



Office of the City Clerk



O2012-4941

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	7/25/2012
Sponsor(s):	Dowell, Pat (3)
Type:	Ordinance
Title:	Vacation of public street(s) at 1600-1664 S Federal St, 1611-1635 S Federal St, 52-54 W 17th St and 1610-1634 S Dearborn St
Committee(s) Assignment:	Committee on Transportation and Public Way

[illegible]



CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER

CITY HALL—SECOND FLOOR
121 NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60602
TELEPHONE: 312-744-4096
FAX: 312-744-8155

COMMITTEE MEMBERSHIPS

TRANSPORTATION & PUBLIC WAY
(CHAIRMAN)

BUDGET AND GOVERNMENT OPERATIONS

COMMITTEES, RULES AND ETHICS

EDUCATION AND CHILD DEVELOPMENT

FINANCE

PUBLIC SAFETY

WORKFORCE DEVELOPMENT AND AUDIT

ANTHONY A. BEALE

ALDERMAN, 9TH WARD
34 EAST 112TH PLACE
CHICAGO, ILLINOIS 60628
TELEPHONE: (773) 785-1100
FAX: (773) 785-2790

E-MAIL: WARD09@CITYOFCHICAGO.ORG

July 18, 2012

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 South Federal Avenue between West 16th Street and West 17th Street, including the remaining adjacent alleys to the East. This ordinance was referred to the Committee on June 27, 2012.

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

(Ward 3)

Respectfully submitted,

Anthony Beale,
Chairman

INTERGOVERNMENTAL 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 1600-1664, 1611-1635 S. Federal, 52-54 W. 17th Street and 1610-1634 S. Dearborn St., are owned by the City of Chicago, a Municipal Corporation; and

WHEREAS, the Department of Housing and Economic Development proposes to assemble properties including the portion of the Street and Alleys to be vacated ("To Be Vacated Area"); and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City of Chicago ("City Council") on April 18, 2012 and published at pages 23693 through 23745, the assembled parcels, including the To Be Vacated Area, shall be conveyed to 1625 South Clark Street, LLC, a Delaware limited liability company licensed to transact business in the State of Illinois ("Developer"); and

WHEREAS, South Dearborn, LLC, owner of the property located at 1601 South Federal Street, Chicago, Illinois, such property lying adjacent to the To Be Vacated Area, has transferred its reversionary interest in the To Be Vacated Area to the City of Chicago pursuant to a quit claim deed dated July _____, 2012 and recorded with the Office of the Cook County Recorder of Deeds as Document No. _____; 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 Street and Alleys described in the following ordinance; now, therefore,

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

SECTION 1. THAT PORTION OF SOUTH FEDERAL STREET LYING EAST OF BLOCK 3 AND WEST OF BLOCK 2, IN CANAL TRUSTEES' NEW SUBDIVISION OF BLOCKS IN THE EAST FRACTIONAL QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED SEPTEMBER 24, 1877 AS DOCUMENT NUMBER 151614, ANTE-FIRE, LYING NORTH OF THE NORTH LINE OF WEST 17TH STREET AND SOUTH OF THE SOUTH LINE OF WEST 16TH STREET, AND THE NORTH-SOUTH AND EAST-WEST PUBLIC ALLEYS LOCATED IN ASSESSOR'S SECOND DIVISION OF LOTS 3 TO 6 IN BLOCK 2 IN CANAL TRUSTEES' SUBDIVISION, RECORDED OCTOBER 6, 1869, ANTE-FIRE, ALL LYING AND BEING IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, BLOCK 3 IN CANAL TRUSTEES' NEW SUBDIVISION OF BLOCKS IN THE EAST FRACTIONAL QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SOUTH FEDERAL STREET, 363.36 FEET TO THE SOUTH LINE OF WEST 16TH STREET; THENCE NORTH 89 DEGREES 52 MINUTES 58 SECONDS EAST, ALONG THE SOUTH LINE OF WEST 16TH STREET, 66.00 FEET TO THE EAST LINE OF SOUTH FEDERAL STREET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EAST LINE OF SOUTH FEDERAL STREET, 262.89 FEET TO THE NORTH LINE OF SAID EAST-WEST PUBLIC ALLEY; THENCE SOUTH 89 DEGREES 57 MINUTES 48 SECONDS EAST, ALONG THE NORTH LINE OF SAID EAST-WEST PUBLIC ALLEY, 63.45 FEET TO THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, 50.20 FEET TO THE NORTH LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE SOUTH 89 DEGREES 57 MINUTES 48 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, 10.00 FEET TO THE EAST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EAST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, 100.20 FEET TO THE SOUTH LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 89 DEGREES 57 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, 10.00 FEET TO THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, 40.00 FEET TO THE SOUTH LINE OF SAID EAST-WEST PUBLIC ALLEY; THENCE NORTH 89 DEGREES 57 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID EAST-WEST PUBLIC ALLEY, 63.45 FEET TO THE EAST LINE OF SOUTH FEDERAL STREET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EAST LINE OF SOUTH FEDERAL STREET, 90.65 FEET TO THE NORTH LINE OF WEST 17TH STREET; THENCE NORTH 89 DEGREES 57 MINUTES 48 SECONDS WEST, ALONG THE NORTH LINE OF WEST 17TH STREET, 66.00 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS, as shaded and legally described by the words "HEREBY VACATED" on the Plat hereto attached as Exhibit A, which Plat 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, 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, over, and along that portion of S. Federal Street and adjacent alleys as herein vacated with the right of ingress and egress.

