

Legislation Details (With Text)

File #:	O20	19-1415						
Туре:	Ordinance		Status:	Passed				
File created:	3/13/2019		n control:	City Council				
		F	inal action:	4/10/2019				
Title:	Vacation of public way(s) in area bounded by W 38th PI, S Ashland Ave, W Pershing Rd and S Paulina St							
Sponsors:	Cardenas, George A.							
Indexes:	Vacations							
Attachments:	1. O2019-1415.pdf, 2. O2019-1415 (V1).pdf							
Date	Ver.	Action By	Acti	on	Result			
4/10/2019	1	City Council	Pas	ssed	Pass			
4/10/2019 4/4/2019	1 1	City Council Committee on Transportatio Public Way		ssed commended to Pass				

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 3838 to 3856 S. Ashland Avenue are owned by Stockyards Brick LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the street remnant to be vacated herein for construction of a commercial building; 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 street, described in the following ordinance; now therefore,

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

SECTION 1.

VACATION: THAT PART OF LOTS 19, 20, 21, 22, 23, 24, 25 AND 26, IN CHITTENDEN'S SUBDIVISION OF

BLOCK 36, RECORDED FEBRUARY 24, 1868 (ANTE-FIRE), IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 19; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 66 DEGREES 31 MINUTES 36 SECONDS EAST, TO A POINT 20.00 FEET NORTH OF THE SOUTH LINE AND 46.00 FEET EAST OF THE WEST LINE OF SAID LOT 19, A DISTANCE OF 50.15 FEET; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 48 DEGREES 53 MINUTES 30 SECONDS EAST TO A POINT 27.00 FEET WEST OF THE WEST LINE OF S. ASHLAND AVENUE, AS WIDENED, AND 16.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 30.51 FEET; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 17 DEGREES 18 MINUTES 33 SECONDS EAST TO A POINT ON THE SOUTH LINE OF SAID LOT 22 TO ITS INTERSECTION WITH A LINE 17.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF S. ASHLAND AVENUE. AS WIDENED, A DISTANCE OF 33.66 FEET; THENCE NORTH ALONG THE AFOREMENTIONED PARALLEL LINE WITH A BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST TO THE NORTH LINE OF SAID LOT 26, A DISTANCE OF 120.35 FEET; THENCE EAST ALONG THE SAID NORTH LINE OF LOT 26 WITH A BEARING OF SOUTH 89 DEGREES 58 MINUTES 10 SECONDS EAST TO ITS **INTERSECTION WITH A LINE 6.00 FEET WEST OF AND PARALLEL**

Page 1

WITH THE WEST LINE OF S. ASHLAND AVENUE, AS WIDENED, A DISTANCE OF 11.00 FEET; THENCE SOUTH ALONG THE LAST DESCRIBED PARALLEL LINE WITH A BEARING OF SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST TO A POINT OF TANGENCY WITH A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 24.00 FEET, A DISTANCE OF 168.55 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A CHORD LENGTH OF 33.95 FEET AND BEARING SOUTH 45 DEGREES 00 MINUTES 55 SECONDS WEST, AN ARC LENGTH OF 37.71 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 19, SAID POINT BEING 65.99 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 19; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 19 WITH A BEARING OF NORTH 89 DEGREES 58 MINUTES 10 SECONDS WEST, A DISTANCE OF 65.99 FEET TO THE POINT OF BEGINNING, THE ABOVE DESCRIBED PROPERTY BEING PART OF THE TRACT OF LAND TAKEN BY THE CITY OF CHICAGO FOR USE IN THE S. ASHLAND AVENUE AND W. PERSHING ROAD OVERPASS AS STATED IN DOCUMENT #18274276 RECORDED SEPTEMBER 13, 1961 FOR THAT PART OF LOT 19, DOCUMENT #18274273 RECORDED SEPTEMBER 13,1961 FOR THAT PART OF LOT 20, DOCUMENT #18166785 RECORDED MAY 19, 1961 FOR THAT PART OF LOTS 27, 28 & 29 AND THAT PART OF LOTS 21 TO 26 (NO AVAILABLE RECORDING DOCUMENT), BOTH INCLUSIVE, IN THE AFOREMENTIONED CHITTENDEN'S SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS SAID LAND AREA = 3,707 sq. ft. = 0.085 acre, more or less (COMMONLY KNOWN AS: 3846-56 S. ASHLAND AVE., CHICAGO, ILLINOIS 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, AT&T/SBC, Comcast, 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 segment 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, and/or Comcast 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 herein vacated will be accomplished by the involved utility, and be done at the expense of the Developer, its successors or assigns.

