



Office of the City Clerk

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

Legislation Text

File #: O2015-7837, 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 2207-2215 S. Michigan Avenue and 2206-2218 S. Indiana Avenue are owned by Michigan Cermak Indiana LLC; and

WHEREAS, Michigan Cermak Indiana LLC proposes to use the portion of the alley to be vacated herein for construction of a hotel; 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. TO BE

DEDICATED:

THE SOUTH 20 FEET OF THE NORTH 99.58 FEET OF THE EAST 1/2 OF BLOCK 4 (EXCEPT THAT PART TAKEN FOR 22nd STREET AND FOR ALLEY) IN CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED SEPTEMBER 4, 1848 ANTE-FIRE AND RERECORDED SEPTEMBER 24, 1877 AS DOCUMENT NUMBER 151615, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 3,205.00 SQUARE FEET, 0.0736 ACRES, MORE OR LESS as shaded and legally described by the words "HEREBY DEDICATED FOR PUBLIC ALLEY" on the Plat of Dedication hereby attached as Exhibit A

TO BE VACATED:

THAT PART OF A NORTH-SOUTH 20 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF EAST 22nd STREET (CERMAK ROAD) AS WIDENED BY ORDINANCE PASSED APRIL 12, 1922, ORDER OF POSSESSION COUNTY COURT FEBRUARY 2, 1927 GENERAL NUMBER 47729; LYING WEST OF AND ADJOINING THAT PART OF THE EAST 1/2 OF BLOCK 4 (EXCEPT THAT PART TAKEN FOR 22nd STREET AND FOR ALLEY) IN CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST, RECORDED SEPTEMBER 4, 1848

ANTE-FIRE AND RERECORDED SEPTEMBER 24, 1877 AS DOCUMENT NUMBER 151615; LYING EAST OF AND ADJOINING LOTS 2, 3 AND THAT PART OF LOT 4 IN ASSESSORS

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DIVISION, OF OTHER LANDS AND INCLUDING, THE WEST PART OF BLOCK 4 IN THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST, RECORDED DECEMBER 16, 1865 AS DOCUMENT NUMBER 106483, ANTE-FIRE; AND LYING NORTH OF AND ADJOINING THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 20 FEET OF THE NORTH 99.58 FEET OF SAID EAST 1/2 OF BLOCK 4 (EXCEPT THAT PART TAKEN FOR 22nd STREET AND FOR ALLEY) IN CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 1,591.60 SQUARE FEET, 0.0365 ACRES,, MORE OR LESS as shaded and legally described by the words " HERBY VACATED" on the Plat of Vacation hereto attached as Exhibit B, both of which drawings for greater clarity are hereby made a part of this ordinance, be and the same vacation area is hereby closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation and dedication.

SECTION 2. The City of Chicago hereby reserves for the benefit of The Peoples Gas Light and Coke Co. an easement to operate, maintain, repair, renew and replace existing underground facilities and to construct new facilities in all of the area to be vacated, with the right of ingress and egress at all times for any and all such purposes. It is further provided that no buildings or other structures shall be erected on said easement herein reserved for The Peoples Gas Light and Coke Co. or other use made of the said area which would interfere with the construction, operation, maintenance, repair, removal, or replacement of said facilities, or the construction of additional facilities. Any future vacation-beneficiary prompted relocation of Peoples Gas facilities lying within the area being vacated will be accomplished by Peoples Gas, and done at the expense of beneficiary of the vacation.

SECTION 3 The City of Chicago hereby reserves for the benefit of Commonwealth Edison, AT&T/SBC, RCN, and Comcast and their 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, AT&T/SBC, RCN, and Comcast, facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison, AT&T/SBC, RCN and/or Comcast facilities without express written release of easement by the involved utility. Any future vacation-beneficiary prompted relocation of Commonwealth Edison, AT&T/SBC, RCN, and/or Comcast facilities lying within the area herein vacated shall be completed by the involved utility and be done at the expense of beneficiary of the vacation.

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, Michigan Cermak Indiana LLC shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, constructing sidewalk and curb at the entrance to that part of the alley hereby vacated, and constructing the newly dedicated public alley, in accordance with 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 in agreement with the executed Duty to Build Agreement attached herein and made a part of this ordinance as

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Exhibit C.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, Michigan Cermak Indiana LLC 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 waited the sum

Three hundred twenty thousand dollars; dollars (\$ 320,000.00),
which sum in the judgment of this body will be equal to such benefit;

SECTION 6. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Michigan Cermak Indiana LLC 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 Superintendent of Maps and Plats.

SECTION 7. 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 and Dedication Approved:

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Reoekah Scheinfeld Commissioner of Transportation

Approved as to Form and Legality

Richard Wendy Deputy Corporation CoCns/fel

Honorable Pat Dowell Alderman, 3rd Ward

Page 3

LEGAL DESCRIPTION

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McHUGH CONSTRUCTION COMPANY

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 INFORMATION AND SERVICE FOR NO. 10/11/11

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SAID PARCELI. CONTAINS.
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■file. ORDINANCE FOR WIDENING OF E. 22ND ST. FROM S. MICHIGAN AVE TO CALUMET AVE FOR OPENING OF A STREET FROM E. 22ND ST. TO E. 23RD ST. AND SOUTH PARK AVE. AND FOR WIDENING E. 23RD ST FROM SOUTH "IT" PARK AVE E. TO RIGHT OF WAY OF I.C.R.R. PASS. APR 12 1822. ORDER OF

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17-27-102-001-000	LOTS 2, 3, AND 4	VACANT

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James McHugh Construction Co.

1737 South Michigan Avenue Chicago, Illinois 60616-1211 phone: 312.986.8000 fax: 312.431.8518

Ms. Rachel DeCorvo Chicago Department of
Transportation 30 N. LaSalle St., Room 500
Chicago, IL 60602

In re: James McHugh Construction Co.
Application for Vacation & Dedication
E. Cermak Rd., S. Michigan Ave., S. Indiana Ave., E. 23rd St.

Dear Ms. DeCorvo:

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In support of my current application with the Chicago Department of Transportation's Maps and Plats unit, for a Dedication of my private property, I hereby state that I am the company agent for the applicant company involved in the project, and that I have the authority to agree to the below terms of the Dedication.
(initial)

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

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

Date:

Lastly, I understand that the 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.

Signed

Printed name: l^rW/CSCZH£f

Title: <£~?^C?

Organization: ;^*^ iM^f^l ^^ST^^g^f^d do

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CITY DEPT. OF FINANCE

COOK COUNTY

CDOT #27-03-14-3677

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James McHugh Construction Co.

1737 South Michigan Avenue Chicago, Illinois 60616-1211 phone: 312.986.8000 fax: 312.431.8518

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Date:

Printed name: l>fh¥/tlK J^f&zef

Title: CS- f^t?

Organization: -/^ M^js^l ^^STjj^A do

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Notary

www.tnchughconstriiction.com <<http://www.tnchughconstriiction.com>>