



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
[www.chicityclerk.com](http://www.chicityclerk.com)

## Legislation Text

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File #: O2017-947, 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 3500-3558 S. Richmond Street are owned by Quality Properties, LLC, an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the street to be vacated herein for storage; 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 those portions of public street, described in the following ordinance; now therefore,

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

SECTION 1. THE WEST 16 FEET OF SOUTH RICHMOND STREET, 66 FOOT WIDE, LYING EAST OF AND ADJOINING THE EAST LINE OF BLOCK 4 IN GROSS AND MOORE'S SUBDIVISION, LYING NORTH OF AND ADJOINING THE NORTH LINE OF THE WEST 36th STREET AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF THE WEST 35th STREET, ALL IN GROSS AND MOORE'S SUBDIVISION IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 30, 1902, AS DOCUMENT NUMBER 3314343, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 9,603 SQUARE FEET OR 0.22 ACRES, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit A, which plat 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 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 street 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 construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express

written release of easement by the involved herein cited. Any future Developer-prompted relocation of facilities lying

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within the area herein vacated will be accomplished by the involved utility, and be done at the expense of the beneficiary of the vacation, its successors or assigns.

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  
Fifty Thousand dollars (\$ 50,000.00 ),  
which sum in the judgment of this body will be equal to such benefits.'

SECTION 4. The vacation herein provided for are 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 plats 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 recording of the approved plat.

Vacation Approved:

jekarrSeheinfeld Commissioner of  
Transportation

Approved as to Form and Legality

Lisa Misher  
Honorable/ Alderman George Cardenas, 12th Ward  
Cj3teTA"sstetant Corporation Counsel

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## EXHIBIT "A" PLAT OF VACATION

### GRAPHIC SCALE

0 50

100 ft  
p.ob.ofp»RCR2 . o S8ffoy53>  
SW.CORNER OF THE S.E. 1M. '1' JOLWO  
OF THE N.W. 1M OF V-AT SEC. 3639-13 IS

~AA»»K TRAFFIC FLOW

### W. 35th ST.

(RECORDED 33 FT. PUBLIC HO\*) TRAFFIC FLOW M>V-

if

#### SURVEYOR'S NOTES:

1. SURVEY PREPARED BY "MM SURVEYING CO. INC.," PROFESSIONAL DESIGN FIRM NO. 184-003233, EXPIRATION DATE APRIL 30, 2017.
2. NOTE R.&M. DENOTES RECORDED AND MEASURED DISTANCES RESPECTIVELY.
3. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
4. NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
5. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, TITLE POLICY AND LOCAL ZONING ORDINANCE, ETC.
6. UNLESS OTHERWISE NOTED HEREON THE BEARING BASIS, ELEVATION DATUM AND COORDINATE DATUM IF USED IS IN NAD 83 ILLINOIS STATE PLANES, EAST ZONE, US FEET.
7. THE LAST DATE OF FIELD WORK WAS OCTOBER 20, 2015.
8. THE LAST REVISION DATE WAS JANUARY 11, 2017.

&4

### R.&M. 16.00"

SB8'02'32"W

THE WEST 16 FEET OF SOUTH RICHMOND STREET, 66 FOOT WIDE, LYING EAST OF AND ADJOINING THE EAST LINE OF BLOCK 4 IN GROSS AND MOORE'S SUBDIVISION. LYING NORTH OF AND ADJOINING THE NORTH LINE OF THE WEST 36th STREET AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF THE WEST 35th STREET, ALL IN GROSS AND MOORE'S SUBDIVISION IN THE EAST { OF THE SOUTHWEST 1 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 30, 1902, AS DOCUMENT NUMBER 3314343, IN COOK COUNTY, ILLINOIS. SAID ABOVE DESCRIBED PARCEL CONTAINING 9,603 SQUARE FEET OR 0.22 ACRES. MORE OR LESS.