Page 2

SECTION 3. The City of Chicago reserves for the Metropolitan Water Reclamation District, and its successors or assigns, a perpetual easement for facilities 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 Metropolitan Water Reclamation District shall have 24 hour access to the area to be vacated, that no buildings or other permanent structures shall be erected, or grade changed, on said easement herein reserved, or other use made of said area, which in the sole discretion and judgment of the respective 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 service facilities. It is further provided that the repair, renewal or replacement of any private materials, or private property damaged as a result of the Metropolitan Water Reclamation District exercising of its easement rights in the area to be vacated, shall be the sole expense and responsibility of the Developer, its successors or assigns.

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 pari of public street remnant hereby vacated the sum

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dollars (\$ 5 S/OOO.OO),

SECTION 5. The vacation herein provided for are 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 plats as approved by the Acting Superintendent of Maps and

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.

Plats.

Page 3

Vacation Approved:

Rebekan Scheinfeld Commissioner of Transportation

Approved as to Form and Legality

Lisa Misher Deputy Corporation Counsel

Honorable George Cardenas Alderman, 12th Ward

Page H

EXHIBIT "A"

PLAT OF VACATION OF

THAT PART ON' LOTS 19.20. 21. 22, 23, 24. 25 AND 26. IN CHITTENDEN'S SUBDIVISION OF BLOCK 36, RECORDED FEBRUARY 24, 1868 (ANTE-FIRE). IN CANAL TRUSTER'S SUBDIVISION OF THE EASTH OF SECTION 31, TOWNSHIP 39 NORTH. RANGE 14. EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS. BEGININING AT THE SOUTHWEST CORRER OF SADLOT 1), THENCE NORTHEASTERY 4 JUONG A STRAIGHT LINE WITH A BLARING OF NORTH 66 DEGREES 31 MINUTES 36 SECONDS EAST TO A POINT 20 00 FEET NORTH OP THE SOUTH LINE AND 4600 FEET EAST OF THE WEST LINE OF SADLOT 19, A DISTANCE OF 05 16 FEET. THENCE NORTHEASTERY 4 JUONG A STRAIGHT LINE WITH A BLARING OF NORTH 46 DEGREES 53 MINUTES 35 SECONDS FAST TO A POINT 27 00 FEET WEST OF THE WEST LINK OK S ASHLAND AVENUE, AS WIDENED, AND 1600 FEET NORTH OF THE SOUTH LINE OF SADLOT 20 A DISTANCE 0F 90 ST FEET. THENCE NORTHEASTERY 4 JUONG A STRAIGHT LINE WITH A BLARING OF NORTH 17 DEGREES 15MINUTES 30 SECONDS STRAIGHT LINE WITH A BLARING OF NORTH 17 DEGREES 15MINUTES 30 SECONDS AST TO A POINT 07 HE SOUTH LINE OF SADLOT 20 A DISTANCE 0P 30 ST FEET. THENCE NORTHEASTERY 4 JUONG A STRAIGHT LINE OF SABLAND AVENUE, AS WIDENED, A DISTANCE OF 33 66 FEET. THENCE NORTH ALDNG THE ASTRAINE 0F NORTH LINE OF SADLOT 20. DISTRESCETION WITH A LINE OF A DISTANCE OF 133 SFEET. THENCE EAST ALONG THE AFOREMENTIONED PARALLEL LINE WITH A BLARING OF NORTH 100 SECONDS EAST TO THE NORTH LINE OF SADLOT 20. DISTANCE OF 130 SFEET. THENCE SOUTH ALDNG THE ASTRAIL LINE WITH A BLARING OF SOL TH 100 FE S ASHLAND AVENUE. AS WIDENED. A DISIANCE OF 130 SFEET. THENCE SOUTH LINE OF SADLOT 20. DISTANCE OF 130 SFEET. THENCE EAST ALONG THE SAD NORTH LINE OF SADLOT 20. DISTANCE OF 130 SFEET. THENCE SOUTH A DEGREES SO MINUTES 10 SECONDS BEAST TO TO FANGENCY WITH A CURRY BEANG THE SADLOT 20. DISTANCE OF 130 SFEET. THENCE SOUTH A DEGREES SO MINUTES 10 SECONDS BEAST ON TO SUTH AS DEGREES ON MOUTES 10 SECONDS WEST TO A POINT OF TANGENCY WITH A CURRY SECOND WEST TO A POINT OF TANGENCY WITH A CURRY SECOND SEAT TO TO SUTH THE SOUTH A DEGREES SO MINUTES 10 SECONDS B

LAND AREA - 3.707 nl lt - 0 085 acre, more or lew COMMONLY KNOWN AS 3846-56 S. ASHLAND AVF . CHICAGO. ILLINOIS

