



Office of the City Clerk

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

Legislation Text

File #: O2016-7998, 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 1529-1537 W. Madison Avenue and 1571-1589 W. Ogden Avenue are owned by Madison & Ogden, LLC, an Illinois Limited Liability Company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for additional parking for the adjacent Billy Goat Restaurant; 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. THAT PART OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERN CORNER OF LOT 8 IN ASSESSOR'S DIVISION OF LOTS 16 THROUGH 31, INCLUSIVE, AND PARTS OF LOTS 15 AND 32 OF BLOCK 6 OF CANAL TRUSTEE'S SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 14, 1872 AS DOCUMENT NUMBER 71686, SAID CORNER ALSO BEING ON THE SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE AND THE WEST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTHEASTERLY ALONG SAID SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE TO THE INTERSECTION WITH THE NORTH LINE OF LOT 15 IN LAFLIN & LOOMIS' RESUBDIVISION OF BLOCKS 5, 18, 21, 30, 31, 32, 33 AND 41 AND SUBDIVISION OF BLOCKS 6, 9, 19 AND 20 IN CANAL TRUSTEE'S SUBDIVISION, RECORDED JANUARY 8, 9, 10, 11, 1874, AS DOCUMENT NUMBER 76155, SAID INTERSECTION ALSO BEING THE SOUTHERN RIGHT OF WAY OF W. MADISON STREET, THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY AND BEING 29.2 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO A POINT ON THE SOUTH LINE OF SAID LOT 15, 29.20 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 15, SAID POINT ALSO ON THE NORTH LINE OF AN EAST-WEST 20 FOOT WIDE PUBLIC ALLEY; THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF SAID LOT 8 IN ASSESSOR'S DIVISION AND ON SAID WEST LINE OF NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 8 AND SAID WEST LINE OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO THE NORTHERN MOST CORNER AND POINT OF BEGINNING, ALL IN

COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL

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CONTAINING 3476 SQUARE FEET OR 0.080 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 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 construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by Commonwealth Edison. Any future Developer-initiated relocation of facilities lying within the area herein vacated will be accomplished by Commonwealth Edison, and be done at the expense of the Developer.

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 deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and alley curb returns, and constructing sidewalk 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.

SECTION 4. 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 alley hereby vacated the sum
Two Hundred Thousand dollars (\$ 200,000),
which sum in the judgment of this body will be equal to such benefits.

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 Developer 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 associated full sized 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:

Commissioner of Transportation

Approved as to Form and Legality

Deputy Corporation Counsel

EXHIBIT "A"

PLAT OF VACATION

LEGAL DESCRIPTION

THAT PART OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERN CORNER OF LOT 8 IN ASSESSOR'S DIVISION OF LOTS 16 THROUGH 31, INCLUSIVE, AND PARTS OF LOTS 15 AND 32 OF BLOCK 6 OF CANAL TRUSTEE'S SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 14, 1872 AS DOCUMENT NUMBER 71686, SAID CORNER ALSO BEING ON THE SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE AND THE WEST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTHEASTERLY ALONG SAID SOUTHERN RIGHT OF WAY OF W. ODGEN AVENUE TO THE INTERSECTION WITH THE NORTH LINE OF LOT 15 IN LAFLIN & LOOMIS' RESUBDIVISION OF BLOCKS 5,18, 21, 30, 31, 32, 33 AND 41 AND SUBDIVISION OF BLOCKS 6, 9,19AND 20 IN CANAL TRUSTEE'S SUBDIVISION, RECORDED JANUARY 8,9,10,11,1874, AS DOCUMENT NUMBER 76155, SAID INTERSECTION ALSO BEING THE SOUTHERN RIGHT OF WAY OF W. MADISON STREET, THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY AND BEING 29.2 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO A POINT ON THE SOUTH LINE OF SAID LOT 15, 29.20 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 15, SAID POINT ALSO ON THE NORTH LINE OF AN EAST-WEST 20 FOOT WIDE PUBLIC ALLEY; THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF SAID LOT 8 IN ASSESSOR'S DIVISION AND ON SAID WEST LINE OF NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 8 AND SAID WEST LINE OF THE NORTH-SOUTH 19.83 FOOT WIDE PUBLIC ALLEY TO THE NORTHERN MOST CORNER AND POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 3476 SQUARE FEET OR 0.080 ACRES, MORE OR LESS.

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15"

DEPT. OF FINANCE

SCALE: 1"=30'

W. MADISON STREET

COOK COUNTY

C.D.O.T.

PREPARED FOR: 3 CTANUS ARCHITECTS 123 WEST HIST. STREET WESTHONT. IL 60538

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TRAFFIC FLOW ARR01

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B) MO DIMENSIONS SHOULD BE ASSUMED BY SCALE KEASURKIMTS UPON THE PLAT

CD0T#17-02-14-3670

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PREFERRED SURVEY, INC.

7845 V. 7CTTI STREET. BB/DGEVJETf, IL. 00455 Phone 708-4.SB-7845 / F= 708-458-7855 www pii3urrcy.com <http://pii3urrcy.com>

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CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

FAX" 312-744-8155

COMMITTEE MEMBERSHIPS

City Hall-Second Floor 121 North LaSalli: Streei Chicago. Illinois 60602 Telephone 312-744-4096

Transportation & Public Way (Chairman)

BUDGHI AND GOVHHMLTNT OPERATIONS

Commit i hL-s, Rules and Ethics

Educaion and Child Development

Finance

Public Safety

ANTHONY A. BEALE

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

January 18, 2017

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 The vacation of public alleys in the area bounded by South Ashland Avenue, West Ogden Avenue and West Madison Avenue.■ This ordinance was referred to the Committee on November 1, 2016.

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

(Ward 28)

Anthony -Beale, Chairman

Respectfully submitted,