



Office of the City Clerk

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

Legislation Text

File #: O2020-2350, Version: 1

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 at 338-350 N Peoria Street, 900-924 W. Carroll Avenue (vacated) and 339-355 N. Sangamon Street (vacated) are owned by Nealey Family Limited Partnership, an Illinois limited partnership ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley remnant to be vacated herein for parking; 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 alley, described in this ordinance; now therefore,

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

SECTION 1.

VACATION OF: THAT PART OF THE NORTH-SOUTH 16 FOOT WIDE AND THE EAST-WEST 13 FOOT WIDE PUBLIC ALLEY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 17; THENCE ALONG AN ASSUMED BEARING OF SOUTH 00 DEGREES 25 MINUTES 30 SECONDS EAST ALONG THE WEST LINE OF LOT 17 A DISTANCE OF 1.14 FEET (MEASURED ALONG SAID WEST LINE) TO THE WESTERLY TERMINUS OF A LINE HEREIN AFTER DESIGNATED LINE "A"; THE EASTERLY TERMINUS OF SAID LINE "A" BEING A POINT ON THE EAST LINE OF LOT 9 WHICH IS 14.68 FEET SOUTH (MEASURED ALONG SAID EAST LINE) OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH 81 DEGREES 31 MINUTES 10 SECONDS EAST ALONG SAID LINE "A" 118.41 FEET TO ITS POINT OF INTERSECTION WITH THE EAST LINE OF LOT 17, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES 31 MINUTES 10 SECONDS EAST ALONG SAID LINE "A" 16.20 FEET TO ITS POINT OF INTERSECTION WITH THE WEST LINE OF LOT 8; THENCE SOUTH 00 DEGREES 25 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF LOTS 8 AND 9 A DISTANCE OF 40.65 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 89 DEGREES 44 MINUTES 30 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 9 A DISTANCE OF

118.76 FEET TO THE SOUTHEAST CORNER THEREOF ALSO BEING ON THE WEST RIGHT OF WAY OF N. PEORIA STREET; THENCE SOUTH 00 DEGREES 25 MINUTES 54 SECONDS EAST 13.00 FEET TO THE NORTHEAST CORNER OF LOT 28; THENCE SOUTH 89 DEGREES 44 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF LOTS 19 TO 28 ALL INCLUSIVE 251.74 FEET TO THE NORTHWEST CORNER OF LOT 19 ALSO BEING ON THE EAST RIGHT OF WAY LINE OF VACATED N. SANGAMON STREET RECORDED SEPTEMBER 18, 2008 AS DOCUMENT NUMBER 0826245111; THENCE NORTH 00 DEGREES 25 MINUTES 30 SECONDS WEST 13.00 FEET TO THE SOUTHWEST CORNER OF LOT 18; THENCE NORTH 89 DEGREES 44 MINUTES 30 SECONDS EAST ALONG THE SOUTH LINE OF LOT 18 A DISTANCE OF 116.98 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00 DEGREES 25 MINUTES 33 SECONDS WEST ALONG THE EAST LINE LOTS 17 AND 18 A DISTANCE OF 43.11 FEET TO THE POINT OF BEGINNING, ALL IN THE SUBDIVISION OF BLOCK 3 OF CARPENTER'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE-FIRE, IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 3,943 SQUARE FEET OR 0.0905 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 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 the Public alley hereby vacated the sum
Four Hundred Ninety Thousand dollars (\$490,000.00),
which sum in the judgment of this body will be equal to such benefits.

SECTION 3. The vacation herein provided for is made under the express condition that the Developer of the area herein vacated, its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

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, stamped copy of this ordinance, together with the associated full sized plats as approved by the Superintendent of Maps and Plats.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

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Vacation Approved:

Gia Biagi

Commissioner of Transportation Approved as to Form and Legality

Arthur Dolinsky 7] Senior Counsel

Introduced By.

Honorable Walter Burnett Alderman, 27th Ward

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Chicago Department of Transportation

CITY OF CHICAGO

Mr. Mark A. Flessner Corporation
Counsel Room 600 - City Hall
Chicago, IL 60602-1289

Attention: Ms. Lisa Misher Deputy
Corporation Counsel

Rc: Proposed Vacation for Ncaley Family Limited Partnership LLC Commercial File: 08-27
-19-3928

Dear Mr. Flessner:

Pursuant to a request-from Mr. Eric Nealey, we are transmitting herewith for-your review and approval as to

form and legality an original and three (3) copies of a proposed alley vacation in the block bounded by W. Carroll Avenue (vacated), N. Peoria Street, N. Sangamon Street and W. Kinzie Street. This property is located in the 27th Ward.

Nealey Family Limited Partnership LLC is the owner of record to all of the private property adjoining the segment of public alleys to be vacated. The people to contact in connection with this proposed ordinance are Attorney Michael Ezgur at 312-327-3350, and Mr. Eric Nealey at 312-829-0856

All underground utility agencies are either not involved or have made other accommodations. Section 2 of the ordinance requires compensation to the City for the land being conveyed. Sections 3, 4 and 5 are standard language regarding the ordinance.

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Department of Transportation Originated by GB: WH: RD

cc: Alderman Burnett (27) Alderman Brookins

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

30 NORTH LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 60602

HOWARD B. BROOKINS, JR. ALDERMAN, 21ST WARD

9011 SOUTH ASHLAND AVE. SUITE B CHICAGO, ILLINOIS 60620 PHONE: 773-881-9300 FAX: 773-881-2152

CITY OF CHICAGO CITY COUNCIL

COUNCIL CHAMBER CITY HALL ROOM 305 121 NORTH LASALLE STREET CHICAGO, ILLINOIS 60602 PHONE: 312-744-4810 FAX: 312-744-7738

COMMITTEE MEMBERSHIPS TRANSPORTATION AND PUBLIC WAY (CHAIRMAN)

AVIATION

BUDGET & GOVERNMENT OPERATIONS

ECONOMIC, CAPITAL & TECHNOLOGY DEVELOPMENT

FINANCE

COMMITTEES AND RULES

WORKFORCE DEVELOPMENT & AUDIT

September 09, 2020

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 NEALEY FAMILY LIMITED PARTNERSHIP, LLC - 0202 0-2350 A proposed alley vacation in the area bounded by West Carroll Avenue (vacated)

North Peoria Street, North Sangamon Street and West Kinzie Street This ordinance was referred to Committee on April 22, 2020.

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

(Ward 27)

Howard Brookins, Jr., Chairman

Respectfully submitted,