



Office of the Chicago City
Clerk



O2012-3336

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	5/9/2012
Sponsor(s):	Hairston, Leslie A. (5)
Type:	Ordinance
Title:	Vacation of public alley(s) in block bounded by E 57th St, S Woodlawn Ave, E 58th St and S University Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

NOT FOR PROFIT 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 wishes to support the charitable, educational and philanthropic activities of established Not for Profit Corporations and encourage the continued viability and growth of such activities; and

WHEREAS, many Not For Profit Corporations own property that adjoins streets and alleys that are no longer required for public use and might more productively be used in furtherance of such activities; and

WHEREAS, the City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping, vandalism and other criminal activity; and by providing support for such charitable, educational and philanthropic activities; and

WHEREAS, the City can promote strong communities by facilitating services to the public, and increase the City's job base through the vacation of public street(s) and/or alley(s) for no compensation; and

WHEREAS, the properties at 1144-1160 E. 58th St., 1162-1178 E. 58th St., 5730-5758 S. Woodlawn Av., 5751-5759 S. University Av., 5737-5741 S. University Av. are owned by The University of Chicago, an Illinois Not For Profit Corporation; and

WHEREAS, The University of Chicago, an Illinois Not For Profit Corporation, uses the site for educational purposes; and

WHEREAS, The University of Chicago, an Illinois Not For Profit Corporation, proposes to use the portion of the public alley to be vacated herein for a building addition and renovation; 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 that part of the public alley 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 and South 20 foot wide public alley lying East of and adjacent to Lots 13 through 16, both inclusive, lying south of the Easterly extension of the North line of the South 20 feet of Lot 17 and lying North of the North line of East 58th Street, all in Block 4 in Marshall Field's Addition to Chicago in the East half of the Northwest Quarter of Section 14, Township 38 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded June 27, 1890 as document number 1293992, in Cook County, Illinois.

Dedication:

That part of Lot 7 in Block 4 in Marshall Field's addition to Chicago in the East half of the Northwest Quarter of Section 14, Township 38 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded June 27, 1890 as document number 1293992 described as follows:

Beginning at the Southeast corner of said Lot 7; thence along an assumed bearing of North 89 degrees 47 minutes 35 seconds West along the South line of said Lot 7 a distance of 177.77 feet to the Southwest corner thereof; thence North 00 degrees, 03 minutes, 08 seconds East along the West line of said Lot 7 a distance of 21.00 feet; thence South 44 degrees, 52 minutes, 14 seconds East 7.08 feet to its point of intersection with the North line of the South 16 feet of said Lot 7; thence South 89 degrees, 47 minutes, 35 seconds East along the North line of the South 16 feet of said Lot 7 a distance of 172.77 feet to its point of intersection with the East line thereof; thence South 00 degrees, 02 minutes, 33 seconds West along the East line of said Lot 7 a distance of 16 feet to the point of beginning, in Cook County, Illinois, as shaded and legally described by the words "HEREBY VACATED" and "HEREBY DEDICATED", respectively on the drawings hereto attached as Exhibit A and Exhibit B, which drawing for greater, are hereby made a part of this ordinance, be and the same is hereby vacated and dedicated, inasmuch as the vacated area is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The Commissioner of Transportation is hereby authorized to accept and approve a redevelopment agreement or similar instrument restricting the use and improvement of the public way vacated in Section 1 of this ordinance to social service purposes which include, but shall not be limited to: use by the Milton Friedman Institute for Research in Economics, in the Department of Economics, and for such use and improvements that are accessory, as that term is defined in the Chicago Zoning Ordinance, to such social service purposes, such uses and improvements to be owned and operated by a non-profit corporation, subject to the approval of the Corporation Counsel as to form and legality. 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, Comcast, RCN their/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 Grantee's facilities. No buildings, permanent structures or obstructions shall be placed over Grantee's facilities without written release of easement by Grantee. Any future relocation of Grantee's facilities lying within the area being vacated will be done by Grantee

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the University of Chicago, an Illinois Not For Profit Corporation 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 alley hereby vacated, similar to the adjacent and contiguous sidewalk and curb.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, The University of Chicago, an Illinois Not For Profit Corporation, 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 a redevelopment agreement complying with Section 2 of this ordinance, and approved by the Corporation Counsel, and the attached drawing.

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

Vacation Approved:



