



# Office of the City Clerk

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## Legislation Text

File #: SO2011-734, Version: 1

### CITY COUNCIL

#### CITY OF CHICAGO COUNCIL CHAMBER

SECOND FLOOR, CITY HALL  
TELEPHONE: 312-744-6800

March 4, 2011

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 An ordinance for a proposed vacation of a portion of West 14th Street, West 14th Place, South Paulina Avenue, and the 16 foot public alleys in the block bounded by West Hastings Avenue, South Ashland Avenue, West 15th Street and the CTA right-of-way. This ordinance was referred to the Committee on February 9, 2011.

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

(Ward 2)

firfthony Beale, Chairman

#### S^b^that^ 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 bounded by W. Hastings Street, the Chicago Transit Authority elevated tracks immediately west of S. Paulina Avenue, W. 15<sup>th</sup> Street and S. Ashland Avenue are owned by the Illinois Medical District Commission (the "Property"); and

WHEREAS, the Illinois Medical District Commission (the "IMDC") proposes to assemble properties including the portion of the streets and alleys to be vacated herein; 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 parts of public streets and alleys described in the following ordinance; now therefore,

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

SECTION 1. ALL THOSE PARTS OF WEST 14<sup>th</sup> STREET, WEST 14<sup>th</sup> PLACE AND SOUTH PAULINA STREET, LYING ADJACENT TO STINSON'S SUBDIVISION OF BLOCKS 15, 16, 17 AND 18 IN THE DIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THE 16 FOOT PUBLIC ALLEYS LYING WITHIN SAID SUBDIVISION OF BLOCKS, AND CONTAINED WITHIN THE FOLLOWING BOUNDED AND DESCRIBED PARCEL OF LAND: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF WEST HASTINGS STREET WITH THE WEST LINE OF SOUTH ASHLAND AVENUE;

THENCE SOUTH ALONG SAID WEST LINE, 924.90 FEET TO THE NORTH LINE OF WEST 15<sup>th</sup> STREET; THENCE WEST ALONG SAID NORTH LINE, 144.00 FEET TO THE WEST LINE OF THE FIRST PUBLIC ALLEY WEST OF SOUTH ASHLAND AVENUE;

THENCE NORTH ALONG SAID WEST LINE AND THE NORTH AND SOUTH EXTENSION THEREOF, 594.60 FEET TO THE SOUTH LINE OF WEST 14TH STREET;

THENCE WEST ALONG SAID SOUTH LINE, 456.00 FEET TO THE EAST LINE OF SOUTH PAULINA STREET;  
THENCE SOUTH ALONG THE SAID EAST LINE, 594.60 FEET TO THE NORTH LINE OF WEST 15TH STREET;  
THENCE WEST ALONG SAID NORTH LINE 162.00 FEET TO WEST LINE OF LOT 97 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID;  
THENCE NORTH ALONG SAID WEST LINE 124.15 FEET TO THE SOUTH LINE OF A 16 FOOT PUBLIC ALLEY ADJACENT TO LOT 97 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID;  
THENCE EAST ALONG SAID SOUTH LINE, 24.00 FEET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 53 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID;

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THENCE NORTH ALONG SAID WEST LINE OF LOT 53 AND ITS SOUTHERLY AND NORTHERLY EXTENSION, 206.15 FEET TO THE NORTH LINE OF WEST 14TH PLACE;  
THENCE WEST ALONG SAID NORTH LINE, 18.30 FEET TO A LINE 18.30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF LOT 47 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID;  
THENCE NORTH ALONG THE LAST MENTIONED PARALLEL LINE 145.15 FEET TO A LINE 8.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF LOT 4 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID;  
THENCE WEST ALONG SAID PARALLEL LINE 5.70 FEET TO THE WEST LINE OF LOT 4 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID;  
THENCE NORTH 446.45 ALONG THE WEST LINE OF LOTS 54 AND 97 IN STINSON'S SUBDIVISION OF BLOCK 15, AFORESAID, BEING ALSO THE WEST LINE OF LOT 4 IN STINSON'S SUBDIVISION OF BLOCK 18, AFORESAID TO THE SOUTH LINE OF WEST HASTINGS STREET;  
THENCE EAST ALONG SAID SOUTH LINE OF WEST HASTINGS STREET, 762.00 FEET TO SAID WEST LINE OF SOUTH ASHLAND AVENUE AND THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS as indicated by the words "TO BE VACATED" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same are hereby vacated and closed, inasmuch as the same are 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 the Chicago Transit Authority the West 16 feet, more or less, of those portions, as herein vacated, of W. 14<sup>th</sup> Street and W. 14<sup>th</sup> Place, located between W. Hastings Street on the north and W. IS\* Street on the south, lying between the Eastern property line of the Chicago Transit Authority elevated right-of-way and S. Paulina Street; and the West 16 feet, more or less, of those portions, as herein vacated, of the three east/west 16 foot alleys located between W. Hastings Street on the north and W. 15<sup>th</sup> Street on the south, lying between the Eastern property line of the Chicago Transit Authority elevated right-of-way and S. Paulina Street (collectively referred to as "property that is subject to CTA reservation of rights") for the purpose of emergency and maintenance access to the adjacent Chicago Transit Authority elevated right-of-way to allow for the operation, maintenance, repair, renewal or replacement of the elevated structure, support columns, platforms and related facilities lying therein (except for emergency access, the Chicago Transit Authority shall provide reasonable prior notice of the intent to exercise such access rights to the owner and any ground lessee of the property). It is further provided that no buildings or other structures shall be erected on the property that is subject to CTA reservation of rights or other use made of the property that is subject to CTA reservation of rights which would interfere with the exercise of such access rights, provided that parking lot paving and curbs, and bioswales are expressly authorized to be located within such area. The Chicago Transit Authority shall restore, replace and/or repair any such parking lot, paving and curbs or bioswale facilities that are damaged, destroyed or disturbed by the exercise of the access rights granted herein.

SECTION 3. The City of Chicago acknowledges that The Peoples Gas Light and Coke Company is hereby forever released of all obligations and duties in the property to be vacated according to this ordinance and may abandon in place all or any part of the existing gas mains, servicing piping, associated equipment and appurtenances and all or any portion of its equipment as may be located over, through, under along and across the

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vacated area. It is further provided that all costs and expenses associated with the removal of any abandoned main, pipe, appurtenances, or equipment shall be borne exclusively by the IMDC or its lessee or assigns. Under no circumstance shall the City of Chicago be obligated to pay for the removal of any abandoned main, pipe, appurtenances, or equipment.

SECTION 4. The vacation herein provided for is made upon the express condition that within 365 days after the passage of this ordinance, the Illinois Medical District 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 and curb across the entrance to that part of public streets and alleys hereby vacated. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 5. The vacations herein provided for are made upon the express condition that within 365 days after the passage of this ordinance, the Illinois Medical District shall file or cause to be filed for the record in the office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with an attached drawing approved by authorized staff of the Maps and Plats Unit of the Chicago Department of Transportation.

SECTION 6. This ordinance shall take effect and be in force from and after its passage.