



# 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 #:** O2018-9306, **Version:** 1

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### COMMERCIAL VACATION 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 located at 162-172 N. Halsted Street, 801-815 W. Lake Street, and 159-173 N. Green Street are owned by W-SF Goldfinger Owner VIII LLC, a Delaware limited liability company, and the property located at 158-160 N. Halsted Street is owned by Fight Club Owner LLC, a Delaware limited liability company (collectively, the "Developer"); and

WHEREAS, the property located at 158-160 N. Halsted Street is owned by Parkway Bank and Trust Company as trustee under the Trust Agreement dated July 15, 1999, and known as Trust 12327, which has quit claimed all interests in the area to be vacated to W-SF Goldfinger Owner VIII, LLC, a Delaware limited liability company, pursuant to Trustee's Deed dated November 1, 2018, and recorded November 7, 2018 as document 1831117015.

WHEREAS, the Developer proposes to use the alleys herein vacated for construction of a mixed use, commercial development with ground floor retail and office space above; 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 that portion of the public alleys, described in the following ordinance; now therefore,

/

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

#### SECTION 1.

**PARCEL 1:**

**(EAST-WEST ALLEY AS SUBJECT TO A NO BUILD RESTRICTION AND PUBLIC WAY EASEMENT TO A HEIGHT OF 16 FEET ABOVE GRADE)**

**Page 1**

**THAT PART OF THE 15-FOOT WIDE EAST-WEST ALLEY, SOUTH OF AND ADJOINING LOTS 1 TO 3, IN CARPENTER'S ADDITION TO CHICAGO AND NORTH OF AND ADJOINING LOTS 6 AND 7 IN T.F. GALE'S SUBDIVISION OF LOTS 6 TO 13 INCLUSIVE IN BLOCK 36 IN CARPENTER'S ADDITION TO CHICAGO, ALL IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 01 DEGREE 28 MINUTES 11 SECONDS EAST, ALONG THE WEST LINE OF N. HALSTED STREET, A DISTANCE OF 15.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 88 DEGREES 24 MINUTES 39 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 7 EXTENDED WESTERLY, 151.32 FEET TO THE INTERSECTION OF THE WEST LINE OF LOT 3 EXTENDED SOUTHERLY AND THE NORTH LINE OF SAID LOT 6; THENCE NORTH 01 DEGREES 32 MINUTES 03 SECONDS WEST, TO THE SOUTHWEST CORNER OF SAID LOT 3, A DISTANCE OF 15.00 FEET; THENCE NORTH 88 DEGREES 24 MINUTES 39 SECONDS EAST, ALONG THE SOUTH LINE OF LOTS 1 THROUGH 3, A DISTANCE OF 151.34 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS CONTAINING 2,270 SQUARE FEET OR 0.052 ACRES, MORE OR LESS.**

**TOGETHER WITH**

**PARCEL 2:**

**(NORTH-SOUTH ALLEY)**

**THAT PART OF THE 12-FOOT WIDE NORTH-SOUTH ALLEY, EAST OF AND ADJOINING LOTS 6, 9,10, 11,12 AND 13 AND WEST OF AND ADJOINING LOTS 7, 8, 19, 20, 21 & 22 IN T.F. GALE'S SUBDIVISION OF LOTS 6 TO 13 INCLUSIVE IN BLOCK 36 IN CARPENTER'S ADDITION TO CHICAGO, ALL IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 01 DEGREES 34 MINUTES 57 SECONDS EAST, ALONG THE WEST LINES OF SAID LOTS 7, 8, 19, 20, 21 & 22 A DISTANCE OF 149.85 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19; THENCE SOUTH 88 DEGREES 28 MINUTES 16 SECONDS WEST, 12.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE NORTH 01 DEGREES 34 MINUTES 57 SECONDS WEST, ALONG THE EAST LINES OF SAID LOTS 6, 9,10,11,12 AND 13, A DISTANCE OF 149.84 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE NORTH 88 DEGREES 24 MINUTES 39 SECONDS EAST, 12.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS CONTAINING 1,798 SQUARE FEET OR 0.041 ACRES, MORE OR LESS. TOTAL VACATION AREA: 4,068 SQUARE FEET OR 0.093 ACRES, MORE OR**

**LESS, both parcels 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 vacations.**

## Page 2

SECTION 2. The Developer acknowledges that all currently public Department of Water Management catch basins, outlet pipes and appurtenances within the areas to be vacated shall become the private property and the maintenance responsibility of said Developer. Upon vacation, the Developer assumes all liability for maintenance and repairs of said facilities. In the event that the Developer wishes to abandon or modify such existing facilities or install new facilities, plans must be reviewed, approved and permitted by the Department of Water Management, Sewer Design Section, prior to the commencement of any work on any such facilities. Developer shall provide the Department of Water Management, Sewer Design Section, with as-built drawings submitted within 45 days of completion. All work shall be done at the sole expense of the Developer.

