



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 #: O2016-6466
Type: Ordinance
File created: 9/14/2016
Status: Passed
In control: City Council
Final action: 12/14/2016
Title: Vacation of public alley(s) in area bounded by S Wallace St, W Pershing Rd, S Normal Ave and W 40th Pl
Sponsors: Thompson, Patrick D.
Indexes: Vacation
Attachments: 1. O2016-6466 (V1).pdf, 2. O2016-6466.pdf

Date	Ver.	Action By	Action	Result
12/14/2016	1	City Council	Passed	Pass
12/7/2016	1	Committee on Transportation and Public Way	Recommended to Pass	Pass
9/14/2016	1	City Council	Referred	

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 501-527 W. Pershing Road, 535-559 W. Pershing Road, 3901-3937 S. Wallace Avenue, and 3900-3932 S. Normal Avenue are owned by Chicago Land Trust Company as successor Trustee to Lakeside Bank under the provisions of a Trust Agreement dated January 23, 2001, and known as Trust 10-2242 ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for outdoor storage space for the Developer's adjacent plumbing business; 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 public alley, described in the following ordinance; now therefore,

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

SECTION 1. THAT PART OF THE NORTH-SOUTH 20 FOOT PUBLIC ALLEY IN BLOCK 2 IN TAYLOR AND KREIGH'S SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AUGUST 26, 1856 ANTE-FIRE, BOUNDED AND DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH 88°32'34" EAST 20.00 FEET TO THE NORTHWEST CORNER OF LOT 1 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE SOUTH 01°36'38" EAST ALONG THE WEST LINES OF LOTS 1,4, 5 AND 8 IN TAYLOR AND

KREIGH'S SUBDIVISION TO THE NORTHEAST CORNER OF THE 20 FOOT VACATED ALLEY PER DOCUMENT NUMBER 12588353; THENCE SOUTH 88°30'34" WEST ALONG THE NORTH LINE OF SAID VACATED ALLEY 20.00 FEET TO THE NORTHWEST CORNER THEREOF ALSO BEING A POINT ON THE EAST LINE OF LOT 7 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH 01°36'38" WEST ALONG THE EAST LINE OF LOTS 2, 3, 6, AND 7, IN TAYLOR AND KREIGH'S SUBDIVISION 439.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS'. AREA OF PROPERTY = 8,793 SQ. FT. 0.20 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 alley 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 and its 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

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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 facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved utilities. 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 expense of the beneficiary of the vacation, or its successor and/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 deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalk in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices,

SECTION 4. 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 p_ublic , alley hereby vacated the sum

Eighty thousand dollars (\$ '80,000.00),

which sum in the judgment of this body will be equal to such benefits.

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 Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Acting Superintendent of Maps and Plats.

SECTION 6. 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.

^ebekah Scheinfeld Commissioner of Transportation

Richard Wendy
City Clerk
Alderman, 1st Ward

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EXHIBIT "A"

PLAT OF VACATION

THAT PART OF THE NORTH-SOUTH 20 FOOT PUBLIC ALLEY IN BLOCK 2 IN TAYLOR AND KREIGH'S SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AUGUST 26, 1856 ANTE-FIRE, BOUNDED AND DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH 88°32'34" EAST 20.00 FEET TO THE NORTHWEST CORNER OF LOT 1 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE SOUTH 01°36'38" EAST ALONG THE WEST LINES OF LOTS 1, 4, 5 AND 8 IN TAYLOR AND KREIGH'S SUBDIVISION TO THE NORTHEAST CORNER OF THE 20 FOOT VACATED ALLEY PER DOCUMENT NUMBER 12588353; THENCE SOUTH 88°30'34" WEST ALONG THE NORTH LINE OF SAID VACATED ALLEY 20.00 FEET TO THE NORTHWEST CORNER THEREOF ALSO BEING A POINT ON THE EAST LINE OF LOT 7 IN TAYLOR AND KREIGH'S SUBDIVISION; THENCE NORTH 01°36'38" WEST ALONG THE EAST LINE OF LOTS 2, 3, 6, AND 7, IN TAYLOR AND KREIGH'S SUBDIVISION 439.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS. AREA OF PROPERTY = 8,793 SQ. FT. 0.20 ACRES MORE OR LESS

