



Office of the City Clerk

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

Legislation Text

File #: O2015-114, 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 3945-3959 W. Palmer Street, 2149-2159 and 2133-2143 N. Pulaski Road, and 3934-3958 W. Shakespeare Avenue are owned by CMC Partners, L.L.C; and

WHEREAS, CMC Partners, L.L.C. proposes to use the portion of the alley to be vacated herein for truck staging; 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 part of the public alley, described in the following ordinance; now therefore,

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

SECTION 1. THAT PART OF THE EAST-WEST 16 FOOT PUBLIC ALLEY LYING SOUTH OF THE SOUTH LINE OF LOTS 1 AND 2 AND LYING NORTH OF THE NORTH LINE OF LOTS 15 AND 16 IN THE SUBDIVISION OF BLOCK 2 IN J. CASTELLO'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1882 AS DOCUMENT 416237, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 88°40'03" EAST ALONG THE SOUTH LINE OF SAID LOTS 1 AND 2 A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 01 °36'48" EAST ALONG THE WEST LINE OF THE ALLEY HERETOFORE VACATED BY ORDINANCE PASSED MARCH 30, 1982 AND RECORDED AS DOCUMENT 26258641 A DISTANCE OF 16.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 88°40'03" WEST ALONG THE NORTH LINE OF SAID LOTS 15 AND 16 A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 16; THENCE NORTH 01°36'48" WEST ALONG THE EAST LINE OF NORTH PULASKI ROAD 16.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. CONTAINING 800 SQUARE FEET, 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. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, AT&T/SBC,

Comcast and their successors or assigns, a non-exclusive utility easement to

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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, AT&T/SBC, and/or Comcast facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison, AT&T/SBC and/or Comcast facilities without express written release of easement by the respective utility. Any future vacation-beneficiary prompted relocation of Commonwealth Edison, AT&T/SBC and/or Comcast facilities lying within the area being vacated will be accomplished by the involved utility, and done at the expense of the beneficiary of the vacation.

SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, CMC Partners, L.L.C. 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 part of public alley hereby vacated the sum $\text{ggwe}^{\wedge} - \text{VV}^{\wedge} \text{o}^{\wedge} \text{fcoA}$ dollars (\$ 1000 00)_ which sum in the judgment of this body will be equal to such benefits.

SECTION 4. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, CMC Partners, L.L.C. 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 the corresponding full sized plat as approved by the CDOT Superintendent of Maps and Plats.

SECTION 5. 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 Fpwri and Legal
Richard Wendy
juty Corporation Counsel
Honorable Roberto Maldonado Alderman, 26th Ward

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EXHIBIT "A"

PLAT OF VACATION

ALL DIMENSIONS SHOWN ON THIS PAGE ARE MEASURED DISTANCES UNLESS OTHERWISE NOTED

LEGEND

f|fH ALLEY HEREBY VACATED P~] BUILDING HATCH [■ J CONCRETE HATCH

(IN FEET) 1" = 20'

UNDER LYING LOT LINES

CHAIN LINK FENCE

°Cb UTILITY POLE T^C LIGHT POLE & BUMPER POST

1 TARP COVEF

2 ; ED WALL OF . '

~v> - 2 .t~ DO
15.07' 3 UJ

MATERIAL S"

ORAGE AREA

N88'4

0'03"E

OO HERETOFORE VACATED PER
RECORDED JUNE 14, 1982 AS DOCL

\$88-4Q ^

x||| 15 i)N
OF BLOCK 2 IN J. cj"
JNOFTHENW1/4 SW
REC. AUG. 28, 1882
A?

So 14 STELLO'S
NW 1/4 SEC. 35 DOC.
416237

I Zj < O I- ^ ^

SUBDIVISI ^a.
SUBDIVISK LfiV
T40NR13E

CDOT# 35-26-14-3675

SURVEY NOTES:

REVISED: 12/23/2014 PER #2014-;rjt]

ORDERED BY: CRAWFORD CHECKED:

DRAW
N: RJT

ADDRESS: 3949 WEST P/

GREMLEY & BIEDERMANN 4 ■

60630 TEIfPHONE: (773) 665-5102 F»X: (773) 286-4184 EM

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ur

C0H

ORDER NO. DATE JANUARY
8, 2014 SCALE
1 Inch - 20 Feet

PAGE NO.

2013-

1 of 3

SEE PAGE 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE. NO MONUMENS SET OR FOUND FOR THIS SURVEY.

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE

damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.

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

Monumentation or witness points were not set at the clients request.