SECTION 3. The Commissioner of Transportation is hereby authorized to accept and approve a separate redevelopment agreement or similar instrument restricting the use and improvement of a portion of the public way vacated in Section 1 of this ordinance, to a perpetual, unobstructed, non-exclusive, dedicated access area with a perpetual, nonexclusive, easement for public pedestrian and vehicular access, such area being depicted by Crosshatch on the attached Plat of Vacation herein made part of this ordinance, and for such use and improvements that are accessory, on the width of the alley and to a height of sixteen feet (16') above grade, subject to the approval of the Department of Transportation, and the Corporation Counsel as to form and legality.

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 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.

SECTION 5. 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 alleys hereby vacated the sum  
\\rcjL <file:///V/rcjL>. KVi»n/on dollars(\$ ^,000,000,00 ),  
which sum in the judgment of this body will be equal to such benefits.

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, 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 7. This ordinance shall take effect and be in force from and after its passage and publication. The vacations shall take effect and be in force from and after recording of the published ordinance and plat.

Page 3

Vacations Approved and Public Easement Accepted:

*n*

R sbekah Scheinfeld C ommissioner of Transportation

Approved as to Form and Legality

Lisa Misher Deputy Corporation Counsel

Page 5

LI= 15.00'(M)  
N01°32'03"W(M)  
L2=19.07'(M)  
50'(R)  
S88°24'39"W<M)

## EXHIBIT "A" PLAT OF VACATION

PUBLIC ALLEY HEREBY VACATED

PERPETUAL UNOBSTRUCTED PUBLIC WAY EASEMENT HEREBY GRANTED IN ACCORDANCE WITH ACCOMPANYING ORDINANCE TERMS. (SEE SHEET 2) .

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SOUTH LINE OF LOTS 1 -THROUGH 3

N88°24'39"E(M) 151.34'(M)  
50'(R)

„ POINT OF £ BEGINNING d PARCEL 1

120.26'<(M) S88°24'39"W(M)

119' (R)

— SOUTHEAST Q\_ CORNER OF LOT 1

0^

22

FOUND-CROSS 2.87'E

21

20

-PARCEL 2

FOUND CROSS - 3.00'E £

NORTHEAST-CORNER OF £ LOT 7 NORTH LINE OF LOT 7

**CDOT\*08-27-18-3870**

**W.RANDOLPH ST**

HERETOFORE DEDICATED (150' RIGHT OF WAY)

■ BOUNDARY LINE

EXISTING RIGHT-OF-WAY "OR LOT LINE

(MI = MEASURED (R) = RECORD

^ TRAFFIC FLOW DIRECTION

CONSULTING ENGINEERS

**uin.uw.ij,'.iKin;mrcnB**

tb/b W Higgins koad Si.us /OO.

JOB NO:9346

Rosomon: IllmosiOCIS

SHEET: 1 OF 3

FILENAME: 9346VAC-01 LTR

## EXHIBIT "A" PLAT OF VACATION

BUILD OVER

16' ABOVE-GRADE

15' ALLEY

### NO BUILD RESTRICTION:

PERPETUAL, UNOBSTRUCTED PUBLIC ACCESS TO REMAIN ON THE 15' WIDE ALLEY HEREIN VACATED. WITH NO PRIVATE CONSTRUCTION PERMITTED TO A HEIGHT OF 16', IN ACCORDANCE WITH THE PUBLIC WAY EASEMENT AS RESERVED IN THE ATTACHED VACATION ORDINANCE. UTILITIES THAT OPT TO REMAIN WILL ALSO BE RESERVED FOR IN THE ORDINANCE. SEE CROSS HATCHED AREA UNDER PARCEL 1 ON SHEET 1 FOR LOCATION.

### ADJACENT PINS

17-08-434-003	17-08-434-010
17-08-434-004	17-08-434-011
17-08-434-005	17-08-434-012
17-08-434-006	17-08-434-013
17-08-434-007	17-08-434-014

17-08-434-008 17-08-434-015  
17-08-434-009 17-08-434-016

SURVEYOR'S NOTES:

1. ALL DIMENSIONS SHOWN HEREON ARE MEASURED UNLESS NOTED.
2. BASIS OF BEARINGS: TRUE NORTH BASED ON GEODETIC OBSERVATION IL EAST ZONE.
3. NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
4. PREPARED FOR/AND MAIL TO: FOCUS  
100 SOUTH WACKER DRIVE SUITE 2100  
CHICAGO, ILLINOIS 60606
5. LAST DATE OF FIELD WORK: NOVEMBER 9, 2017.
6. CURRENT ZONING: C3-1, DS3, DX5. PD 1354 & PD 1359

