Legislation Details (With Text)

File #:	O2021-1873		
Type:	Ordinance	**Status:**	Passed
File created:	5/26/2021	**In control:**	City Council
		Final action:	6/25/2021
Title:	Dedication and vacation of public way(s) in area bounded by W Lake St, N May St, W Randolph St and N Racine Ave		
Sponsors:	Burnett, Jr., Walter		
Indexes:	Dedications, Vacations		
Attachments:	1. O2021-1873.pdf		

Date	Ver.	Action By	Action	Result
6/25/2021	1	City Council	Passed	Pass
6/14/2021	1	Committee on Transportation and Public Way		
5/26/2021	1	City Council	Referred	

COMMERCIAL DEDICATION/VACATION AND PUBLIC WAY EASEMENT ORDINANCE

WHEREAS, the City of'".Chicago ("City,1;J is a home rule unit of local government pursuant to Article VII, Section:6 (a) of the i970.; Constitution of the: State iof jllihois-ahd, as such, may exercise any. power and perform any function, pertaining to. its;g6vefhrnent and affairs; and

WHEREAS, the properties located ,at 158-182 N. May .Street; 1133-:1157 W, Lake Street, and 169-183 N. Racine Avenue are owned by Lake Street; Corporation, an Illinois .corporation, formerly-known as Leon's Sausage Company; and

WHEREAS,the properties located at 1132-1140 W. Randolph Street and 148-154 N. May Street, are owned by Randnob Holdings LLC, a Delaware limited liability company; and

WHEREAS Lake Street Corporation and' Randnob Holdings LLC shall hereafter be referred to as, the "Developers"; and

WHEREAS, the Developers !prppose;tb: use the portion of the alley remnant to be vacated therein -for construction !0.f. -a mixed'-use' retail development; jri accordance :with the; associated Planned Development; and

WHEREAS, 'the City, [Council of the; City; after due. investigation and consideration, has determihedrthat the*'hature and extent of. the public use and theipublic inter,.e.si;to)',be.subserved is;.such as to warrant, the vacation*of that p^rtibn-of.'the.p^ acceptance of the new

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alley dedication, as described in this ordinance;[1] now, therefore,

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

SECTION 1. The Commissioner of the Department of f ransportatiori, or any of her designees, is each, hereby authorized and directed to approve a dedication of certain property owned by Lake Street Corporation, for cpn.strUctio'nlan'd^.useias a new east-west; 10-fbot.wide public* alley, in the location as consented' to by the adjacenf.title holder in EXHIBIT D, as legally described below and labeled as "HEREBY DEDICATED" on; the Plat of Dedication .hereto attached as EXHIBIT A.

THAT PART OF LOT 14 AND THAT PART OF THE 18 FOOT WIDE NORTH -SOUTH VACATED ALLEY VACATED BY ORDINANCE PASSED NOVEMBER 26, 1986 AND RECORDED FEBRUARY 20,. 1987 AS DOCUMENT NUMBER 87100801 BOTH INCLUSIVE, IN BLOCK 29 INi CARPENTER'S ADDITION TO CHICAGO, ANTE-FIRE, IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN,

AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 14 THENCE NORTH 00 DEGREES 03 MINUTES 17 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 14 ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF N. RACINE AVENUE 10.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 25 SECONDS EAST 134.09 FEET TO EAST LINE OF SAID 18 FOOT VACATED ALLEY ALSO BEING THE WEST LIKIE OF LOT 13 IN BLOCK 29 IN CARPENTER'S ADDITION. AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID 18 FOOT VACATED ALLEY ALSO" BEING THE WEST LINE OF SAID LOT 13 A DISTANCE OF 10.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 25 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 14 AND ITS EASTERLY EXTENSION 134.09 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE: PARCEL CONTAINING 1,341 SQUARE FEET, OR 0.030 ACRES MORE OR LESS.

