



Office of the Chicago City
Clerk



O2012-4384

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	6/27/2012
Sponsor(s):	Burns, William D. (4)
Type:	Ordinance
Title:	Vacation of public alley(s) in block bounded by S Evans Ave, E 47th St and S Cottage Grove Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

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 4701 - 4715 & 4719 - 4723 S. Evans Av., 733 - 757 E. 47th St. and 4700 - 4730 S. Cottage Grove Av. are owned by the City of Chicago, a Municipal Corporation; and

WHEREAS, The Chicago Department of Housing & Economic Development proposes to assemble properties including the portion of the public alleys to be vacated and open an additional public alley for access; 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 vacations and opening the public alleys described in the following ordinance; now, therefore,

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

SECTION 1.

VACATION:

THAT PART OF THE NORTH/SOUTH 16 FOOT PUBLIC ALLEY LYING EASTERLY OF AND ADJOINING LOT 43 IN THE SUBDIVISION OF LOTS 1 AND 2 (EXCEPT THE PART TAKEN FOR WIDENING COTTAGE GROVE AVENUE) IN STONE AND MCGLASHAN'S SUBDIVISION RECORDED MARCH 4, 1887 AS DOCUMENT NUMBER 803510, AND LYING EASTERLY OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF LOT 43 IN THE SUBDIVISION OF LOTS 1 AND 2 AFORESAID TO THE NORTHEAST CORNER OF LOT 1 IN GEORGE UPP'S SUBDIVISION OF LOTS 39, 40, 41 AND 42 IN THE SUBDIVISION OF LOTS 1 AND 2 AFORESAID, RECORDED MARCH 28, 1891 AS DOCUMENT NUMBER 1440577, AND LYING EASTERLY OF AND ADJOINING LOTS 1, 2, 3, 4 AND 5 IN GEORGE UPP'S SUBDIVISION OF LOTS 39, 40, 41 AND 42 AFORESAID, AND LYING EASTERLY OF AND ADJOINING LOTS 1, 2, 3, AND 4 IN GEORGE UPP'S SUBDIVISION OF LOTS 35, 36, 37 AND 38 IN THE SUBDIVISION OF LOTS 1 AND 2 AFORESAID, RECORDED MAY 27, 1891 AS DOCUMENT NUMBER 1477164, AND LYING WESTERLY OF AND ADJOINING LOTS 1 TO 13, ALL INCLUSIVE, IN THE SUBDIVISION OF LOTS 1 AND 2, AFORESAID, AND LYING NORTH OF LINE DRAWN FROM A POINT 1.05 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 4 IN GEORGE UPP'S SUBDIVISION OF LOTS 35, 36, 37 AND 38, AFORESAID, TO A POINT 10.03 NORTH OF THE SOUTHWEST CORNER OF LOT 13 IN THE SUBDIVISION OF LOTS 1 AND 2, AFORESAID, TOGETHER WITH THE EAST/WEST 16 FOOT PUBLIC ALLEY LYING SOUTH OF AND ADJOINING LOTS 43 TO 47, ALL INCLUSIVE, IN THE SUBDIVISION OF LOTS 1 AND 2 AFORESAID AND LYING NORTH OF AND ADJOINING LOT 1 IN GEORGE UPP'S SUBDIVISION OF LOTS 39, 40, 41 AND 42 IN THE SUBDIVISION OF LOTS 1 AND 2 AFORESAID, ALL IN THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. CONTAINING 6,924 SQUIRE FEET, MORE OR LESS.

