



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Text

File #: O2021-4735, Version: 1

SUBDIVISION ORDINANCE TIME EXTENSION 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, pursuant to ordinance ("Original Ordinance") adopted by the City Council of the City, of Chicago ("City Council") on February 26, 2021, and published in the Journal of the Proceedings of the City Council of the City (the "City Council") for such date at pages 27989 through 28005, the City Council approved a subdivision for, and the dedication of certain portions of public streets by, Riverbend Real Estate Investments LLC ("Developer"), the Riverside Owners Association (representing townhome owners), and various single family home property owners (all three entities/groups, collectively, the "Owners"); and

WHEREAS, the Developer was unable to record the Original Ordinance and the associated plat of subdivision prior to the one hundred eighty (180) day deadline cited in Section 7 of said Original Ordinance, and the Developer's authority to record the plat of vacation has expired; and

WHEREAS, the City Council now seeks to extend the deadline for recording the Original Ordinance and plat of subdivision, in accordance with the terms of Section 7 of the Original Ordinance, so that the Developer may successfully complete the subdivision and associated dedication; and

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. The Commissioner of the Chicago Department of Transportation ("Commissioner"), or her designee, is hereby authorized and directed to approve a proposed Riverside Subdivision, being a subdivision of certain lots owned by the Owners, as reflected on the attached plat, in the block bounded approximately by S. Lock Street, S. Hillock Avenue, the South Branch of the Chicago River (approximately S. Pitney Court) and S. Archer Avenue, and legally described in the attached plat (EXHIBIT A, CDOT File: 29-1.1-19-3900) which, for greater certainty, is hereby made a part of this ordinance.

SECTION 2. The Commissioner is further authorized to accept as new public way, certain street and alley dedications of property heretofore currently held in title by the Owners and legally described in the attached plat of subdivision.

SECTION 3 The Owners expressly acknowledge that all water service lines, mains, cisterns, hydrants and appurtenances contained within the area herein subdivided, including in the streets and alleys herein dedicated, shall remain the private property and maintenance responsibility of said Owners, in accordance with (a) the Amended and Restated Covenant recorded with the Office of the Clerk of Cook County, Illinois, Recordings Division, on March 23, 2006, as document 0608231114 ("Covenant"), recorded against the unsubdivided lot known as. PIN 17-29-309-036, with the same boundaries as the subject subdivision, said Covenant attached hereto as EXHIBIT B and incorporated herein, and (b) the Department of Water Management letter dated June 3, 2019, which is attached hereto as EXHIBIT C and incorporated herein.

SECTION 4. The Owners also expressly acknowledge that the sewer lines, catch basins and associated sewer system structures within the area herein subdivided, including within the streets and alleys herein dedicated, shall remain the private property and the maintenance responsibility of the Owners in accordance with the Covenant attached hereto as EXHIBIT B, and the Department of Water Management letter dated June 3, 2019, attached hereto as EXHIBIT C.

SECTION 5. The subdivision herein provided for is made with the acknowledgement of the Commissioner that the Developer has paid the quoted sum sufficient to defray the cost of work to public rights of way herein dedicated, and related appurtenances associated with the Developer's work, in the event that the Developer defaults in its obligation 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, and in accordance with the executed Duty to Build Agreement attached hereto as Exhibit D and incorporated herein. Developer agrees to submit for field inspection and approval of its construction of said improvements, to the CDOT Division of Infrastructure Management, Construction Compliance Unit, Room 905 City Hall, prior to the return of the monies deposited there (minus service fee).

SECTION 6. The subdivision herein provided for is made under the express condition that the Owners, and their successors' and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to the subdivision.

SECTION 7. The resubdivision herein provided for is also 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 Clerk of Cook County, Illinois, Recordings Division, a certified copy of this ordinance,

together with the full-sized corresponding plat and survey as approved by the Department of Transportation's Superintendent of Maps and Plats.

SECTION 8. This ordinance shall take effect and be in force from and after its passage and publication. The subdivision shall take effect and be in force from and after the recording of this ordinance and the associated plat.

Introduced by:

Alderman 11th Ward

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