



Office of the City Clerk

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Legislation Details (With Text)

File #: O2011-5422
Type: Ordinance **Status:** Passed
File created: 6/8/2011 **In control:** City Council
Final action: 6/8/2011
Title: Correction of City Council Journal of Proceedings of March 9, 2011
Sponsors: Beale, Anthony
Indexes: Year 2011
Attachments: 1. O2011-5422.pdf

Date	Ver.	Action By	Action	Result
6/8/2011	1	City Council	Passed	Pass
6/8/2011	1	Committee on Committees, Rules and Ethics	Direct Introduction	

Chicago, June 8, 2011

To the President and Members of the City Council:

Your Committee on Committees, Rules and Ethics, having under consideration an Ordinance introduced by Beale (Directly introduced to Committee on June 8, 2011) correcting page 114048 of the March 9, 2011 Journal of Proceedings by striking:

In it's entirety page 114048

and inserting in lieu thereof:

the new Exhibit A Attached

having had the same under advisement, begs leave to recommend that Your Honorable Body pass the Ordinance which is transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee on June 8, 2011.

Alderman Richard F. Mell ¹ Chairman,
Committee on Committees, Rules and Ethics

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JOURNAL CORRECTION

WHEREAS, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to an ordinance ("2007 Ordinance") adopted by the City Council on September 5, 2007 and published at pages 7319 through 7322 in the Journal of Proceedings of the City Council of such date, the Commissioner of the City's Department of Transportation ("CDOT") authorized the vacation of parts of a public street and public alleys ("Public Ways"); and

WHEREAS, pursuant to the 2007 Ordinance, the City reserved a right-of-way easement ("Reserved Easement") in portions of West 14th Place within the Public Ways for an existing sewer and for the installation of any additional sewers or other municipally owned service facilities; and

WHEREAS, pursuant to the 2007 Ordinance, the City also restricted the construction of buildings or other structures ("Building Restriction") on the Reserved Easement; and

WHEREAS, pursuant to the 2007 Ordinance, the vacation of the Public Ways was conditioned upon the deposit of certain monies in the City Treasury within a certain 180-day period after the passage of the 2007 Ordinance and such monies were not so deposited within such period thereby voiding the 2007 Ordinance; and

WHEREAS, pursuant to an ordinance ("2011 Ordinance") adopted by the City Council on March 9, 2011 and published at pages 114045 through 114048 in the Journal of Proceedings of the City Council of such date, the City's Department of Transportation again authorized the vacation of the Public Ways conditioned upon the deposit of certain monies in the City Treasury within 180 days after the March 9, 2011 passage of the 2011 Ordinance; and

WHEREAS, the 2011 Ordinance also inadvertently included an incorrect Plat of Vacation drawing for the vacated Public Ways; and

WHEREAS, the City seeks to correct the Journal of Proceedings of March 9, 2011, wherein the 2011 Ordinance appears, to replace the incorrect Plat of Vacation drawing, which appears on page 114048 of that Journal of Proceedings, with the correct Plat of Vacation, which is attached hereto as Exhibit A, and which was originally attached to the September 5, 2007 Ordinance; now, therefore,

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

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The amendment to the 2011 Ordinance to allow for substitution of the correct Plat of Vacation drawing, attached hereto as Exhibit A, which was originally attached to the 2007 Ordinance, for the incorrect Plat of Vacation drawing published at page 114048 in the Journal of Proceedings of the City Council of March 9, 2011, is hereby approved and all of the other terms and conditions of the 2011 Ordinance remain unchanged.

SECTION 3. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 4. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall be in full force and effect immediately upon its passage and approval.

Attachments:

Exhibit A - Corrected Plat of Vacation Drawing

Committee on Transportation and Public Way

114048 JOURNAL-CITY COUNCIL-CHICAGO 3/9/2011

Ordinance associated with this drawing printed on pages 114046 and 114047 of this Journal.

EXHIBIT A

CORRECTED PLAT OF VACATION TO THE MARCH 9, 2011 ORDINANCE

(See attached)

"A"

Subdivision of Sec. 19-39-14. Streets Opened and Block Numbers Designated by Ordinance Passed Nov. 21, 1853 Assessment Confirmed April 17, 1854.

"B"

Stinson's Sub. of Blk. 17, of Division of Sec. 19-39-14.

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