CDOT

**CDOT\*08-27-18-3870**

**EXHIBIT "A"**  
**PLAT OF VACATION**

PROPERTY DESCRIPTION 1 1 W1 J\* WJ\* ■■ W I V

PARCEL 1: EAST-WEST ALLEY

THAT PART OF THE 15-FOOT WIDE EAST-WEST ALLEY, SOUTH OF AND ADJOINING LOTS 1 TO 3, IN CARPENTER'S ADDITION TO CHICAGO AND NORTH OF AND ADJOINING LOTS 6 AND 7 IN T.F. GALE'S SUBDIVISION OF LOTS 6 TO 13 INCLUSIVE IN BLOCK 36 IN CARPENTER'S ADDITION TO CHICAGO, ALL IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 01 DEGREE 28 MINUTES 11 SECONDS EAST, ALONG THE WEST LINE OF NORTH HALSTED STREET, A DISTANCE OF 15.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 88 DEGREES 24 MINUTES 39 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 7 EXTENDED WESTERLY, 151.32 FEET TO THE INTERSECTION OF THE WEST LINE OF LOT 3 EXTENDED SOUTHERLY AND THE NORTH LINE OF SAID LOT 6; THENCE NORTH 01 DEGREES 32 MINUTES 03 SECONDS WEST, TO THE SOUTHWEST CORNER OF SAID LOT 3, A DISTANCE OF 15.00 FEET; THENCE NORTH 88 DEGREES 24 MINUTES 39 SECONDS EAST, ALONG THE SOUTH LINE OF LOTS 1 THROUGH 3, A DISTANCE OF 151.34 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 2,270 SQUARE FEET OR 0.052 ACRES, MORE OR LESS. PARCEL 2:  
NORTH-SOUTH ALLEY

THAT PART OF THE 12-FOOT WIDE NORTH-SOUTH ALLEY, EAST OF AND ADJOINING LOTS 6, 9, 10, 11, 12 AND 13 AND WEST OF AND ADJOINING LOTS 7, 8, 19, 20, 21 & 22 IN T.F. GALE'S SUBDIVISION OF LOTS 6 TO 13 INCLUSIVE IN BLOCK 36 IN CARPENTER'S ADDITION TO CHICAGO, ALL IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 1,798 SQUARE FEET OR 0.041 ACRES, FEET MORE OR LESS.

TOTAL VACATION AREA: 4,068 SQUARE FEET OR 0.093 ACRES, MORE OR LESS.  
) SS )

STATE OF ILLINOIS)

COUNTY OF COOK

WE, SPACECO, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM, NUMBER 184-001157 DO HEREBY DECLARE THAT WE HAVE PREPARED THE PLAT HEREON DRAWN FOR THE PURPOSE OF VACATING A PUBLIC STREET AS SHOWN, AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID VACATION.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY SCALING.

I, *PROFESSIONAL* *LAND* *surveyor* *STATE OF ILLINOIS*

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

REBECCA Y. POPECK, I.P.L. LICENSE EXPIRES: 11-30-20

(VALID ONLY IF EMBOSSED)

GIVEN UNDER OUR HAND AND SEAL THIS 29th DAY OF NOVEMBER, 2018 IN ROSEMONT, ILLINOIS. -  
COMPARE ALL DIMENSIONS BEFORE BUILDING AND REPORT ANY DISCREPANCIES AT ONCE. REFER TO DEED OR  
TITLE POLICY FOR BUILDING LINES AND EASEMENTS.

JOB NO: 9346

LENAME: 9346VAC-01 LTR

**CDOT\*08-27-18-3870**

Chicago Department of Transportation

city of chicago

12/03/18

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

Attention: Ms. Lisa Misher Deputy  
Corporation Counsel

Re: Proposed Vacation for W-SF Goldfinger Owner VIII LLC and f=i\*iVkJ u\o Ou. LLC Commercial File: 08-27-18-3870 <sup>1</sup>

Dear Mr. Siskel:

Pursuant to a request from Mr. Jeff Shapack, we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed vacation the easternmost portion of the northernmost dedicated alley, and all of the N-S alley in the block bounded by W. Lake Street, W. Randolph Street, N. Halsted Street and N. Green Street. This property is located in the 27th Ward.

W-SF Goldfinger Owner VIII LLC and fS^l-l<U> cOu/ntfLLC are the owners of record to the properties adjoining the public alleys to be vacated. The people to contact in connection with this proposed ordinance are Attorney Katie Dale at 312-368-2153 and Mr. Jeff Shapack at 312-690-4050.

All underground utility agencies are either not involved or have made suitable arrangements. The ordinance requires compensation to the City for the land being conveyed under the Commercial Vacation Program.  
Si:



ncerjsly,

;bekah  
Commissioner

Scheinfeld

Originated by:

Luann Hamilton Deputy Commissioner

RS: LH: RD

cc: Alderman.Burnett (27)

(2) Maps & Plats

## CITY COUNCIL

### City of Chicago

#### COUNCIL CHAMBER

City Hall-Second Floor 121 North LaSalle 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

Public Safety

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>

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 proposed ordinance transmitted herewith for a VACATIONS to W-SF GOLDFINGER OWNER VIII, LLC AND FIGHT CLUB OWNER, LLC - 02018-9306 A proposed vacation of the easternmost portion of the northernmost dedicated alley, and all the north-south alley in the block bounded by West Lake Street, West Randolph Street, North Halsted Street and North Green Street This ordinance was referred to Committee on December 12, 2018 .

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

(Ward 27)

Anthony Beale, Chairman

Respectfully submitted,