OPENING:

THAT PART OF LOTS 4 AND 5 IN GEORGE B. UPP'S SUBDIVISION OF SUBLOTS 35, 36, 37 AND 38 IN THE SUBDIVISION OF LOTS 1 AND 2 (EXCEPT THE PART TAKEN FOR WIDENING COTTAGE GROVE AVENUE) IN STONE AND MCGLASHAN'S SUBDIVISION OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 27, 1891 AS DOCUMENT NUMBER 1477164, TAKEN AS A TRACT AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF LOT 5 AFORESAID, SAID POINT BEING 3.54 FEET (AS MEASURED ALONG SAID WEST LINE) NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00°00'48" WEST, ALONG THE WEST LINE OF LOTS 4 AND 5, AFORESAID, 18.00 FEET; THENCE SOUTH 90°00'00" EAST, 117.37 FEET TO A POINT ON THE EAST LINE OF SAID LOT 4, SAID POINT BEING 1.05 FEET (AS MEASURED ALONG SAID EAST LINE) NORTH OF THE SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 00°00'29" EAST, ALONG THE EAST LINE OF LOTS 4 AND 5, AFORESAID, 21.00 FEET; THENCE NORTH 45°00'15" WEST, 4.24 FEET; THENCE NORTH 90°00'00" WEST, 114.37 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. CONTAINING 2,117 SQUARE FEET, MORE OR LESS, as shaded and legally described by the words "HEREBY VACATED" / "TO BE OPENED" on the plats hereto attached as Exhibits "A" & "B" respectively, which plats for greater clarity are hereby made a part of this ordinance, be and the same is hereby vacated and opened, inasmuch as the vacations are no longer required for public use and the public interest will be subserved by such vacations and opening.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, its 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 alley(s)/street(s) 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's facilities. Any future relocation of Commonwealth Edison's facilities lying within the area being vacated will be done by Commonwealth Edison.

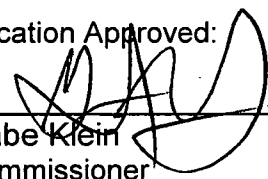
SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days of the sale of the adjacent lots to a developer, the developer shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, constructing sidewalk and curb at the entrance to that part of the public alleys hereby vacated, grading a portion of the remaining alley, and constructing the new public alley being opened under the terms of an executed "Duty to Build Agreement" with the developer.

SECTION 4. 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 exhibits as approved by the CDOT Superintendent of Maps and Plats.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and publication.

SECTION 6. The vacations and opening 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 Will Burns
Alderman, 4th Ward

PLAT OF OPENING

LEGAL DESCRIPTION
THAT PART OF LOTS 4 AND 5 IN GEORGE B. UPP'S SUBDIVISION OF
SUBLOTS 35, 36, 37 AND 38 IN THE SUBDIVISION OF LOTS 1 AND 2
(EXCEPT THE PART TAKEN FOR WIDENING COTTAGE GROVE AVENUE) IN
STONE AND MCGILVER'S SUBDIVISION OF THE NORTH HALF OF THE
NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP
38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN,
RECORDED MAY 27, 1891 AS DOCUMENT NUMBER 1477164, TAKEN AS A
TRACT AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF LOT 5 AFORESAID, SAID
POINT BEING 154 FEET (AS MEASURED ALONG SAID WEST LINE) NORTH
OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00°00'48"
WEST, ALONG THE WEST LINE OF LOTS 4 AND 5, AFORESAID, 18.00
FEET; THENCE SOUTH 89°00'00" EAST, 117.37 FEET TO A POINT ON THE
EAST LINE OF SAID LOT 4; SAID POINT BEING 1.06 FEET (AS MEASURED
ALONG SAID EAST LINE) NORTH OF THE SOUTHWEST CORNER OF SAID
LOT 4; THENCE SOUTH 89°00'00" EAST, ALONG THE EAST LINE OF LOTS 4
AND 5, AFORESAID, 21.00 FEET; THENCE NORTH 47°00'15" WEST, 4.24
FEET; THENCE NORTH 89°00'00" WEST, 114.37 FEET TO THE POINT OF
BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 2,117 SQUARE FEET, MORE OR LESS.

