



# Office of the City Clerk

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

## Legislation Text

File #: O2021-4538, Version: 1

### INTERGOVERNMENTAL 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 6072-6082 N. Ridge Avenue, 6086 N. Ridge Avenue, 1767 -1778 W. Peterson Avenue and approximately 6001-6041 N. Ravenswood Avenue, Chicago, Illinois, are owned by the Commuter Rail Division of the Regional Transportation Authority, a division of an Illinois municipal corporation, also known as Metra ("Developer"); and

WHEREAS, the properties at 6060-6070 N. Ridge Avenue, Chicago, Illinois, are owned by private residential owners, as represented by the Anderson Pointe Condominium Association ("Anderson Pointe"), under whose authority a resolution with Metra was agreed to for an access easement on the alley herein vacated, said agreement to be recorded simultaneously with the vacation; and

WHEREAS, Metra proposes to assemble its adjacent properties including the portion of the alley to be vacated for the purpose of constructing a new commuter rail station and associated structures; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of public use and the public interest to be subserved is such as to warrant the vacation of the public alley described in this ordinance; now, therefore,

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

#### **SECTION 1. Legal Description**

**A NORTH-SOUTH 16-FOOT WIDE PUBLIC ALLEY IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN CHICAGO, COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS:**

**BEGINNING AT A POINT ON THE NORTH LINE OF W. PETERSON AVENUE, AS WIDENED BY ORDINANCE PASSED JUNE 23, 1920, ORDER OF POSSESSION BY COURT ORDER MAY 20, 1938, WHERE IT INTERSECTS WITH THE WEST LINE OF LOT 23 IN BARSTOW AND KELLY'S ADDITION TO HIGHRIDGE SUBDIVISION AS RECORDED JUNE 7, 1892 AS DOCUMENT NUMBER 1679783 IN COOK COUNTY, ILLINOIS, SAID POINT NOW BEING THE SOUTHWEST CORNER OF SAID LOT 23; THENCE ON AN ASSUMED BEARING OF NORTH 01 DEGREE 38 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 23, THAT**

**PART OF AN EAST-WEST 16-FOOT PUBLIC ALLEY, LOTS 20,21, AND 22 IN SAID SUBDIVISION, A DISTANCE OF 374.72 FEET TO THE NORTHWEST CORNER OF SAID LOT 22, SAID CORNER BEING A POINT ON THE SOUTH LINE OF N. RIDGE AVENUE; THENCE NORTH 58 DEGREES 05 MINUTES 05 SECONDS WEST, ALONG SAID**

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SOUTH LINE OF N. RIDGE AVENUE, A DISTANCE OF 19.20 FEET TO A POINT ON A LINE 16 FEET WEST OF AND PARALLEL WITH SAID WEST LINES; THENCE SOUTH 01 DEGREES 38 MINUTES 07 SECONDS EAST ALONG SAID PARALLEL LINE (ALSO BEING THE EAST LINE OF A PARCEL OF LAND WEST OF AND ADJOINING SAID NORTH-SOUTH 16-FOOT WIDE PUBLIC ALLEY), A DISTANCE OF 385.37 FEET TO A POINT ON THE NORTH LINE OF W. PETERSON AVENUE, AS WIDENED; THENCE NORTH 88 DEGREES 12 MINUTES 54 SECONDS EAST, ALONG SAID NORTH LINE OF W. PETERSON AVENUE, AS WIDENED, A DISTANCE OF 16 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; TOTAL AREA IN ABOVE SAID PARCEL DESCRIBED BEING 6081 SQUARE FEET OR 0.140 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, 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.

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 alleys 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 utility(ies). Any future Developer-prompted relocation of facilities lying within the area being vacated will be accomplished by the involved utility, and be done at the expense of the Developer, its successors or assigns.