Surveyor¹¹ Noiel All dimensions ind angles ire measured on the field Dimensions ire shown in feci and decimal purts thereof (R or Rec "Record) are dimensions found in recorded subdivision (M or Mens "Measured) refers tu dimensions found on ihe field No dimensions should be uiumed by scale measurements upon [he plat For building lines, easements ind other restrictions no) shown hereon, refer to your deed, tile policy and local zoning ordinance, etc The above described property is within Zone District N+2 (Manufactuming District; Unless Milenvill noicd hereon, (he bearing basis, elevation datum and coordinate datum if used is assumed As of lite laudy of fieldwork noted below, (he above described proper;)' is vacant. Last Date of Fieldwork July 05. 2017 Date of List Revision Junuiry 31,2UL9 Surveyor's Certificate State ofIllinois) .. County ofCouk)

The above described property was surveyed by M M Sun eying Company, Inc., under the supervision of Zbigmow Domozych. nn Illinois Professional Land Surveyor, and the pint hereon drawn is a correct representation of suid sun cy, all distances arc shown in feci and decimal parts (hereof Containing 3,707 su 11 = 0.085 aire, mure ur less This professional scnicc conforms to the current Illinois Minimum Standard for Boundary Survey Given under my hand and seal al Chicago, Illinois.this 30th day of JANUARY A D 20 19

Illinois Professional Lund Surveyor No 35-3758 Lie Itsp 11/30/2020

DESCRIPTION Solid Line (Property Line. Right of Way Lint Long Dash Short (Street Center Line) Short Dash Short I Original Loi Lines) Dolt (Lend Arrows) Solid Line (Areas to be dedicated for alley) Hatch (Areas to be Vacated) Righl-Or-Way Radius Chord

CDOT #31-12-17-3836 (Page 1 of 2)

Plat Prepared Cor LAW OFFICE OF MICHAEL E REDIGER. PC. 55 WEST WACKER DR , 9TH FLR CHICAGO. ILLINOIS f-OoOI Milito MICHAEL E REDIGER LAW OI FICE OF MICHAEL E REDIGER, P C 55 WEST WACKER DR , 9TH FLR CHICAGO. ILLINOIS dOdIH

MM SURVEYING CO., INC.

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Chicago Department of Transportation city of chicago

Mr. Edward Siskel Corporation Counsel Room 600 - City Hall Chicago, IL 60602-1289

Attention: Ms. Lisa Misher Deputy **Corporation Counsel**

File #: O2019-1415, Version: 1													
	Proposed	Vacation	for	Stockyards	Brick,	LLC	Commercial	File:					
31-12	-17-3836												

Dear Mr. Siskel:

Pursuant to a request from Mr. Matthew Joyce, we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed vacation of a grassy area that is a remnant of S. Ashland Avenue that remained after a street reconfiguration. This property is located in the 12th Ward.

Stockyards Brick LLC is the owner of record to the property adjoining the public street remnant to be vacated. The people to contact in connection with this proposed ordinance are Attorney Michael Ezgur at 312-327-3350, and Mr. Matthew Joyce at 312-286-9778.

A reservation has been made in Section 2 for Corned, Comcast and AT&T/SBC. All other utility agencies are either not involved or have made suitable arrangements. The balance of the ordinance requires compensation to the City for the land being conveyed, and covers standard language regarding recording.

R|telf«cheinfeld Commissioner

Originated by:

- -y^~^==

Luann Hamilton Deputy Commissioner

RS: LH: WH: RD cc: Alderman Cardenas (12) Alderman Anthony Beale Pablo David Sandra Foreman/w Attach. Dwg.-s.f. & Ord. (3) file copies (2) Maps & Plats

30 NORTH LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 6060

CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

COMMITTEE MEMBERSHIPS

City Hall-Second Floor 121 North LaSalle Street Chicago, Illinois 60602 telephone 312-744-4096 FAX: 312-744-8155

Transportation & Public Way (Chairman)

Budget and Government Operations Committees, Rules and Ethics

Education and Child Development Finance

Public Safety

ANTHONY A. BEALE

Alderman, 9th Ward 34 East 1 12th Place Chicago, Illinois 60628 telephone: (773) 785-1100 Fax (773) 785-2790 e-mail: ward09@cityofchicago.org <mailto:ward09@cityofchicago.org>

To the President and Members of the City Council:

Your Committee on Transportation and Public Way begs leave to report and

File #: 02019-1415, Version: 1

recommend that Your Honorable Body pass the proposed ordinance transmitted herewith for a VACATIONS to STOCKYARDS BRICK, LLC - 02019-1415 A proposed vacation in the area bounded by West 38th Place, South Ashland Avenue, West Pershing Road and South Paulina Street. This ordinance was referred to Committee on March 13, 2019.

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

(Ward 12)

Respectfully submitted,