W. PERSHING ROAD

W. PERSHING ROAD (RECORD 66 FT. PUBLIC R.O.W.)
/R. 292.28' POINT OF BEGINNING § NORTHEAST CORNER OF LOT 2 LOT 2
FENCE CORNER 2.12' EAST 0.33' SOUTH
of

R. 292.28' .

LOT 6

S 01°36'38" E 20.00 ft

AERIAL WIRES

CHICAGO JUNCTION RAILWAY

N 88°32'34" E

W. 40th PLACE

(RECORD 66 FT. PUBLIC R.O.W.)

CDOT# 04-11-16-
3767 PAGE 1 OF 2

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EXHIBIT

PLAT OF VACATION

CITY - DEPT. OF FINANCE
COOK CO.

MAIL TO AND PREPARED FOR:

DALEY AND GEORGES LTD
20 SOUTH CLARK STREET, SWE 400
CHICAGO, ILLINOIS 60603

CDOT# 04-11-16-3767

CHECKED:

REVISED 8/31/16 #2016-22969 REVISED 8/30/16 #2016-22969 (BB)
ADDRESS:
ORDERED BY: DALEY ft GEORGES LLP
PERSHING & NORMAL

GREMLEY & BIEDERMANN

A Diviikh or
PLCS, Corporation
Ucbge No. 184-005332 Expires A-30-2017 Professional Lm/o Surveyors
4505 North Elston Avenue, Chicago, IL 60630

DATE:
FEBRUARY 22, 2016
^ °V TELEPHONE: (773) 685-5102 FAX: (773) 286-A184 EMAIL: INF08PLCS-SURVEY.COM <http://INF08PLCS-SURVEY.COM>
SCALE:
1 Inch = 100 Feet

ORDER NO.

2016-22083-001

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HEREBY VACATED

CONCRETE HATCH

■ AERIAL WIRES
FENCE LINES

(D
O_ > E

UNDERLYING LOTS

Telephone MH Utility Pole Electric Vault Electric Light Pole

SURVEY NOTES:

THE ZONING CLASSIFICATION OF THE PROPERTY SHOWN HEREON IS M2-3 AS DELINEATED ON THE CITY OF CHICAGO, DEPARTMENT OF ZONING WEBSITE .

Field measurements completed on February 22, 2016.

Note R. & M. denotes Record and Measured distances respectively.

Distances arc marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.

NO dimensions shall be assumed by scale measurement upon this plat

Monumentation or witness points were not set at the clients request.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED

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PINs

20-4-104-002 20-4-104-004 20-4-104-010 20-4-104-013 20-4-104-015 20-4-104-016

State of Illinois) County of Cook)ss

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit.

Field measurements completed on February 22, 2016.

Signed on A J3. J?/, ZO/k'.

^jj^feJu

Professional Illinois Land Surveyor No. Z3Q2.

My license expires November 30, 2016

This professional service conforms to the current Illinois minimum standards for a boundary survey.

CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

FAX. 312-744-8155

COMMITTEE MEMBERSHIPS

City Hall-Second Floor 121 North LaSalle Street Chicago, Illinois 60602 Telephone 312-744-4096

Transportation & Public Way (Chairman)

Budget and Government Operations

Committees, Rules and Ethics

Education and Child Development

Public Safety

ANTHONY A. BEALE

Alderman, 9th Ward 34 East 1st 12th Place Chicago, Illinois 60628 Telephone- (773) 785-1100

Fax: (773) 785-2790 e-mail: ward09@cityofchicago.org <mailto:ward09@cityofchicago.org>

December 7, 2016

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 of the remaining segment of dead ended alley in the block bounded by West Pershing Road, West 40th Place, South Normal Avenue and South Wallace Avenue. This ordinance was referred to the Committee on November 1, 2016.

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

(Ward 11)

Respectfully submitted,

Anthony
Beale,
Chairman