SECTION; 2. The.Vacation shall be described as:

THAT PART OF THE 10 FOOT WIDE EAST-WEST PUBLIC ALLEY LYING NORTH OF AND ADJOINING THAT PART OF LOT 29 (EXCEPT THE WEST 3.60 FEET THEREOF) AND LOTS 30, 31 AND 32 (EXCEPTING. PARTS OF SAID LOTS TAKEN FOR WIDENING OF WEST RANDOLPH STREET), AND LYING SOUTH OF AND ADJOINING LOT 21 ALL IN BLOCK 29 IN THE SUBDIVISION OF BLOCKS 7,11,13,29, 47 AND 53 OF CARPENTER'S ADDITION TQ CHICAGO, A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE? 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE-FIRE, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 21, ALSO BEING THE WEST RIGHT OF WAY OF N. MAY STREET; THENCE - SOUTH 00: DEGREES 00 MINUTES 09 SECONDS WEST 10.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 32, ALSO ON SAID WEST RIGHT OF WAY OF N. MAY STREET; THENCE SOUTH 89 DEGREES 51 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF LOTS 32, 31, 30 AND THAT PART OF LOT 29, AFORESAID 96.14 FEET TO A POINT 3.60 FEET EAST OF THE. NORTHEAST CORNER OF SAID LOT 29; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE 3.60 EAST AND PARALLEL TO THE WEST LINE OF LOT 29 AFORESAID 10.00 FEET TO A POINT ON.THE SOUTH LINE OF SAID LOT 21; THENCE NORTH 89 DEGREES 51 MINUTES 36 SECONDS EAST ALONG THE SOUTH LINE OF LOT 21 AFORESAID, 96.14 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 961 SQUARE FEET OR 0.02 Acres more or less, as shaded and legally described by the words "HEREBY VACATED" on the: Plat of Vacation hereto attached, as EXHIBIT B, which plat for; greater clarify, is; hereby made a part of this ordj.nance,, bis and the same ,\s hereby vacated and dosed,, inasmuch as the same is no longer required for public use and the public interest/will be subserved byrsuch vacation:

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■ SECTION 3. The; Developers acknowledge that any. private sewers, Appurtenances and connections within {the area to be dedicated, shall, be .sealed, removed; or relocated to private, property! at the; Developers' expense; in accordance with the standard procedures of the. Department of Water Management; Sewer Section;, or established as public through separate City Council, action: jlh, the event ithati-any existing ..private; sewer is abandoned -, the abandonment plans; must be reviewed, approved; and permitted; by the Department of Water Management, Sewer Design Section prior to work.

SECTION 4. The Developers also acknowledges-that"they =are ^responsible; for proyidihg. proper drainage in the alley, herein; dedicated, at their sole expense; arid in "accordance with plans; reviewed, approved and permitted by the Department of Water Management Sewer Design .Section, prior to work;: No new public, sewers shaft be. established in the alley herein dedicated.

SECTION 5. The City of Chicago hereby reserves.-forthe benefit of ATT/SBC and Com'casti/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^a'ibn'githe. public alley-herein vacated, with the right of ingress and egress at all .times. The grade bf'the vacated public way shall not be. altered :in; a manner so as to; interfere with; the operation and maintenance .bf.said facilities. No construction, buildings, permanenf; sfructurestor other obstructions shall occur;pr be placed pyer:the;;area herein vacated"--without an express written release of-easement by the named utilities. The Developers: acknowledges that any future utility work initiated by them, their successors or assigns, involving the utilities herein reserved for within the. public way area vacated, requires prior review by the City's Office-pf; Underground Coordination.. Utility relocations will be accomplished by. the ^involved utilities at.the sole, expense of the[1] Developers,, their successors and assigns. 'Any future/ teleaseTbf easement by. thereserved utilities shall, include,, at the .utility's option; ithe abanddhment:;ih,place;o'f, the existing facilities, equipment and appurtenances as may .be located over, through, under, along and. across the vacated :area\ It is further provided that all costs 'and expenses associated with the. removal of abandoned facilities shall, be borne exclusively by the Developers, and,<their successors, arid assigns,; and not by. the abandoning[1] utilities,.

SECTION 6. The public way dedication herein provided for is made upon the express condition that within 180: days after the passage of this ordinance;, and prior to recording, the Developers shall deposit {n the City Treasury/of the City of Chicago, a quoted sum sufficient to defray' the cost' of work for public paving, curb, and related appurtenances associated with their project Ifpr use: in the event that they, default in their obligation^ to construct; the directed improvements in accordance; with; the most current, version of the Department of Transportation's Regulations for. Opening. Repair and Construction, in the Public Way, and its- appendices,- and', in ;aecbrdance; with;"the Duty .to Build Agreement executed by the. contract purchase, attached herein and' made a part: of this ordinance as EXHIBIT C. The Division of Infrastructure^ .Management, Construction Compliance Unit, Room 905; City. Hall, shall return the deposit monies (minus service; fee) upon iinspection ;of the work and approval.

