



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: O2014-8762, Version: 1

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 7500-7558 S. Laflin Street and 7501-7559 S. Ashland Avenue are owned by Gendell Partners 75th/Ashland LLC; and

WHEREAS, Gendell Partners 75th/Ashland LLC ("Gendell") proposes to assemble the surrounding lots and the portion of the alley to be vacated herein for commercial development; 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. THE NORTH-SOUTH 18 FOOT PUBLIC ALLEY IN J.R. LANE'S SUBDIVISION OF BLOCK 19 IN JONES SUBDIVISION OF THE WEST HALF OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN PER DOCUMENT 1540324 RECORDED SEPTEMBER 23, 1891 LYING WEST OF AND ADJOINING LOTS 1 THROUGH 24, INCLUSIVE, AND LYING EAST OF AND ADJOINING LOTS 25 THROUGH 48, INCLUSIVE, IN SAID J.R. LANE'S SUBDIVISION, LYING NORTH OF AND ADJOINING THE NORTH LINE OF WEST 76TH STREET AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF VACATED WEST 75TH STREET, ALL IN COOK COUNTY, ILLINOIS. SAID PARCEL OF LAND HEREIN DESCRIBED CONTAINS 10,748 SQUARE FEET OR 0.247 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 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. On October 22, 2003, Gendell purchased the real estate abutting the proposed to-be-vacated North-South 18 foot public alley, as such alley is legally described in Section 1 above, pursuant to a Limited Warranty Deed (the "Deed") recorded on November 2, 2013, with the Office of the Cook County Record of Deeds as Document No. 0330727233. The Deed also included the conveyance of the North-South 18 foot public alley, such alley now subject to this Ordinance. Gendell has paid all property taxes on the real estate in the Deed, including the taxes on the area constituting the North-South 18 foot public alley, as legally described herein in Section 1 above.

Page 1

SECTION 3. The vacation herein provided for is made in an effort to correct the public record on the status and ownership of the North-South 18 foot public alley. As such, no compensation shall be due for the benefits which will accrue to Gendell as owner of the property abutting said North-South 18 foot public alley to-be vacated pursuant to this Ordinance.

SECTION 4. 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 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 buildings, permanent structures or obstructions shall be placed over Commonwealth Edison facilities without express written release of easement by Commonwealth Edison. Any future vacation-beneficiary prompted relocation of Commonwealth Edison facilities lying within the area being vacated will be accomplished by Commonwealth Edison and be done at the expense of beneficiary of the vacation.

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 applicant shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with an attached plat, and an oversized plat, as approved by the 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.

Vacation Approved:

Rebekah Scheinfeld Commissioner of
Transportation

Approved as to Form and Legality

Richard Wendy
Deputy Corporation Counsel

Honorable Latasha R. Thomas Alderman, 17th Ward

Page 2
EXHIBIT "A"
PLAT OF VACATION

LEGAL DESCRIPTION

THE NORTH-SOUTH 18 FOOT PUBLIC ALLEY IN J.R. LANE'S SUBDIVISION OF BLOCK 19 IN JONES SUBDIVISION OF THE WEST HALF OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN PER DOCUMENT 1540324 RECORDED SEPTEMBER 23, 1891 LYING WEST OF AND ADJOINING LOTS 1 THROUGH 24, INCLUSIVE, AND LYING EAST OF AND ADJOINING LOTS 25 THROUGH 48, INCLUSIVE, IN SAID J.R. LANE'S SUBDIVISION, LYING NORTH OF AND ADJOINING THE NORTH LINE OF WEST 76TH STREET AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF VACATED WEST 75TH STREET, ALL IN COOK COUNTY, ILLINOIS

SAID PARCEL OF LAND HEREIN DESCRIBED CONTAINS 10,748 SQUARE FEET OR 0.247 ACRES, MORE OR LESS.

(S4)
76.0

LEGEND rCH CUT CROSS

TRAFFIC FLOW RECORD DISTANCE MEASURED DISTANCE LOT/PARCEL LINE BOUNDARY UNE RIGHT-OF-WAY UNE

HEREBY VACATED

SCALE: r=100' FULL SIZE IS 18"x24"

MAIL TO TERRACO, INC
3201 OLD GLENVIEW, SUITE 300 WILMETT, IL 60091

GENERAL NOTES

- 1 THE SURVEY SHOWN HEREON IS A PORTION OF A SURVEY PERFORMED BY ENVIRONMENTAL DESIGN INTERNATIONAL AND COMPLETED FEBRUARY 29TH, 2012 NO ADDITIONAL FIELD WORK WAS PERFORMED FOR THE COMPLETION OF THIS SURVEY.
- 2 CORNERS NOT MONUMENTED PER CLIENTS REQUEST
- 3 NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENT
- 4 BEARINGS ARE BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NADS3)
- 5 ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF
- 6 PROPERTY SHOWN HEREON UES IN ZONE PD 1201 PER CITY OF CHICAGO ZONING MAP AS VIEWED ON THE CITY OF CHICAGO WEBSITE ON AUGUST 14, 2014
- 7 LOTS 25-48 WEST OF ALLEY VACATION, LOTS 1-24, EAST OF ALLEY VACATION, AND THE AREA OF THE ALLEY VACATION ARE CURRENTLY UNDER CONSTRUCTION FOR A RETAIL DEVELOPMENT

"F"

J R LANE'S SUB OF BLK 19 IN SUB W H OF
SEC 20-38-14 (EXC CERTAIN TRACTS CONVEYED)
REC SEPT 23RD, 1891 DOC #1,540,324
VACATED OCT 24, 1901 DOC 3165631 - B 5000 P 024
VACATION DECLARED VOID, SEE CORP COUNSEL'S OPINION
UNDER DATE OF NOV 17TH, 1811

"R"

ORDINANCE FOR WIDENING S ASHLAND AVE BETWEEN W 69TH ST AND W 05TH ST PASSED JUNE 28, 1922 ORDER OF POSSESSION DECEMBER 3, 1831

"U"

INSTRUMENT VACATING THAT PART OF W 75TH ST DESCRIBED AS FOLLOWS A STRIP 33 FT N » S AND 358 FT E « W IMMEDIATELY NORTH OF « ADJOINING BLK 19 IN SUB OF W 1/2 OF SEC 29-36-14 REC JULY 24, 1811 BK. 10251, P 481. DOC #4788844 NOTE THE ABOVE VACATION DECLARED VOID. SEE CORPORATION COUNSEL OPINION UNDER DATE OF NOV 17, 1811

BHD

CDOT #29-17-14-3669

Environmental Design International inc.

Civil, Survey, Environmental and Construction Inspection Services 33 W MONROE STREET, SUITE 1625, CHICAGO, IL 60603 Pri (312)345-1400 F (312)345-0529 www.EnvironmentalDesignInternational.com

DRAWN BY: AJJ APPROVED BY: SB

DATE 8/14/2014 PROJ. No- 1873 001

DWC No: 1S73.001 CREW CHIEF- N/A

STATE OF ILLINOIS)

COUNTY OF COOK)

)SS

2L DAY OF ^gm Mtn-g.

WE, ENVIRONMENTAL DESIGN INTERNATIONAL, INC. ILLINOIS PROFESSIONAL DESIGN FIRM NO 194-001224. HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM EXISTING PLATS AND RECORDS FOR THE PURPOSE INDICATED HEREON GIVEN UNDER MY HAND AND SEAL THIS 20 /H IN CHICAGO, ILLINOIS

PROJECT

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

PLAT OF VACATION

CLIENT

TERRACO, INC. 3201 OLD GLENVIEW, SUITE 300 WILMETTE, IL 60091