



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Details (With Text)

File #: O2015-118
Type: Ordinance
File created: 1/21/2015
Status: Passed
In control: City Council
Final action: 3/18/2015
Title: Vacation of public alley(s) in area bounded by W Washington Blvd, N Talman Ave, W Warren Blvd and N Washtenaw Ave
Sponsors: Burnett, Jr., Walter
Indexes: Vacation
Attachments: 1. O2015-118.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 2633-2663 and 2667-2673 W. Washington Boulevard and 35-43 and 47-55 N. Washtenaw Avenue, are owned by the Public Building Commission of Chicago, a Municipal Corporation, and the City of Chicago, in Trust for the Use of Schools; and

WHEREAS, the Public Building Commission of Chicago proposes to assemble properties for the Chicago Board of Education / Dodge Elementary School including the portion of the alleys to be vacated; 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 part of the public alleys described in the following ordinance; now, therefore,

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

SECTION 1. ALL OF THE NORTH-SOUTH 16 FOOT WIDE "OPEN ALLEY" BY BOARD OF EDUCATION, RECORDED NOVEMBER 24, 1959 AS DOCUMENT NUMBER 17720341, LYING SOUTH OF AND ADJOINING WEST WASHINGTON BOULEVARD AND LYING NORTH OF AND ADJOINING THE EAST -WEST 17 FOOT WIDE PUBLIC ALLEY IN BLOCK 2 IN MARY SMITH'S RESUBDIVISION OF LOT 3 IN THE CIRCUIT COURT PARTITION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12,

TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, BY REPORT FILED JUNE 5, 1856, ANTE FIRE, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE EAST-WEST 17 FOOT WIDE PUBLIC ALLEY LYING EAST OF AND ADJOINING THE EAST LINE OF WASHTENAW AVENUE AND LYING WEST OF AND ADJOINING THAT PART OF THE EAST -WEST 17 FOOT WIDE ALLEY VACATED BY ORDINANCE PASSED OCTOBER 14, 1959 AND RECORDED NOVEMBER 24, 1959 AS DOCUMENT NUMBER 17720341, IN BLOCK 2 IN MARY SMITH'S RESUBDIVISION OF LOT 3 IN THE CIRCUIT COURT PARTITION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, BY REPORT FILED JUNE 5, 1856, ANTE FIRE, IN COOK COUNTY, ILLINOIS.

CONTAINING, IN THE AGGREGATE, 3,312 SQUARE FEET (0.076 ACRES) OF LAND, MORE OR LESS.

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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, 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 alleys herein vacated, with the right of ingress and egress. The grade of the vacated public ways shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison, and/or Comcast facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison, and/or Comcast facilities without express written release of easement by the involved utility. Any future vacation-beneficiary prompted relocation of Commonwealth Edison, and/or Comcast facilities lying within the area to be vacated will be accomplished by the respective utility and done at the expense of the beneficiary of the vacation.

SECTION 3 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 Public Building Commission 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 4. 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. The vacation shall take effect and be in force from and after its recording.

Vacation Approved:

Rebekah Scheinfeld Commissioner

Approved as to Form and Legality

Richard Wendy \j Depuly_CQH5oration Counsel

Honorable Walter Burnett ~T~ Alderman, 27
th Ward

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