SECTION 7!. The Commissioner of the Department of Transportation is hereby authorized to accept and approve a separate Public Way Easement Agreement or similar instrument restricting the private use and: improvement of- the ;'6' area 'labeled "HEREBY RESERVED FOR PUBLIC WAY EASEMENT" on the attached Plat of Dedication (EXHIBIT A),, to a .perpetual, non-exclusive', dedicated public access area for continued, unimpeded, open publje

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[.pedestrian and' vehicular access. in: .'conjunction -with- the dedicated lip';public .'alley, subject to the .approval of the Department of Transportation,: andlthe Corporation Counsel as taformand legality;

SECTION 8. the vacation herein provided for is made upon the .express condition ;that: withjn i80 days after the passage of this; ordinance, the Developers shall, pay pncause.tp 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 public alley hereby vacated the sum,

. ■- . ... dollars ($),

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

SECTION .9. The .vaeatjoh.:arid.dedicatidn. are made:under the express con"dition;that the Developers, and. their successors and assigns, shall hold harmless, indemnify and defend the City of Chicago frorrfcall claims related to said vacation and dedication .

SECTION' 10. The vacation and dedication herein, set forth are made with; the, condition that within one hundred eighty (T80) days after the passage of this ordinance, the. Developers shall file or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois acertified copy of this ordinance, together with the full-sized, Plat of Dedication and ;f?iat of Vacation as approved by. the- Department;, of Transportation's Superintendent:of Maps and Plats.

SECTION 11. This ordinance shall take effect and be in force from and after its passage and publication. The vacation and dedication shah take effect, and be in force from and after recording of the approved ordinance and associated plats.

Vacation,. Dedication Approved:

Gia;BiagT Commissioner of Transportation

Approved as to Form and Legality

Introduced By:

Honorable Walter Burnett | Alderman, 27th Ward

SUBDIVISION CF BLOCK'29 OF CARPENTER'S ADDITION TO .CHICAGO- [ANTE-F1RE)j

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EXHIBIT "A" "

PLAT OF iiii€Ati£>N

SEE PAGE 2 FORIEGAL'OESCRIPTION:

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£ IN FEET.I

r = w-

LAKE STREET
CDOT# 08-27-20-3934

AFFECTED PINS: ~ [
1T4SU2T-007^000 - LOTS 11 & 14'
17-O84274lir<d00:-LbT,'i3
17-08-427-0124000 - LOTS 13 416

LEGAL DESCRIPTION:

THAT. PARTvOf.?LOT 14VAND 'THAT PART. OF THE^lB FOOT WIDE

N6RTH:SbijtH VACATED ALLEY VACATED BY, ORDINANCE PASSED

NOVEMBER: 26; ■ 1986 AND, RECORDED .FEBRUARY 1Z0,' 1987 AS

DOCUMENT NUMBER 87100801 BOTH INCLUSIVE,: IN BLOCK 29-IN

CARPENTER'S ADDITION TO CHICAGO, ANTE-FIRE, IN THE

SOUTHEAST QUARTER OF SECTION 8,TOWNSHIP 39 NORTH, RANGE

14;EAST OF'THE THIRD PRINCIPAL MERtDLAN,'AND DESCRIBED AS

FOLiOWS|^EGINNING AT THESOUTHWEST CORNER OF SAID LOT 14

THENCE NORTH DO DEGREES OJ MINUTES 17 SECONDS WEST ALONG

THE WEST UNE OF SAID LOT 14 ALSO BEING, THE EASTERLY RIGHT OF

WAY UNE OF N. RACINE AVENUE 10.00 FEET; THENCE.NORTH 69

DEGREES SI MINUTES 25 SECONDS/EAST 134.09 FEET TO EAST, UNE

OF SAID 18 FOOT VACATED ALLEY: ALSO BEING THE WEST LINE OF

LOT 13 IN BLOCK 29 IN 'CARPENTER'S ADDTION AFORESAID; THENCE

SOU™ 00 DECREES.01 MINUTES 34 SECOND5 EAST ALONG THE EAST

UNE.OF SAID « FOOT VACATED'ALLEY ALSO BEING THE. WEST UNE

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CHICAGO DEPARTMENT OF FINANCE
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PARCELrCONTAiNiNG 't FEET,'OR OiOM ACRES MORE OR
LEssr '"-"

CHICAGODEPARTMENTOF-TRANSPORTATION.