SECTION 3. The City of Chicago hereby reserves for the benefit of The Peoples Gas Light and Coke Co. an easement to operate, maintain, repair, renew and replace existing underground facilities and to construct new facilities in all of the To Be Vacated Area with the right of ingress and egress at all times for any and all such purposes. It is further provided that no buildings or other structures shall be erected on said easement herein reserved for The Peoples Gas Light and Coke Co. or other use made of the said area which would interfere with the construction, operation, maintenance, repair, removal, or replacement of said facilities, or the construction of additional facilities.

SECTION 4. The City of Chicago hereby reserves for the benefit of South Dearborn, LLC, a temporary right of ingress and egress ("City Temporary Access") over the To Be Vacated Area until the Developer execution and recordation of an access easement agreement entered into with South Dearborn, LLC and the release of the City Temporary Access, all to occur at the closing of the transfer of assembled parcels and the To Be Vacated Area.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the conveyance of the assembled parcels, including the vacations considered here, to the Developer, the Developer 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 at the entrance to that part of the public Street hereby vacated, similar to the sidewalk and curb at 41-53 & 61-73 W. 16th Street and 42-54 & 100-112 W. 17th Street and in adherence with current Department of Transportation construction standards.

SECTION 6. The Department of Housing and Economic Development and Developer agree that all currently public sewers and appurtenances within the To Be Vacated Area shall become the private property and maintenance responsibility of the Developer. If and when the existing sewer and appurtenances within the areas being vacated are abandoned, the abandonment plans must meet the Department of Water Management Sewer Design Section's requirements.

SECTION 7. The Developer hereby agrees to construct or cause to be constructed, in adherence to the Department of Transportation standards, structural bulkheads in the City of Chicago Freight Tunnel Structures at the following locations:

1a.) 25 feet south of the north line of West 17th Street, 33 feet east of the west line of South Federal Street

2a.) 10 feet north of the south line of West 16th Street, 33 feet east of the west line of South Federal Street

The Developer hereby agrees to fill or cause to be filled, in adherence to the Department of Transportation standards, with a cementitious material in the City of Chicago Freight Tunnel Structures at the following locations:

1b.) From structural bulkhead number (1a. above) to fifty-five (55) feet north of structural bulkhead number (1a. above).

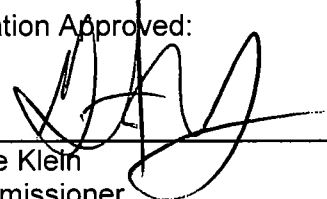
2b.) From structural bulkhead number (2a. above) to forty (40) feet south of structural bulkhead number (2a. above).

SECTION 8. 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 Chicago Department of Housing & Economic Development shall file or 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 the attached plat exhibit as approved by the CDOT Superintendent of Maps and Plats.

SECTION 9. This ordinance shall take effect and be in force from and after its passage and approval.

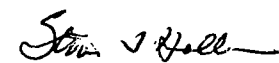
SECTION 10. The vacations shall take effect and be in force from and after their recording.