**SECTION 3. The City of Chicago hereby reserves upon the alley herein vacated an easement for existing Department of Water Management main and appurtenances thereto, and for the installation of any additional water mains and appurtenances which in the future may be located in the alley herein vacated, and for the maintenance, renewal, and reconstruction of such facilities, with the right of ingress and egress at all times upon reasonable notice. It is further provided that the City shall have 24-hour access and that no buildings or other structures shall be erected upon the said alley herein reserved, or other use made of said area, which in the judgment of the municipal officials having control of the aforesaid service facilities would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the construction of additional municipally-owned service facilities. It is further provided that any Developer-prompted adjustments to water facilities in the area to be vacated, and the repair, renewal or replacement of any private materials, or private property damaged in the area to be vacated as a result of the City exercising its easement rights shall be done at the Developer's expense, said acceptance being expressly condition upon the Developer responsibility to adhere to certain terms of the Chicago**

**Department of Water Management, as detailed in the attached correspondence dated August 27, 2021, hereby attached and made a part of this ordinance as EXHIBIT B.**

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance and its related documents the

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Developer shall provide evidence of payment of the security deposit necessary to defray the cost of work to public paving, curb and related appurtenances should the Developer default or fail to construct the directed improvements 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. The Developer shall submit for field inspection and approval of the construction, to the CDOT Division of Infrastructure Management, Construction Compliance Unit, Room 905 City Hall, for return of said deposit.

SECTION 5. The vacation herein provided for is made under the express condition that the Developer, its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

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, its assign shall file or cause to be filed for recordation with the Office of the Cook County Clerk / Recordings Division a certified copy of this ordinance, together with the associated full-sized plat as approved by the Department of Transportation's Superintendent of Maps and Plats.

SECTION 7. 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 the recording of this ordinance and the approved plat of vacation.

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EXHIBIT »A«

## PLAT OF VACATION

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TOWNSHIP 40 NORTH. RANGE;,'U EAST; OF THE. THIRO PRINCIPAL MERIDIAN.  
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CITY OF CHICAGO

DEPARTMENT OF WATER MANAGEMENT

August

27,2021

Metra  
547 W Jackson  
Boulevard Chicago,  
Illinois 60661

Attention:    Kenneth Schultz  
                  Project Coordinator

**SUBJECT: Proposed New Peterson-Ridge Metra Station  
N Ravenswood Avenue-W Thorndale Avenue to N  
Ridge Ave BES Project No. 18-012:148 OUC File No.  
EFP-108232**

Mr. Schultz:

This correspondence is in response to an Office of Underground Coordination transmittal dated February 19, 2021, and revised plans received August 10, 2021, for the subject project. This correspondence only addresses the proposed site improvement work east of the proposed station under OUC File No. EFP-108232. All other work associated with the proposed Peterson-Ridge Metra Station must be submitted for DWM review and approval prior to construction within the right-of-way.

The Department of Water Management - Water Section

This Department maintains the following existing feeder mains:

- 24-inch feeder main located at approximately 40 feet NSL of W Peterson Avenue
- 36-inch feeder main located from approximately 8 feet to 10 feet EWL of the First Alley East of N Ravenswood Avenue

The proposed site conduit and duct package installations will cross above the existing 36-inch feeder main at two (2) separate locations and 24-inch feeder main with at least 18 inches of vertical separation. Hand excavation is required to field verify the horizontal and vertical locations of the existing feeder mains prior to crossing.

This Department maintains the following existing feeder mains:

- 36-inch feeder main located from approximately 8 feet to 10 feet EWL of the First Alley East of N Ravenswood Avenue
- 42-inch feeder main located from approximately 8 feet to 27 feet WEL of N Ravenswood Avenue

The proposed utility installations will cross below the existing 36-inch feeder main in two (2) separate locations and the 42-inch feeder main with at least 18 inches of vertical separation. Hand excavation is required to field verify the horizontal and vertical locations of the existing 36-inch and 42-inch feeder mains prior to crossing.

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Directional boring method of installation to cross existing feeder mains is prohibited; however, the proposed conduit may be installed using a trenchless method of construction. If a trenchless method of installation is used, a minimum of four (4) feet of undisturbed soil is to remain on either side of the existing feeder main. If the proposed conduit will be installed via open-cut method, the excavation must be properly shored to maintain a maximum three (3) foot trench width. The trench shall be

backfilled to the springline of the feeder main with GLSM backfill (non-fly ash), and CA-16 from the springline of the feeder main to grade. Use of polyethylene wrap as a bond breaker between the feeder main and the CLSM backfill is required.

Additionally, the proposed lighting conduit installation at 14 feet south of the north property line of W Peterson Avenue will cross above the existing 36-inch feeder main mentioned above with less than 18 inches of vertical separation. Hand excavation is required to field verify the horizontal and vertical location of the existing feeder main prior to crossing.