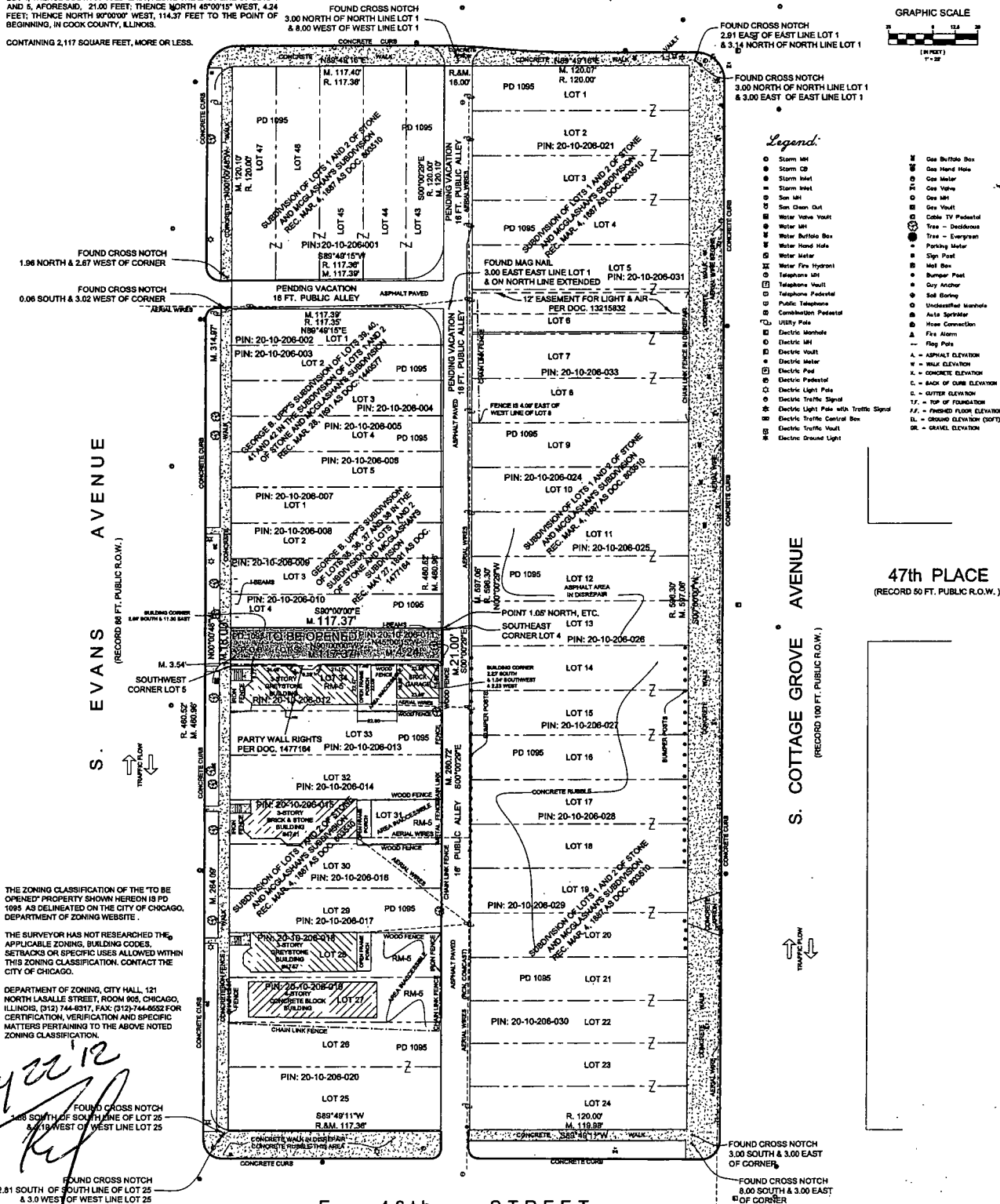
E. 47th STREET

(RECORD 86 FT. PUBLIC R.O.W.)

TRAFFIC FLOW

GRAPHIC SCALE

(IN FEET)
1" = 20'



THE ZONING CLASSIFICATION OF THE TO BE
OPENED PROPERTY SHOWN HEREON IS PD
1085 AS DELINEATED ON THE CITY OF CHICAGO,
DEPARTMENT OF ZONING WEBSITE.