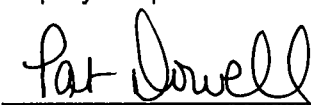
Vacation Approved:



Gabe Klein
Commissioner

Approved as to Form and Legality



Deputy Corporation Counsel

Honorable Pat Dowell
Alderman, 3rd Ward

APPROVED

Robert Emmet SRD

Mayor

8/6/12

APPROVED

Stephen R. Roth

CORPORATION COUNSEL

**PAT DOWELL**

ALDERMAN, 3RD WARD
3RD WARD SERVICE CENTER
5046 SOUTH STATE STREET
CHICAGO, ILLINOIS 60609
TELEPHONE: (773) 373-8273
FAX: (773) 373-6852

E-MAIL: WARD03@CITYOFCHICAGO.ORG

CITY COUNCIL**CITY OF CHICAGO**

COUNCIL CHAMBER
CITY HALL-ROOM 200
121 NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60602
TELEPHONE: 312-744-8734

COMMITTEE MEMBERSHIPS

HOUSING AND REAL ESTATE
(VICE-CHAIRMAN)

AVIATION

BUDGET AND GOVERNMENT OPERATIONS

COMMITTEES, RULES AND ETHICS

EDUCATION AND CHILD DEVELOPMENT

FINANCE

HEALTH AND ENVIRONMENTAL PROTECTION

TRANSPORTATION AND PUBLIC WAY

February 29, 2012

Gabe Klein, Commissioner
Chicago Department of Transportation
30 North LaSalle Street, Room 1100
Chicago, IL 60602

Dear Commissioner Klein:

I am writing to indicate my support for the vacation of the 1600 block of South Federal Street and the T shaped alley (between Federal Street and Dearborn Street) that runs through the property to be acquired by 1625 South Clark Street, LLC (the "Company") for the construction and development of an approximately 64,000 square foot grocery store to be operated as a Mariano's Fresh Market.

The property to be acquired by the Company comprises roughly $\frac{3}{4}$ of the block bounded by W. 16th Street on the north, S. Dearborn Avenue on the east, W. 17th Street on the south and S. Clark Street on the west. The property is bisected by S. Federal Street and the "T" shaped alley extending through the portion of the property situated east of S. Federal Street.

The vacation of the 1600 block of S. Federal Street and the existing "T" shaped alley will unify the property into one parcel.

Should you have any questions or concerns please contact my office at 774 373-9273.

Sincerely,

Pat Dowell
Alderman, 3rd Ward

Cc: Commissioner Andrew Mooney
Department of Housing and Economic Development



CHICAGO DEPARTMENT OF TRANSPORTATION

CITY OF CHICAGO

July 13, 2012

Mr. Stephen Patton
Corporation Counsel
Room 600 - City Hall
Chicago, IL 60602-1289

Attention: Mr. Steven Holler
Deputy Corporation Counsel

**Re: Proposed Vacation for the Department of Housing & Economic Development
Intergovernmental Vacation; File No.: 21-03-12-3564**

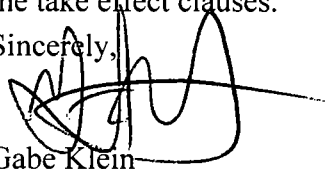
Dear Mr. Patton:

Pursuant to a request from Ms. Essie Banks, we are transmitting herewith for your review and approval as to form and legality an original and three (3) copies of a proposed Vacation of S. Federal Av. between W.16th St. & W.17th St., also the remaining adjacent alleys to the east. This property is located in the 3rd Ward.

The Department of Housing & Economic Development is the owner of record to the properties adjoining the public street & alleys to be vacated. The person to contact in connection with this proposed ordinance is Ms. Essie Banks, Phone No. 312/744-7076 or Ms. Mary Bonome, Phone No. 312/744-9413.

An easement has been reserved in Section 2 for Commonwealth Edison. Section 3 reserves an easement for Peoples Gas Light and Coke Co. Section 4 reserves a temporary right of ingress and egress for South Dearborn, LLC. Section 5 of the ordinance provides that deposit be made to the Department of Transportation for curb and walk. Section 6 conveys responsibility of the City sewers to the Developer. Section 7 contains terms for the treatment of the freight tunnel structures. In Section 8, the Department of Housing & Economic Development will record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of the ordinance, together with a Plat of Vacation approved by the CDOT Superintendent of Maps & Plats. Section 9 and 10 are the take effect clauses.

Sincerely,


Gabe Klein
Commissioner

Originated by:


Luann Hamilton
Deputy Commissioner

GK: LH: MW: RD: REL

cc: Alderman Pat Dowell
Alderman Anthony Beale
Sandra Foreman/w Attach. Dwg.-s.f. & Ord., (3) file copies
CDOT Maps & Plats, (2) file copies

APPROVED

Robert Emanuel, Jr.

Mayor

8/6/12

APPROVED

Stephen R. Felt

CORPORATION COUNSEL