OWNER'S CERTIFICATE:

: Stele oMlli.iDi5) Countyi'of')ss

- ■ ■ ■■ . dobs rtensbi'certify thai il Is Ihb owner ;of.the property,dasalbed hereon and that A has caused the said property lo do "" surveyed and'declcatbd far Public Fughl of Way as shown hereon.

OWNER'S CERTIFICATE:

Stated) Illinois) •;Countyof jss

■ ■ ■ . h ■:■ ... ■ .'does hereby eerily thai it i9 Ilia owner of me property described hereon and that it has caused lha iald property north of and adjoining the hereby dedicated public right of way to do survoyed and hereby reserved far Public Way Easemenl.as shown hereon.

_a:D.2021.:

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■ State- of Illinois) :Cburity of■" ;)ss'

, a Notary Public In and for>lhe,County arrd StelB,

.cVrM'ruliy'lmowrito'^,

.'afpresajd.-.do hereby certify that.
,'Uie.saWe person who appeared before mo this d«yin;p«rson.s^nd acknowledged thai he '(she) is the.owner of the property described on th'a pfat hereon ^rewn'and that as such iowfiei he (she)'signed,

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sealed and delivered the said instrument forthe uses and[0] purposes therein sot forth; Given under my hand arid seal tinis" '. dBy'df .'.."" "" "A.O.202V.:'

: Stale of Illinois)' ICounty'of;)ss

_ a Nolarv' Publlc in and tor the County and Sieta
-aforesaid, do hereby certify that :... - - ' " 'PorsonoDv Known to me lobe:
the same person who appeared before me this day In person and admowledoed trial to (she) is lha owner of lha property described on the plat hereon drawn and thai as such: . .owner tie'.(she) signed, sealed and delivered ttie'iald Instrument lor the uses arid purposes therelri'set forth. Given under my hand.and ml :'lhis' day'of'A:d',2021,

lyolary Public -

SURVEY PREPARED FORV AND.MAILTO:

.Gabriel Leah'u: -2234 W." North/Avenue Chicago; II. 60647 ■

lUr^Y^'.NbTES:

SURVEYOR'S:LICENSEEXRIRES;Noveinbor,30,.2626.,

ZONING: vB,1 (Neighborhood Shopping Oi9trict)l-2(Neighbbn^ood,Mixed;Usc'Dlstr|ct):

FIELD MEASUREMENTS COMPLETED ON OCTOBER 23.12019;

Note;{R):&'(M)'deriot9s Record\j^N^^^ilis^m i^ei!&mlij.-

Distances are'marked in feel and decimal parts thereof. Compare.all'p'ointa.BEFORE building by^sarrie and at'b'nce report any.differences BEFORE damage'is'donejr

For-easements, building lines and other re^irtctlons'not shown on survey plat refer to your abstract^ deed, contract, sue policy and local buiidlng'lina regulations.

Noiary Public

SURVEYOR'S, CERTIFICATE
Stats.of Illinois)" County of Cook)ss

We',,GREMLEY & BIEDERMANN, INC. herebyjcerSfy ttiatwe have' ■ surveyed the above described property and.that the plat hereon drawn le a correct representation of said survey, corrected.to a temperature of S^'Fahrenhell..

Field measurements bompleied^on.Nov^beM Signed on f^r^f ^.Zj&Z'/ ■: By: I
\/ I - fc^V Hi. .

Professional Illinois'Land Surveyor No. Thls'professional service conforms to the standards for a boundary survey.

EXHIBIT "B"

