



# Office of the City Clerk

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

## Legislation Text

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**File #:** O2016-6460, **Version:** 1

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### 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 1248-1256 E. 72<sup>nd</sup> Place, 1247-1257 E. 72<sup>nd</sup> Place, 7234-7244 S. Kimbark Avenue, and 7200-7224 S. Kimbark Avenue are owned by 7200 South. Kimbark, LLC, an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the Street to be vacated herein for greenspace and an outdoor sculpture yard; 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 street, described in the following ordinance; now therefore,

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

#### SECTION 1.

THAT PART OF E. 72ND PLACE, 66 FOOT WIDE PUBLIC RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO LOT 33 IN BLOCK 12, NORTH OF AND ADJACENT TO LOTS 20 THROUGH 24 IN BLOCK 13, EAST OF AND ADJACENT TO THE EASTERLY RIGHT OF WAY OF ILLINOIS CENTRAL RAILROAD, WEST OF AND ADJACENT TO THE WEST LINE OF S. KIMBARK AVENUE FROM THE SOUTHEAST CORNER OF SAID LOT 33 TO THE NORTHEAST CORNER OF SAID LOT 24, ALL INCLUSIVE, IN JOHN G. SHORTALL TRUSTEE'S SUBDIVISION RECORDED MARCH 21, 1877 AS DOCUMENT NUMBER 126830 OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 8,084 SQUARE FEET, OR 0.1856 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. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalk 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.



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SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer 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 street hereby vacated the sum

Thirty-Five Thousand Five hundred dollars (\$ 35,500.00 ),  
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, the Developer shall file or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Acting 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:

**Deborah A. Valeri**

Deborah Scheinfeld Commissioner of  
Transportation

Approved as to Form and Legality

THqpo'rable      Lesfie      A/Hairston      Alderman,  
5<sup>th</sup> Ward

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**EXHIBIT "A"**



# PLAT OF VACATION

THAT PART OF E. 72ND PLACE, 66 FOOT WIDE PUBLIC RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO LOT 33 IN BLOCK 12 , NORTH OF AND ADJACENT TO LOTS 20 THROUGH 24 IN BLOCK 13, EAST OF AND ADJACENT TO THE EASTERLY RIGHT OF WAY OF ILLINOIS CENTRAL RAILROAD, WEST OF AND ADJACENT TO THE WEST LINE OF S. KIMBARK AVENUE FROM THE SOUTHEAST CORNER OF SAID LOT 33 TO THE NORTHEAST CORNER OF SAID LOT 24, ALL INCLUSIVE, IN JOHN G. SHORTALL TRUSTEE'S SUBDIVISION RECORDED MARCH 21. 1877 AS DOCUMENT NUMBER 126830 OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, SAID PARCEL CONTAINING 8,084 SQUARE FEET, OR 0.1856 ACRES, MORE OR LESS.

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## ZONING BLOCK 11

RS-3  
REC. 597.22

## E. 72ND PL.

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to ANDREW SPIEWAK LAND SURVEYOR, INC., A ^PROFESSIONAL DESIGN FIRM, LAND SURVEYING bCORPORATION. LICENSE NO. 184.006518 HEREBY CERTIFIES °THAT A PLAT OF VACATION DESCRIBED ON SHEETS 1 OF 1 HAS BEEN PREPARED UNDER THE DIRECTION AND SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR FOR THE PURPOSE OF VACATING THE SAME AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM /STANDARDS FOR A BOUNDARY SURVEY. ' CHICAGO. ILLINOIS, DATED: MAY 26. 2015

## ZONING RS-3 BLOCK 14

SCALE: 1 INCH EQUALS 50 FEET. DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF.

**CDOT# 26-05-15-3713**

BY:

ILLINOIS  
PROFESSIONAL LAND SURVEYOR NO. 3178 MY  
LICENSE EXPIRES 11/30/2016.  
PROFESSIONAL DESIGN FIRM, LAND SURVEYING  
CORPORATION, LICENSE NO. 184.006518 EXPIRES 04/30/2017

SHEET 1 OF 2



## EXHIBIT "A"

### SURVEYOR'S NOTES:

BEARINGS ARE SHOWN FOR ANGULAR REFERENCE ONLY AND ARE NOT RELATED TO TRUE OR MAGNETIC NORTH.

ALL PARCEL DIMENSIONS AND ANGLES ARE MEASURED DISTANCES.

THE FIELD WORK WAS COMPLETED ON APRIL 17TH, 2015. 1ST REVISION: FEBRUARY 3RD 2016. 2ND REVISION: AUGUST 16TH 2016

MONUMENTS FOUND OR SET IN COORDINATION WITH THIS SURVEY ARE SHOWN HEREON.

NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.

LOT 20 PIN 20-26-212-010

LOT 21 PIN 20-26-212-011

LOT 22 PIN 20-26-212-012

LOT 23 PIN 20-26-212-013

LOT 24 PIN 20-26-212-014

LOT 33 PIN 20-26-208-024

### LEGEND

HEREBY VACATED

MEASURED DISTANCE 174.51 N 89°  
00'31" E

RECORD DISTANCE REC. 128.75

CALCULATED DISTANCE CALC. 128.75

ZONING M1-2

TRAFFIC FLOW

R.O.W. LINE

LOT LINE

**E.** EAST

**S.** SOUTH

**ST.** STREET

**AVE.** AVENUE

**PL.** PLACE

DEPT. OF FINANCE



C.D.O.T.

COOK CO.

SURVEY PREPARED FOR: MERCEDES ZAVALA 773-255-2403 ORGANIZATION: 7200 S KIMBARK LLC MAIL TO:  
6918 S. DORCHESTER CHICAGO, IL 60637

**CDOT# 26-05-15-3713**

ANDREW SPIEWAK LAND SURVEYOR, INC. 5805 W. HIGGINS AVE., . CHICAGO, IL 60630 PHONE: (773) 853-2672;  
FAX: (773) 736-4616;  
470^SHAGBARK CT., ROSELLE, IL 60172 PHONE: (630) 351-9489; ANDREW@LANDSURVEYORS.PRO  
<mailto:ANDREW@LANDSURVEYORS.PRO> WWW.LANDSURVEYORS.PRO  
<http://WWW.LANDSURVEYORS.PRO>

## SHEET 2 OF 2

### 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

### ANTHONY A. BEALE

Alderman, 9th Ward 34 East 112th Place Chicago, Illinois 60628 Telephone (773) 785-1100 Fax: (773) 785-2790 e-mail: ward09@cityofchicago.org <mailto:ward09@cityofchicago.org>

December 7, 2016

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 dead ended East 72nd Place between South Kimbark Avenue and railroad property to the west. This ordinance was referred to the Committee on September 14, 2016.

This recommendation was concurred unanimously by a viva voce



vote of the members of the Committee with no dissenting vote.

(Ward 5)

Respectfully submitted,

Anthony  
Beale,  
Chairman