



Office of the City Clerk

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

Legislation Text

File #: O2015-6459, **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 3235-3353 E. 86th Street (the "Properties") are owned by Chicago Lakeside Development LLC formerly known as Lakeside Land, LLC, a Delaware Limited Liability Company ("Chicago Lakeside Development LLC"); and

WHEREAS, pursuant to a separate ordinance, Chicago Lakeside Development LLC shall enter into a land swap agreement with the City of Chicago (the "Agreement To Exchange Real Estate") which contemplates Chicago Lakeside Development LLC's dedication of its Properties to the City, as such dedication is herein set forth, for the widening of E. 86th Street, in exchange for the remnant of public way herein vacated; and

WHEREAS, Chicago Lakeside Development LLC proposes to use the portion of the right of way remnant to be vacated herein for its use as a pocket park for a term of twenty (20) years in accordance with the Agreement To Exchange Real Estate; 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 right of way remnant described in the following ordinance; now therefore,

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

SECTION 1.

TO BE DEDICATED:

THAT PART OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SOUTH GREEN BAY

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AVENUE AS DEDICATED BY MARY P.M. PALMERS ADDITION TO CHICAGO RECORDED SEPTEMBER 30, 1882 AS DOCUMENT 423001 AND THE SOUTH LINE OF EAST 86TH STREET AS DEDICATED BY SAID PLAT 423001; THENCE SOUTH 01 DEGREES 20 MINUTES 56 SECONDS EAST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID SOUTH GREEN BAY AVENUE, 33.00 FEET TO A POINT ON A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID EAST 86TH STREET; THENCE SOUTH 88 DEGREES 20 MINUTES 48 SECONDS WEST, ALONG SAID PARALLEL LINE, 974.06 FEET TO A POINT ON THE EAST LINE OF SOUTH BURLEY AVENUE AS WIDENED BY DEED TO CITY OF CHICAGO RECORDED AUGUST 15 1892 AS DOCUMENT 1716965; THENCE NORTH 01 DEGREES 28 MINUTES 26 SECONDS WEST, ALONG SAID EAST LINE, 33.00 FEET TO THE SOUTH LINE OF SAID DEDICATED EAST 86TH STREET; THENCE NORTH 88 DEGREES 20 MINUTES 48 SECONDS EAST, ALONG SAID SOUTH LINE, 974.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS (AREA OF DEDICATION = 32,145 SQ FT OR 0.738 ACREA MORE OR LESS) as shaded and legally described by the words "HEREBY DEDICATED FOR PUBLIC STREET" on the plat hereto attached as Exhibit A, which drawing for greater clarity, is hereby made a part of this ordinance

AND

TO BE VACATED:

PART OF LOTS 2, 3, 4, 5, 6, 7, THE EAST HALF OF LOT 8 AND THE NORTH HALF OF THE 16-FOOT EAST-WEST ALLEY IN MAHAN'S SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1889 AS DOCUMENT 1140094, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 01 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 40.21 FEET; THENCE NORTH 02 DEGREES 50 MINUTES 48 SECONDS EAST, 54.61 FEET; THENCE SOUTH 60 DEGREES 34 MINUTES 36 SECONDS EAST, 65.36 FEET; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 10.97 FEET TO A POINT ON THE EAST LINE OF THE WEST 12.5 FEET OF SAID LOT 8, SAID POINT ALSO BEING ON THE WEST LINE OF THE EAST HALF OF SAID LOT 8 AND BEING THE POINT OF BEGINNING; THENCE SOUTH 64 DEGREES 02 MINUTES 19 SECONDS EAST, 31.26 FEET TO A POINT OF CURVATURE; THENCE EASTERLY 68.71 FEET, ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 321.00 FEET AND WHOSE CHORD BEARS SOUTH 70 DEGREES 10 MINUTES 16 SECONDS EAST, 68.58 FEET TO A POINT OF TANGENCY; THENCE SOUTH 76 DEGREES 18 MINUTES 12 SECONDS EAST, 61.38 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 38 SECONDS EAST, 23.84 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID 16-FOOT EAST-WEST PUBLIC ALLEY; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID SOUTH LINE, 56.04 FEET TO A POINT ON THE WEST LINE OF THE EAST 78.00 FEET OF SAID 16-FOOT EAST-WEST PUBLIC ALLEY; THENCE NORTH 01 DEGREES 28

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MINUTES 02 SECONDS WEST, ALONG SAID WEST LINE, 8.00 FEET TO A POINT ON THE NORTH LINE OF SAID 16-FOOT EAST-WEST PUBLIC ALLEY; THENCE SOUTH 88 DEGREES 25 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE, ALSO BEING THE SOUTH LINE OF SAID LOTS 2, 3, 4, 5, 6, 7 AND 8, FOR A DISTANCE OF 117.28 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID LOT 8; THENCE NORTH 01 DEGREES 23 MINUTES 43 SECONDS WEST, ALONG SAID EAST LINE, 55.93 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS (AREA OF VACATION= 3,978 SQ. FT. OR 0.091 ACRES, MORE OR LESS) as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit B, 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 vacations.

SECTION 2. 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 right of way remnant 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 herein vacated will be accomplished by Commonwealth Edison, and done at the expense of the beneficiary of the vacation.

SECTION 3. The vacation herein provided for is made in accordance with Section 1 .B. of the Agreement To Exchange Real Estate.

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, Chicago Lakeside Development LLC or its agent 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 full sized corresponding plat as approved by the 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.

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Vacation and Dedication Approved:

Re*bekah Scheinfeld Commissioner
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Approved as to Form and Legality

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