The DWM requires a minimum of 18 inches of vertical separation from existing water facilities. A one-time variance for the 36-inch feeder main crossing at approximately 14 feet south of the north property line of W Peterson Avenue is issued given the following conditions: a minimum vertical clearance of six (6) inches between the bottom of the proposed conduit and the top of the existing feeder main is permitted, except when field conditions allow for greater than six (6) inches of clearance, the maximum amount of separation should be achieved. Additionally, a minimum horizontal clearance of three (3) feet between the proposed conduit and any existing feeder main joints is required. If a steel plate is installed above the conduit, the plate width must not exceed 12 inches. CDOT will be responsible for the relocation of the conduit should the Department require access to the feeder main.

The proposed trench drain installation will be installed above the existing 36-inch feeder main mentioned above and must maintain at least 18 inches of vertical separation from the existing feeder main. Hand excavation is required to field verify the horizontal and vertical location of the existing 36-inch feeder main prior to construction. Metra will be responsible for the relocation of the trench drain should the Department require access to the feeder main.

The proposed street improvements will be located above existing water facilities located within the subject project limits. This Department requires unrestricted access to its facilities. Should the DWM require access to its facilities, it will not be responsible for any costs or work for restoration of the proposed street improvements (beyond typical pavement, sidewalk, and hydroseed restoration), including but not limited to, special features, planters, landscaping or structures.

Metra is requesting to decrease the cover over the abovementioned existing 36-inch water main. This Department does not permit decreasing of cover over existing DWM water facilities. A one-time variance will be issued for the proposed site improvements allowing the decrease of cover given the following conditions: the proposed cover over the existing water facilities will not exceed a grade cut of one (1) foot except when field conditions allow for less than one (1) foot of cut of grade, the minimum amount of grade cut should be achieved.

In order to accommodate the proposed site utility installations for the proposed new Peterson-Ridge Metra Station, this Department must provide a resident engineer to be present on-site during the excavation and installation during the proposed utilities crossing above the existing 24-inch feeder main, below the 42-inch feeder main, and above and below the existing 36-inch feeder main. The estimated cost for resident engineering services is \$7,018.00. Please note that this estimate is based on current labor rates (including overhead charges), but the actual costs of the resident engineering services will be submitted for payment.

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**An invoice for the estimated cost of resident engineering services has been prepared by the Department of Water Management and is attached to this letter. To pay online, go to -**

**pay.cityofchicago.org <<http://pay.cityofchicago.org>> (City of Chicago Payment Portal) and click on the Get Started icon under Other City Fees. This will take you to the payment section where you will enter your Account Number and Invoice Number. This information can be found on the top line of the invoice along with the billing date and amount due current. The portal will accept credit card payments and electronic checks. The remitter will receive a receipt via email as proof of payment. This Invoice must be paid within 60 days of the billing date, or your account will be put on hold.**

Once the payment has been submitted and accepted by the City of Chicago, the contractor should submit a copy of the receipt along with the Existing Facility Protection (EFP) number issued for this project to [DWMREServicesPayments@cityofchicago.org](mailto:DWMREServicesPayments@cityofchicago.org) <<mailto:DWMREServicesPayments@cityofchicago.org>>. Upon receipt of the proof of payment, the Chicago Department of Water Management will be available to coordinate and schedule a resident engineer.

It is required that the Force Account Construction Manager be contacted at [FACM@ctrwater.net](mailto:FACM@ctrwater.net) <<mailto:FACM@ctrwater.net>> two (2) weeks prior to the anticipated construction date so a resident engineer can be assigned to the project. The DWM resident engineer will adhere to the schedule provided by Metra, unless notified otherwise.

Please contact the Department of Buildings, Plumbing Permit and Plan Section by email at [Bpermits@cityofchicago.org](mailto:Bpermits@cityofchicago.org) <<mailto:Bpermits@cityofchicago.org>> regarding the proposed private water service. Prior to the control valve installation, Metra, must install a meters and meter vault within the right of way, immediately adjacent to the proposed service control valve. This meters and associated meter vault location must be submitted for review and approval to the Chief Plumbing inspector, Denis E. Riordan, at [Denis.Riordan@cityofchicago.org](mailto:Denis.Riordan@cityofchicago.org) <<mailto:Denis.Riordan@cityofchicago.org>>. This private water service must follow all applicable Illinois Environmental Protection Agency (IEPA) requirements.

