



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: O2021-2557
Type: Ordinance
Status: Passed
File created: 6/25/2021
In control: City Council
Final action: 7/21/2021
Title: Dedication of public way(s) in area bounded by S Carondolet Ave, E 122nd St, South Chicago and Southern Railroad, and E 126th St
Sponsors: Sadlowski Garza, Susan
Indexes: Dedications
Attachments: 1. O2021-2557.pdf

Date	Ver.	Action By	Action	Result
7/21/2021	1	City Council	Passed	Pass
7/15/2021	1	Committee on Transportation and Public Way		
6/25/2021	1	City Council	Referred	

DEDICATION ORDINANCE

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. The Commissioner of the Chicago Department of Transportation ("Commissioner"), or the Commissioner's designee, is hereby authorized and directed to approve a proposed dedication for a public right of way flare at the southeast corner of E. 122nd Street and S. Carondolet Avenue, being a dedication of a portion of a certain lot owned by NP Avenue O LLC, a Missouri limited liability company ("Developer"), and legally described below and in the attached plat (EXHIBIT A, CDOT File: 30-10-21-3969) which, for greater certainty, is hereby made a part of this ordinance:

THAT PART OF LOT 3 IN NORTHPOINT'S AVENUE O INDUSTRIAL PARK -SUBDIVISION 1, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 19, AND PART OF THE NORTHEAST QUARTER OF SECTION 30, ALL IN TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 22, 2020, AS DOCUMENT NO. 2035716179 IN THE OFFICE OF THE RECORDER, COOK COUNTY, ILLINOIS, BEING BOUNDED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF SAID LOT 3; THENCE SOUTH 89 DEGREES 59 MINUTES 16 SECONDS EAST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE NORTHERN LINE OF SAID LOT 3, ALSO BEING THE SOUTH RIGHT OF WAY OF E. 122nd STREET, A DISTANCE OF 120.00 FEET; THENCE SOUTH 44 DEGREES 41 MINUTES 18 SECONDS WEST 168.74 FEET TO A POINT ON THE WESTERN LINE OF SAID LOT 3, ALSO BEING THE EAST RIGHT OF WAY OF S. CARONDOLET AVENUE, SAID POINT LYING 120.00 FEET FROM THE NORTHWESTERN CORNER OF SAID LOT 3; THENCE NORTH 00 DEGREES 38 MINUTES 08 SECONDS WEST ALONG THE WESTERN LINE OF SAID

LOT 3, AND ALONG THE EAST RIGHT OF WAY OF S. CARONDOLET AVENUE, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 7,200 SQUARE FEET OR 0.165 ACRES, MORE OR LESS.

SECTION 2. The Developer acknowledges that any private water services, sewers, appurtenances and connections within the area to be dedicated shall be sealed, removed or relocated to private property at the Developer's expense, in accordance with the standard procedures of the Department of Water Management. Any private sewers may only be established as public through City Council action. Acceptance of new public sewers is contingent upon submittal of as-built drawings, and physical and videotape inspection conducted by or on behalf of: the Developer and provided to the Department of Water Management within 30 days of completion. All sewer work in both the public

way and on private property requires permitting of a Licensed Drainlayer as secured through the Department of Buildings-Sewer Permit Section, said work being done at the Developer's expense, and in accordance with plans reviewed, approved and permitted in advance by the Department of Water Management Sewer Design Section. In the event that any 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 3. The dedication herein provided for, and its improvement as public way shall be subject to the construction requirements identified in the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices, and other terms in accordance with the Developer's executed Duty to Build Agreement attached hereto and made a part of this ordinance as Exhibit B.

SECTION 4. The dedication herein provided for is made under the express condition that the Developer, and its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to the dedication.

SECTION 5. The dedication is also 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 full-sized corresponding plat approved by the Department of Transportation's Superintendent of Maps and Plats.

SECTION 6. This ordinance shall take effect and be in force from and after its passage and publication. The dedication shall take effect and be in force from and after the recording of the approved ordinance and associated plat.

Dedication accepted by:

GiaBiagi Commissioner
Department of Transportation

Approved as to Form and Legality

Arthur Dolinsky Senior Counsel

Introduced by:

Honorable Susan Sadowski Garza Alderman 10th Ward

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4825 NW 41st Street Suite 500 Riverside, MO 64150

DUTY TO BUILD AGREEMENT FOR CREATION OF A NEW STREET

The signatory, an authorized agent of NP Avenue 0, LLC ("Developer") agrees to construct the corner clip at Carondolet and 122nd Avenue proposed to be dedicated by the Developer in a pending application to the Department of Transportation. The Developer agrees to the below

terms of the dedication: ■

I am aware that I am responsible for the construction of all new public and private rights of way (streets, alleys, etc) described on the Plat of Subdivision/Dedication.

I further understand that all rights of way (both public and private) must be built to City specifications as detailed in CDOT's Regulation for Openings. Construction and Repair in the Public Way,

Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards.

Printed name: Christina.Hubacek

Organization:, NP Avenue o, llc

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Address: 4825 NW 41st Street, Suite,500, Riverside, MO zj_p: 64150

Phone/fax: JJ /

Email: chubacek@northpolntkc.com <mailto:chubacek@northpolntkc.com>

Subscribed and sworn to before me this jj^Tday of March 2021

HEARHER R. PFENDER Notary Public ■ Notary Seal Cl.ry County - Slue of Missouri Commission Number 1563352.1 My Commission Expires Feb 24, 2023

NP Avenue 0, LLC

By: NPD ManagementftLC, its Manager

Bv.= . ..

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Date: 3-1t-1l