PREPARED FOR: QUALITY TRUCK & TRAILER REPAIR INC.  
2940 W. 36th ST., CHICAGO, ILLINOIS 60632

#### LEGEND:

R.O.W. UNE TYPE:  
(CONTINUOUS)  
(CENTERX2)  
(OASHEDX2)

(CONTINUOUS BOLD) -- SHADE/ HATCH PATTERN TYPE:

(SOLID GRAY)

- RIGHT OF WAY

BLOCK AND R.O.W. LINE LOT UNE SECTION LINE PROPERTY LINE  
(RECORDED 66 FT. PUBLIC R.O.W.)

N. UNE OF LOT 1 TO 24 LOTS 1 TO 24

ZONE DISTRICT RS-3 (RESIDENTIAL)

P.O. SMITHS SUB.  
Raa Miy 6.1871. AitoFra

10F3

ORDER NO. 86556 SCALE 1"=100' DATE: OCT. 20, 2015 REV: MAY 03, 2016 REV: JAN. 11, 2017  
QUALITY TRUCK & TRAILER REPAIR INC. 2940 W. 36th ST., CHICAGO, ILLINOIS 60632

### MM SURVEYING CO, INC,

HEREBY VACATED (AREA)

### CDOT# 36-12-16-3764

PROFESSIONAL DESIGN FIRM NO. 1B4403233 EXPIRATION DATE: APRIL 30, 2017 5) 12 W. HIGGINS AVENUE CHICAGO. ILLINOIS 60630 PHONE: 773/282-5900, FAX 773/282-9424 EMAIL  
MMSURVEY12B5@SBCGLOBALNET

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## EXHIBIT "A" PLAT OF VACATION CITY-DEPT. OF FINANCE

**COOK CO.**

**CDOT# 36-12-16-3764**

**MM SURVEYING CO., INC.**

PROFESSIONAL DESIGN FIRM NO.184-003233 EXPIRATION DATE: APRIL 30,2017 £\*<V' 5812 W. HIGGINS AVENUE CHICAGO, ILLINOIS 60630 ^  
PHONE: 773/282-5900, FAX 773/282-9424 EMAIL: MMSURVEY1285@SBCGLOBAL.NET <mailto:MMSURVEY1285@SBCGLOBAL.NET>

ORDER NO. 86556 SCALE: N/A > DATE: OCT. 20,2015 REV: MAY 03.2016 REV: JAN. 11,2017

PREPARED FOR: QUALITY TRUCK & TRAILER REPAIR INC.

2940 W. 36th ST., CHICAGO, ILLINOIS 60632

MAIL TO: QUALITY TRUCK & TRAILER REPAIR INC.

2940 W. 36th ST.. CHICAGO, ILLINOIS 60632

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**EXHIBIT**  
**PLAT OF VACATION** pmNo:

**16-36-301-004**

ZONING INFORMATION:

THE ZONING CLASSIFICATION OF THE PROPERTY SHOWN HERE ON IS M2^ AS DELINEATED ON THE CITY OF CHICAGO , DEPARTMENT OF ZONING WEBSITE.

THE SURVEYOR HAS NOT RESEARCHED THE APPLICABLE ZONING, BUILDING CODES, SETBACK OR SPECIFIC USES ALLOWED WITHIN THIS ZONING CLASSIFICATION. CONTACT THE CITY OF CHICAGO. DEPARTMENT OF ZONING, CITY HALL, 121 NORTH LASALLE STREET, ROOM 905, CHICAGO, ILLINOIS, (312) 744-5777, FOR CERTIFICATION, VERIFICATION AND SPECIFIC MATTERS PERTAINING TO THE ABOVE NOTED ZONING CLASSIFICATION.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)  
}  
SS COUNTY OF  
COOK }

THIS IS TO CERTIFY THAT I, ZBIGNIEW DOMOZYCH, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAS SURVEYED THE PROPERTY DESCRIBED AS FOLLOWS:

THE WEST 16 FEET OF SOUTH RICHMOND STREET, 66 FOOT WIDE, LYING EAST OF AND ADJOINING THE EAST LINE OF BLOCK 4 IN GROSS AND MOORE'S SUBDIVISION, LYING NORTH OF AND ADJOINING THE NORTH LINE OF THE WEST 36TH STREET AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF THE WEST 35TH STREET, ALL IN GROSS AND MOORE'S SUBDIVISION IN THE EAST \ OF THE SOUHWEST \ OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 30,1902, AS DOCUMENT NUMBER 3314343, IN COOK COUNTY, ILLINOIS.

THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

I FURTHER CERTIFY THAT THE ABOVE DESCRIBED PROPERTY AS CONSOLIDATED IS WITHIN ZONE X AS PER FEMA FLOODWAY MAP, COOK COUNTY, ILLINOIS, COMMUNITY PANEL NUMBER 17031C0504 J AND EFFECTIVE DATE AUGUST 19,2008.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT CmCAGo ILLINOIS/THIS 24 DAY OF J/WUAPj A. D. 2017,

<fX>vkq%a (tU

BY:

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3758 LIC. EXP. 11/30/2018

**CDOT# 36-12-16-3764**

**MM SURVEYING CO., INC.**

PROFESSIONAL DESIGN FIRM NO.184-003233. EXPIRATION DATE APRIL 30,2017

5812 W. HIGGINS AVENUE CHICAGO, ILLINOIS 60630 \ PHONE: 773/282-5900, FAX: 773/282-9424 EMAIL:

MMSURVEY1285@SBCGLOBAL.NET <mailto:MMSURVEY1285@SBCGLOBAL.NET>

ORDER NO. SCALE: N/A

\ 'DATE: OCT. 20,2015 REV: MAY 03,2016 REV: JAN. 11,2017

PREPARED FOR: QUALITY TRUCK & TRAILER REPAIR INC.

2940 W. 36th ST., CHICAGO, ILLINOIS 60632

MAIL TO: QUALITY TRUCK & TRAILER REPAIR INC.

2940 W. 36th ST., CHICAGO, ILLINOIS 60632

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Chicago Department of Transportation

CITY OF CHICAGO

02/17/17

Mr. Edward Siskel  
Corporation Counsel  
Room 600 - City Hall  
Chicago, IL 60602-1289

Ward: 12

Compensation Amount: \$50,000.00

Introduction Date: 02/22/2017

Attention: Ms. Lisa Misher  
Chief Assistant Corporation Counsel

Committee Date: 06/22/2017

Re: Proposed Vacation for Quality Properties, LLC  
Commercial Vacation File: 36-12-16-3764

Co\_ uncil Date: 06/28/2017

Dear Mr. Siskel:

Pursuant to a request from Mr. Josef Czupty and Ms. Maria Gancarczyk, we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed vacation of a 16' wide strip of S. Richmond Street bounded by W. 3 5<sup>th</sup> Street and W. 36<sup>th</sup> Street. This property is located in the 12th Ward.

Quality Properties , LLC is the owner of record to the property adjoining the public street to be vacated. The people to contact in connection with this proposed ordinance are Ms. Maria Gancarczyk at 773-254-8887, and Mr. Josef Czupty at the same number.

Section 2 of the ordinance reserves an easement for Commonwealth Edison, and Comcast and AT&T. All other underground utility agencies are either not involved or have made suitable arrangements. Section 3 of the ordinance provides for compensation to the City for those parts of the public street being vacated. Sections 4 & 5 are standard language regarding the ordinance.

*Of--7</~~*

Luann Hamilton Deputy  
Commissioner

RS: LH: RD

cc: Alderman George Cardenas

Sandra Foreman/w Attacrlf Dwg.-s.f. & Ord. (3) file copies

(2) Ma<sup>1</sup>ps<sup>18</sup>^1FSts<sup>1</sup>ASALLE STREET- suite noo, Chicago, Illinois 60602

## CITY COUNCIL

City of Chicago

COUNCIL CHAMBER

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

FAX 312-744-8155

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 1 12th Place  
Chicago, Illinois 60628  
Telephone (773) 785-  
1100 Fax: (773) 785-2790

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

June 22, 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 A proposed vacation of a 16 foot wide strip of South Richmond Street bounded by West 35th Street and West 36th Street. This ordinance was referred to the Committee on February 22, 2017.

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

(Ward 12)

Respectfully submitted,

Anthony-  
Beale,  
Chairman