Gabe Klein
Commissioner of Transportation

Approved as to Form and Legality

Deputy Corporation Counsel



Honorable Leslie Hairston
Alderman, 5th Ward

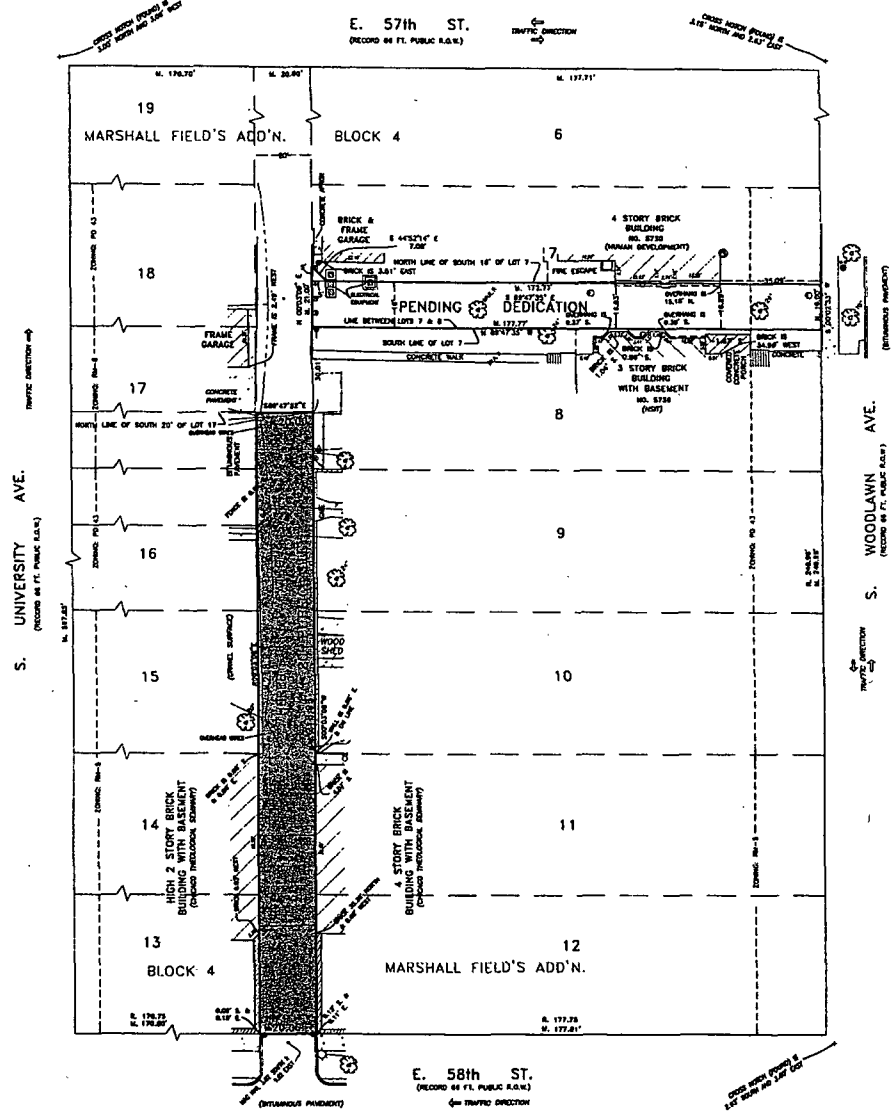


PLAT OF VACATION

- 1 Standard Boundary and Storm Sewer
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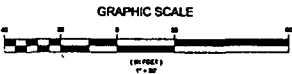
THAT PART OF THE NORTH AND SOUTH 20 FOOT WIDE PUBLIC ALLEY LYING EAST OF AND ADJACENT TO LOTS 13 THRU 16, BOTH INCLUSIVE, LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 20 FEET OF LOT 17 AND LYING NORTH OF THE NORTH LINE OF EAST 58TH STREET, ALL IN BLOCK 4 IN MARSHALL FIELD'S ADDITION TO CHICAGO IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 28 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 27, 1896 AS DOCUMENT NUMBER 123392, IN COOK COUNTY, ILLINOIS.

CONTAINING 4,379 SQUARE FEET OF LAND, MORE OR LESS.



Handwritten signature and date: 4/26/12

CDOT DWG:14-05-11-3235



RECORDED MARCH 20, 2012 MORTGAGE/AMBIEN (21)

OWNER: UNIVERSITY OF CHICAGO
ADDRESS: 520 S. WOODLAWN AVE., CHICAGO, IL 60607

CHICAGO GUARANTEE SURVEY COMPANY
P.L.C.
1100 N. LAUREL STREET
CHICAGO, ILLINOIS 60610
CALL 773-329-1414 FAX 773-329-1415

DESK NO. 2011-14808-004
DATE: SEPTEMBER 1, 2011
SCALE: AS SHOWN
PAGE: 1 of 1

SURVEY NOTES:
Note R, E & M denotes Record and Measured distances respectively.
Distances are marked in feet and decimal parts thereof.
Monumentation or witness points were not set at the client's request.
No dimensions shall be assumed by scale measurement upon this plat.
Unless otherwise noted between the Bearing, Distance, Direction and Coordinate Datum it used is ASSUMED.

THE ZONING CLASSIFICATION OF THE PROPERTY AS SHOWN HEREON IS AS DETERMINED ON THE CITY OF CHICAGO, DEPARTMENT OF ZONING WEBSITE.
THE SURVEYOR HAS NOT RESEARCHED THE APPLICABLE ZONING, BUILDING CODES, SETBACKS OR SPECIFIC USER ALLOWED WITHIN THE ZONING CLASSIFICATION. CONTACT THE CITY OF CHICAGO.
DEPARTMENT OF ZONING, CITY HALL, 311 NORTH LA SALLE STREET, ROOM 606, CHICAGO, ILLINOIS, (312) 744-6317, FAX: (312) 744-6302 FOR CERTIFICATION, VERIFICATION AND SPECIFIC MATTERS PERTAINING TO THE ABOVE NOTED ZONING CLASSIFICATION.

State of Illinois
County of Cook

We, CHICAGO GUARANTEE SURVEY COMPANY, hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit.

Field measurements completed on SEPTEMBER 1, 2011.

Signed on *Handwritten Signature*
By: *Handwritten Signature*

Professional Illinois Land Surveyor No. *5082*
My license expires November 30, 2012
This professional service conforms to the current Illinois minimum standards for a boundary survey.



