



Office of the City Clerk

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

Legislation Text

File #: O2011-5609, Version: 1

INDUSTRIAL 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 City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas or other industrial uses; and

WHEREAS, the City can strengthen established industrial areas and expand the city's jobs base' by encouraging the growth and modernization of existing industrial facilities through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, the properties at 4229-4247 W. Belmont Avenue, 3138-3156 N. Kenosha Avenue, 4201-4219 W. Belmont Avenue and 3139-3157 N. Kenosha Avenue are owned by 4201 W. Belmont, Inc., 4243 W. Belmont, LLC, and 4227 W. Belmont, LLC; and

WHEREAS, 4201 W. Belmont, Inc., 4243 W. Belmont, LLC, and 4227 W. Belmont, LLC employ one hundred ninety-two (192) full time employees; and

WHEREAS, 4201 W. Belmont, Inc., 4243 W. Belmont, LLC, and 4227 W. Belmont, LLC propose to use the portion of the Street to be vacated herein for parking, truck staging, and driveway use; 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 part of public Street described in the following ordinance; now, therefore,

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

SECTION 1. That part of North Kenosha Avenue bounded and described as follows: lying West of and adjoining Lots 1 to 3, both inclusive (except the South 8.0 feet thereof) in Block 1 in Cushing's Subdivision of the West 50 acres of the North 120 acres of the Northeast $\frac{1}{4}$ of Section 27, Township 40 North, Range 13 East of the Third Principal Meridian; lying East of and adjoining Lots 1 to 3, both inclusive (except the South 8.0 feet thereof) in Block 2 in Cushing's Subdivision, aforesaid; lying North of adjoining North Kenosha Avenue as vacated per Doc #0604019077 and lying South of and adjoining the South line of Belmont Avenue, all in Cook County, Illinois as cross-hatched and indicated by the words, "HEREBY VACATED" on the drawing hereto attached, 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 Commissioner of Transportation is hereby authorized to accept and approve a restrictive covenant or similar instrument restricting the use and improvement of
Page 1

the public way vacated in Section 1 of this ordinance to industrial uses and for such use and improvements that are accessory as that term is defined in the Chicago Zoning Ordinance. The restriction on use and improvement in the covenant agreement or instrument shall be for a term of 40 years and upon breach of such restriction the public way herein vacated shall revert to the City and be subject to the terms and conditions of the dedication by which it has been heretofore held by the City.

SECTION 3. The City of Chicago hereby, reserves for the benefit of Commonwealth Edison, their successors or assigns, an easement to operate, maintain, construct, replace, and renew overhead poles, wires, and associated equipment and underground conduit, cables, and associated equipment for the transmission and

distribution of electrical energy and telephonic and associated services under, over, and along the alleys as herein vacated, with the right of ingress and egress and the right to access to said facilities at all times for any and all purposes.

SECTION 4. The City of Chicago hereby reserves the street as herein vacated, as a right of way for an existing water main and appurtenances thereto, and for the installation of any additional water mains or other municipally-owned service facilities now located or which in the future may be located the street as 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 no buildings or other structures shall be erected on the said right of way 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.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Applicants 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 the portion of the street hereby vacated, similar to the contiguous sidewalk and curb. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 6. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, 4201 W. Belmont, Inc., 4243 W. Belmont, LLC, and 4227 W. Belmont, LLC shall cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant, complying with Section 2 of this ordinance and approved by the Corporation Counsel, and the attached drawing.

Page 2

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 its recording.

Vacation Appr

Gabe Klein Acting Commissioner
Approved as to Form and Legality
Deputy Corporation Counsel

Honorable Ray Suarez Alderman, 31st Ward

Page 3

Plat of Vacation

Legat Description

That part of North Kenosha Avenue bounded and described as follows: lying West of and adjoining Lots 1 to 3, both inclusive (except the South 8.0 feet thereof) in Block 1 in Cushing's Subdivision of the West 50 acres of the North 120 acres of the Northeast V< of Section 27, Township 40 North, Range 13 East of the Third Principal Meridian; lying East of and adjoining Lots 1 to 3, both Inclusive (except the South 8.0 feet thereof) In Block 2 in Cushing's Subdivision, aforesaid; lying North of and adjoining North Kenosha Avenue as vacated per Doc #0604019077 and lying South of and adjoining the South line of Belmont Avenue, all in Cook County, Illinois

W. Belmont Avenue

South Line of W. Belmont Ave.

0) C

i

O -j

Rec = 484.0'

Rec& Meas = 66_0'

b in

S89°40'01"E

o iri

CM

0)

C:

CM

Rec&Meas = 66.0'

N89°40'01"W /

Rec " 209.0'

V¹

« fa.

,3

Q> C

.1

Vacate A7V<

!■(,

j (per Doc #0604019077)

1\

PREPARED BY:

Central Survey, LLC 6415 N. Caldwell Ave., Chicago, Illinois 60646-2713 Phone (773) 631-5285 www.Centralsurvey.com <http://www.Centralsurvey.com> Fax (773) 775-2071

0.01' - 1/8" I Decimal/Inch Conversions

0.02' = 1/4" 0.08' = 1"

0.03' = 3/8" 0.17' = 2"

0.04' = 1/2" 0.25' = 3"

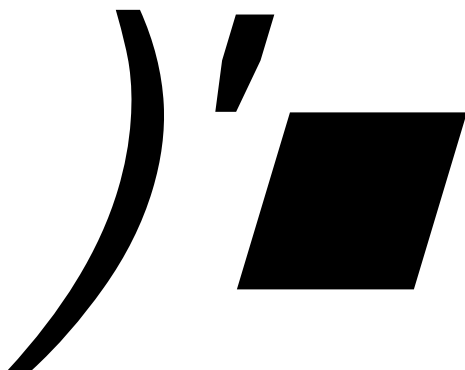
0.05' = 5/8" 0.33' = 4"

0.06' = 3/4" 0.42' = 5"

0.07' = 7/8" 0.50' = 6"

0.58' = 7" 0.67' = 8" 0.75' = 9" 0.83' = 10" 0.92' = 11" 1.00' = 12"

State of Illinois)



County of Cook)

ISS.

This professional service conforms to current Illinois minimum standards for a boundary survey.

Scale: 1 Inch equals

50

Feet.

Ordered By:

Eastern Accents

Order Number:

4201

Central Survey, LLC does hereby certify that the City of Chicago Avenue shown hereon was surveyed on February 8, 2011 for vacation purposes. This plat of vacation correctly represents the facts from the official records found at the time of the plat preparation. When bearings are shown the bearing base is assumed. Dimensions are shown in feet and hundredths and are correct at a temperature of 68° Fahrenheit.

Assume no dimension from scaling upon this plat. Compare all points before building and report any difference at once. For building restrictions refer to your abstract, deed, contract and local ordinances.

FILE NUMBER: DWG: 27-31-10-3186

Dated this

8th

day of

February

2011

William R. Webb P.L.S. #2190

Professional Design Firm Land Surveying LLC

(expires November 30, 2012) (License Number 184-004113)

FILE NO. 27-31-10-3136

TOTAL AREA TO 3E VACATED = 14, \S0.00 <file:///S0.00> S<\. Ft.