PLAT OF VACATION

THAT PART OF.THE i0,FO0T;WIDE EAStWEST PUBLIC ALLEY LYING NORTH OF AND ADJOINING THAT PARTOF LOT 29 (EXCEPT "WE W|ST'3.S0 FEET THEREOF) AND LOTS 30,31 AND 32 (EXCEPTING PARTS'OF SAID LOTS TAKEN FOR WIDENING OF: WEST [.RANDOLPH STREET), ANp'LYING;SOUTH OF AND ADJOINING LOT il AUi IN BLOCK 29 IN THE SUBDIVISION OF BLOCKS,
"7,ii;i3i29, V ANDisi o A SUBDI VISION OF THE SOUTHEAST 1/4 OF SECTION .,..
"VIOWNSHIP 33 NORTH, RANGE i4,';EAST OF THE THIRD PRINOPAL MERIDIAN, ANTE-FIRE, AND DESOTBED AS FOLLOWS:
, BEGINNING AT THE SOLTfHEAST CORNER OF SAID LOTH, A ISO BEING THE WEST RIGHT OF WAY OF N.MAY STREET; THENCE; SOUTH 00 DEGREES 00 MINUTES 09 SECONDS WEST 10.00 FEET. TO THE NORTHEAST CORNER OF SAID LOT32, ALSO ON SAID WEST RIGHT OF WAY OF N: MAY STREET; THENCE SOUTH 89 DEGREES SI MINUTES 36 SECONDS WEST ALONG THE NORTH UNE OF LOTS 32, }l. 30 AND THAT.PART OF IO.T.ZSv AFORESAID 96.14 FEET TO A POINT3.60 FEET-EAST OF THE NORTHEAST CORNER . OF SAID LOT. 19; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A UNE3.60 EAST AND PARALLEL TOTHE WEST LINE OF LOT 29 AFORESAID 10.00 FEETJO A POINT ON THE SOUTH UNE OF SAID LOT Ii; THENCE NORTH 89 DEGREES 51 MINUTES 36 SECONDS EAST ALONG THE SOUTH UNE OF LOT 2VAFORESAID 96.14 FEETTO THE POINTOF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID ABO VE DESCRIBED PARCEL C0NTAINNg'961SQ.IJARE FEET OR 0.02 ACRES MOM OR LESS.

W: LAKE STREET,

(RECORD: 80 FT.' PUBUC R.o:tf.>"

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.W. RANDOLPH [STREET

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GRFMeV. i BIEDERMANN, ASM. ■

'BUILDING HATCH'
HERGBY VACATED

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TO BE DEDICATED
CONCRETEHATCH:

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2019-27087-002^;
CDOf# 08-27-20-3934

RECORD LINES
■: ■: UNDERLYING LOTS

-/BOUNDARY LINES

-» FENCELINE
AERIAL WIRES
R. ■RECORD■ M.: = MEASURED R.O.W.■» RIGHTOF, WAY
tiSi UTILITY ROLE

EXHIBIT. ?B"

PLAT OF VACATION

COOKCO.i

SURVEYOR'S NOTES:

'EIELD MEASUREMENTS COMPLETED ON DECEMBER 17. 2018.

THE ZONING CLASSiPi'CAtiON OF THE PROPERTY SHOWN HEREON IS C1-1. AND :C1-2 AS □
ELINEATE0;6NTHECITYOF CHICAGb;OEPARTMENT OF. ZONING: WEBSITE;. -

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

.Distances art) markedjn-feet and decimal par^lherepf. Compare all pqlntsBEFORE building by same arid at bribe| report anydiftowces BEFORE damage is done.

For easements; buStog'liries and otKer rBstricUons not shown on survey plat refer to your ■'aiisiri^'<leeHi<xnimci', litlc'pollcy.and toeSi buildingi itrie regulaUons.-,

NO dimensions shall be assumed by:scale measurement upon this plat.

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

COPYRIGHT GREMLEY. & BIEDERMANN, INC'.'201B *ABRight* Reserved"

AFFECTED RINS:
■1748-427^119'- LOT 21 ,17-08-427'-0'l9 - LOTS 29 4 30 174)
8^2^20 - LOTS 30 & 31 17-0a-427<l21> LOTS 31 a 32

SURVEY PREPARED FOR ANDJvlAIL TO;

LG'OEVELOPMENT GROUP LLC 2234'W.'N6rTH'AVENUE CHiCAG6'lL,60S47

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2019-27087-002

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CDOt# 08-27-20-3934

SURVEYORS CERTIFICATE

:6tate of Illinois) County of Cook)ss

We, GREMLEY A BIEDERMANN, INC. hereby cwWythat wo h'avo 6uryoyod tho hereon described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62* Fahrenheit

Field measuranioiila completed on SEPTEMBER 5,2019.

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By: ™

Prorosalonal Ill|ngl» Land Surveyor No.:'Z3iOg My ncenaa expires November 30,2020 This professional service conforrne to the curranlllinoja.minimum standards for.a.bC4indary,survey.'-

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