There are various water mains and appurtenances within the limits of this project. All proposed underground facilities must be installed in such a manner to provide the following required clearances: The minimum vertical clearance (edge-to-edge) from all water mains is 18 inches. For feeder mains (water mains 16 inches and larger), the minimum horizontal clearance (edge-to-edge) is five (5) feet, and for grid mains (water mains less than 16 inches), the minimum horizontal clearance (edge-to-edge) is three (3) feet. No proposed above ground facility (tree, planter box, light pole, etc.) can be closer than five (5) feet (edge-to-edge) from a water main or closer than three (3) feet (edge-to-edge) from a water service. Should the DWM require access to its facilities, it will not be responsible for the costs to remove or support any above ground structures adjacent to its facilities.

The proposed lighting conduit will be crossing the following existing water mains:

- 8-inch water main located at approximately 10 feet SNL of W Peterson Avenue
- 8-inch water main located at approximately 10 feet NSL of W Peterson Avenue
- 8-inch water main located at approximately 18 feet WEL of N Ravenswood Avenue

The proposed gas service will cross the existing 8-inch water main located at approximately 18 feet west of the east property line of N Ravenswood Avenue. Both water services and grid mains are typically installed with approximately five (5) feet of cover. The depth of the proposed gas main may need to be adjusted to provide the vertical clearance noted above, which must be met for crossing all water mains and services.

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This Department also maintains several existing fire hydrant on the eastern and western frontages of N Ravenswood Avenue, which will be in close proximity to the proposed conduit installation. In no case shall the installation of any proposed facility be closer than five (5) feet from a fire hydrant or fire hydrant lead. All new curb installation adjacent to fire hydrants must be painted 'safety yellow' for 15 feet on each side of the fire hydrant except where the 15 foot dimension intersects a crosswalk, driveway or similar feature.

Proposed trees must not be planted above or within 5 feet of the exterior pipe wall for all water mains 24-inch in diameter and larger. This 5 foot rule excludes mains that are separated from the tree by a hardscape feature or other root growth limiting conditions such as water mains located in the street.

This Department discourages tree planting over water mains that are less than 24-inches in diameter located in the parkway, but if necessary, will allow trees with a maximum mature height of 30 feet and a maximum mature root depth of 2Va feet. Potential plantings that meet this requirement include the following:

1. Ornamental shrubs or bushes meeting the mature height and mature root depth stated above.
2. Flowers or other non-woody herbaceous plants.
3. Above ground, removable planting containers that can be moved by construction equipment in the event that water main repair is required.

Existing trees planted above water mains that do not meet these requirements do not need to be removed. However, if such existing trees are removed, all proposed trees installed in their place must meet the above mentioned requirements. Should it be necessary for the DWM to access any of its facilities, the Department shall only be responsible for typical pavement, sidewalk, and hydroseed restoration.

If construction requires the use of water from a City fire hydrant, or adjustments or repairs are required to any City sewer facilities in proximity to the project site, permits must be obtained from the Department of Water Management, Water and Sewer Sections.

All new sewer installations must meet IEPA separation requirements for water and sewer pipes. All proposed/replaced sewer laterals from catch basins/inlets, sewer mains, and private drains (collectively known as "sewer facilities") that are parallel to water mains, sen/ices or fire hydrant leads (collectively known as "water facilities") that are less than 18 inches below the water facility and have less than 10 feet of horizontal separation from the outside edge of the water facility must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. Additionally, all sewer facilities that cross perpendicularly below water facilities with less than 18 inches vertical separation must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. If any sewer facility crosses perpendicularly above a water facility, then the sewer facility shall be at least 18 inches above the water facility and the sewer facility must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. Sewer laterals that require ductile iron/water main quality pipe shall be ductile iron/water main quality pipe from the catch basin to a point 10 feet beyond the edge of the water facility.

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**Extreme caution is to be taken to ensure that no facility owned and maintained by this Department is damaged during construction. If damage occurs to any facilities, Metra will be held responsible for the cost of repairing or replacing the facilities.**

***Please note that the details described above are valid for 90 days from the date of this letter, after which time, Metra will be responsible for re-submitting plans to this Department for review and revision, as needed. Failure to comply with the provisions in this correspondence may result in additional expenses to the proposed project to verify that all work conforms to DWM's standards.***

**If there are any questions regarding the water facilities, please contact Angela Krueger at [Angela.Krueger@cityofchicago.org](mailto:Angela.Krueger@cityofchicago.org) <<mailto:Angela.Krueger@cityofchicago.org>>.**

**Sincerely,  
Commissioner**

**DG**

**DOB Plan Desk  
Denis E. Riordan, Chief Plumbing Inspector**