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

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2014 "All Rights Reserved"

EXHIBIT "A"

PLAT OF VACATION

LEGAL DESCRIPTION

THAT PART OF THE EAST-WEST 16 FOOT PUBLIC ALLEY LYING SOUTH OF THE SOUTH LINE OF LOTS 1 AND 2 AND LYING NORTH OF THE NORTH LINE OF LOTS 15 AND 16 IN THE SUBDIVISION OF BLOCK 2 IN J. CASTELLO'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1882 AS DOCUMENT 416237, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 88°40'03" EAST ALONG THE SOUTH LINE OF SAID LOTS 1 AND 2 A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 01°36'48" EAST ALONG THE WEST LINE OF THE ALLEY HERETOFORE VACATED BY ORDINANCE PASSED MARCH 30, 1982 AND RECORDED AS DOCUMENT 26258641 A DISTANCE OF 16.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 88°40'03" WEST ALONG THE NORTH LINE OF SAID LOTS 15 AND 16 A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 16; THENCE NORTH 01°36'48" WEST ALONG THE EAST LINE OF NORTH PULASKI ROAD 16.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 800 SQUARE FEET, MORE OR LESS.

DEPT. OF FINANCE

ORDERED BY: CRAWFORD MATERIAL COMPANY CHECKED DRAW
N: RJT

ADDRESS: 3949 WEST PALMER STREET

Bfs GREMLEY & BIEDERMANN
TELEPHONE: (773) 655-5102 FAX: (773) 286-4184 EMAIL INFO

M

con

ORDER NO. DATE JANUARY
8, 2014 SCALE
1 Inch = 20 Feet

PAGE NO.
2 of 3

2013-187

COOK CO.

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit.

Field measurements completed on JANUARY 8, 2

Signed by the Surveyor

By: f 7 v \ r l l N

Robert G. Biedermann

lands for

Professional Illinois Land Surveyor No. 2802 My license expires November 30, 2016 This professional service conforms to the current a boundary survey.

G:\CADV2013\2013-187ia\2013-18719-001.dat <file:///G:/CADV2013/2013-187ia/2013-18719-001.dat>

EXHIBIT "A"

PLAT OF VACATION

ALL DIMENSIONS SHOWN ON THIS PAGE ARE MEASURED DISTANCES
UNLESS OTHERWISE NOTED

ZONING CLASSIFICATION IS M1-1 ALONG THE NORTH, EAST AND SOUTH LINES OF THE PROPERTY /TU TO BE VACATED. If

RJT] RJT]

CDOT# 35-26-14-3675

CHECKED:
DRAWN: RJT

REVISED: 12/29/2014 PER #2014-20296 REVISED: 12/23/2014 PER #2014-20296

ORDERED BY: CRAWFORD MATERIAL COMPANY
ADDRESS: 3949 WEST PALMER STREET

GREMLEY & BIEDERMANN WI'

■

PLCS, Corporation

DATE
JANUARY 8, 2014
PAGE NO.

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License No. 114-005322 PafEZnuL Law Suxras 4505 North Elston Avenue, Chicago, IL 60030 TELEPHONE: (773) 685-5102 FA* (773) 286-4184 EMAIL
INF0iPLCS-SURVEY.COM <http://INF0iPLCS-SURVEY.COM>

SCALE
1 Inch - 100 Feet

ORDER NO.

2013-18719-001

a ScADVWJVois-isTiavoiJ-iSTis-ooi.d^

66' CO CO

LxI 3

LU

O

66'

1 "A"

J. CASTELLO'S SUB. N.W. 1/4 S.W. 1/4 N W. 1/4 SEC. 35^40-13
REC. AUG. 13TH, 1874 DOC. 184958

"B"

SUB. OF BLOCK 2 IN J. CASTELLO'S SUB., ETC. (SEE "A")
REC. AUG. 28TH, 1882 DOC. 416237

"C"

VACATED BY ORDINANCE PASSED DEC. 1, 1961
REC. DEC 15, 1961 (61-65) DOC. 19332127

"D"

VACATED BY ORDINANCE PASSED MARCH 30, 1982
REC. JUNE 14, 1982 (81-724) DOC. 26258641

CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

Fax: 312-744-8155

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

committee memberships

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 11
2th Place Chicago. Illinois 60628
telephone: (773) 785-1100

Fax: (773) 785-2790

e-mail: ward09@cityofchicago.org <mailto:ward09@cityofchicago.org>

March 11, 2015

To the President and Members of the City Council:

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body pass A proposed vacation of the remaining , dead ended 16' wide alley in the block bounded by North Pulaski Road, West Palmer Street, West Shakespeare Avenue and North Springfield Avenue. This ordinance was referred to the Committee on January 21, 2015.

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

(Ward 26)

Respectfully submitted,

Chairman