 and all of Lots 6 to 13 included, and the North 57 feet of original Lot 3 4 and 5 In Block E. Morgan Park, Washington Heights, Section 19, Township 37 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded May 19, 1890 as Document number 1272083; thence Southeasterly 77.72 feet along a curve whose radius 13 95.13 feet and to the North, the chord of said curve bears South 66 degrees 30 minutes 02 seconds East 75.57 feet to a point on the South line of Lot 9 of sold Subdivision; thence South 89 degrees 53 minutes 22 seconds East 55.58 feet to the Southeast corner of the West Half of Lot 10 In sold subdivision; thence South 00 degrees 06 minutes 38 seconds West 80.00 feet to the North line of Lot 59 in Walker's Resubdivision of Blocks A, B, and D In the Resubdivision of Lots and Blocks all In Morgan Park, Washington Heights. Section 19, Township 37 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded March 16, 1888 as Document number 932920; thence North 89 degrees 53 minutes 22 seconds West along the North line of said Lot 59, a

distance of 84.95 feet; thence Southwesterly 46.37 feet along the North line of said Lot 59 on a curve whose radius is 50.00 feet and to the South, the chord of said curve bears South 63 degrees 28 minutes 35 seconds West 44.72 feet to the West line of said Lot 59, also being the East line of said S. Western Avenue; thence North 00 degrees 06 minutes 12 seconds East, along the East line of said S. Western Avenue, 130.05 feet to the Point of Beginning, In Cook County, Illinois.

Said parcel contains 10,879 Sq. Ft.(0.250 Acres), more or less.

DEPT. OF FINANCE

STATE OF ILLINOIS COUNTY OF COOK

This I\* to certify that L on UTktota Professtional Land Surveyor, nova surveyed tha property described ei tti« caption above, and that this Professional Mrvtoa conforms to tha current inhote Minimum Standards (or a Boundary Survsy. THCIUS E. BMHCMTDO. IUtOB LNC SJnCIOI NO. Jltt UCENSE EXPIRATION 11-30-2010 FWD woifc completed November 15. Mil

""/filing

FIRM REGISTRATION EXPIRATION 4-30-2015

Gtvan under my hand and \*sal h Chicago, MiMta, this 8th day of January. 2013.

TERRA

ENGJNEB94G LTD. 225 W Orb StroH 4th Floor ChJc"go, W\*ota 606S4 (312)487-0123 (312) 467-0220 W

Propored ton  
StudioGC Architecture + HJJ 223 W. Jackson Blvd, Suite 1200 Chicago, IL 60S06  
JoaNn: 13-234 Dale: 1/9/15

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