THE SURVEYOR HAS NOT RESEARCHED THE
APPLICABLE ZONING, BUILDING CODES,
SETBACKS OR SPECIFIC USES ALLOWED WITHIN
THIS ZONING CLASSIFICATION. CONTACT THE
CITY OF CHICAGO.

DEPARTMENT OF ZONING, CITY HALL, 121
NORTH LASALLE STREET, ROOM 905, CHICAGO,
ILLINOIS, (312) 744-4317, FAX: (312) 744-6052 FOR
CERTIFICATION, VERIFICATION AND SPECIFIC
MATTERS PERTAINING TO THE ABOVE NOTED
ZONING CLASSIFICATION.

DWG:10-04-12-3260

E. 48th STREET

(RECORD 86 FT. PUBLIC R.O.W.)

TRAFFIC FLOW

State of Illinois
County of Cook

We, GREMLEY & BIEDERMANN, INC. hereby certify that we, have surveyed the above described
property and that the plat hereon drawn is a correct representation of said survey conducted at a
temperature of 62° Fahrenheit.

Field measurements completed on October 20, 2011.

Signed on May 22, 2012

By: [Signature]

Professional Illinois Land Surveyor No. 23002

My license expires November 30, 2012.
This professional service conforms to the current Illinois minimum standards for a boundary survey.

ORDERED BY PAPAPAGEOS HAYNES PARTNERS	CHECKED NLT
ADDRESS EAST 47TH AND SOUTH COTTAGE GROVE AVENUE	
GREMLEY & BIEDERMANN P.L.L.C., CORPORATION License No. 14-005222 PROFESSIONAL LAND SURVEYOR 4325 NORTH ELSTON AVENUE, CHICAGO, IL 60630 Telephone: (773) 665-5822 Fax: (773) 282-1204 Email: info@grebley-biedermann.com	
ORDER NO. 2012-16424-001	DATE MAY 22, 2012
SCALE 1 inch = 25 Feet	PAGE NO. 1 OF 1

SURVEY NOTES:

Note R. & M. denotes Record and Measured distances respectively. All bearings on
this survey are measured.
Distances are marked in feet and decimal parts thereof. Compare all points BEFORE
building by same and at once report any differences BEFORE damage is done.
For easements, building lines and other restrictions not shown on survey plat refer to
your abstract, deed, contract, title policy and local building line regulations.
NO dimensions shall be assumed by scale measurement upon this plat.
Monumentation or witness points were not at the clients request.
Unless otherwise noted herein the Bearing Basis, Elevation Datum and Coordinate
Datum if used is ASSUMED.
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DIRECT
INTRO.
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CHICAGO DEPARTMENT OF TRANSPORTATION

05/21/2012

CITY OF CHICAGO

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

Attention: Mr. Steven Holler
Deputy Corporation Counsel

**Re: Proposed Alley Vacations & Opening for DHED (Mahogany / TCB)
Intergovernmental - File No. 10-04-12-3260**

Dear Mr. Patton:

Pursuant to a request from Mr. Chris Jang, 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 an East-West 16' and a portion of the North-South 16' public alleys; also an alley opening in the block bound by S. Cottage Grove Av., S. Evans Av., E. 47th St. & E. 48th St.. This property is located in the 4th Ward.

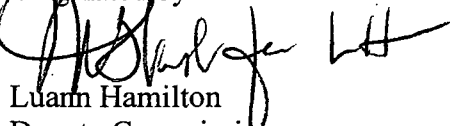
The Department of Housing & Economic Development is the owner of record to the properties adjoining the public alleys to be vacated and opened. The person to contact in connection with this proposed ordinance is Mr. Chris Jang, Phone No. 312/744-7885.

An easement has been reserved in Section 2 for Commonwealth Edison. Section 3 of the ordinance provides a deposit for constructing curb and walk. Sections 4, 5 and 6 are standard language regarding recording.

Sincerely,


Gabe Klein
Commissioner

Originated by:


Luann Hamilton
Deputy Commissioner

GK: LH: MW: RD

cc: Alderman Will Burns
Alderman Anthony Beale
Sandra Foreman/w Attach. Dwg.-s.f. & Ord.