



# City of Chicago



O2018-6038

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 7/25/2018

**Sponsor(s):** Tunney (44)

**Type:** Ordinance

**Title:** Vacation of public alley(s) in area bounded by N Clark St, W Irving Park Rd, N Racine Ave and W Grace St

**Committee(s) Assignment:** Committee on Transportation and Public Way

## COMMERCIAL 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 at 3839-3843 N. Clark Street, Chicago, Illinois, are owned by Clark Apartments LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for access for a new mixed use development to be constructed on the adjacent lots; 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 portion of the public alley, described in this ordinance; now therefore,

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

### SECTION 1.

VACATION:

**THAT PART OF THE EAST-WEST 8.0 FOOT WIDE PUBLIC ALLEY LYING NORTH AND ADJOINING TO THE MOST NORTHERN LINES OF LOTS 22 AND 21, ALL INCLUSIVE, IN THE SUBDIVISION OF BLOCK 1 OF EDSON'S SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 11, 1903 AS DOCUMENT NUMBER 3388947; LYING EAST OF AND ADJOINING THE EAST RIGHT OF WAY LINE OF N. CLARK STREET; AND LYING WEST OF AND ADJOINING A LINE PERPENDICULAR TO SAID NORTHERN LINES OF LOTS 22 AND 21 BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID LOT 21 THEN NORTH FOR A DISTANCE OF 8.0 FEET, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 939.0 SQUARE FEET, OR 0.022 ACRES, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit A, which plat for greater clarity, 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 vacation.**

SECTION 2. The City of Chicago hereby reserves for the benefit of AT&T/SBC, 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 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 AT&T/SBC facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by AT&T/SBC. Any future Developer-prompted relocation of facilities lying within the area being vacated will be accomplished by the involved utility, and be done at the expense of the beneficiary of the vacation, its successors or assigns.

SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of public alley hereby vacated the sum \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which sum in the judgment of this body will be equal to such benefits.

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 Developer shall file or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Acting Superintendent of Maps and Plats.

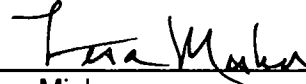
SECTION 5. This ordinance shall take effect and be in force from and after its passage and approval. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

Vacation Approved:

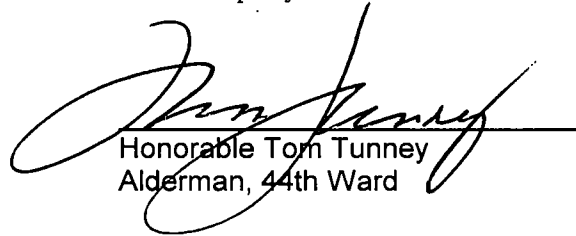


Rebekah Scheinfeld  
Commissioner of Transportation

Approved as to Form and Legality



Lisa Misher  
Deputy Corporation Counsel



Honorable Tom Tunney  
Alderman, 44th Ward

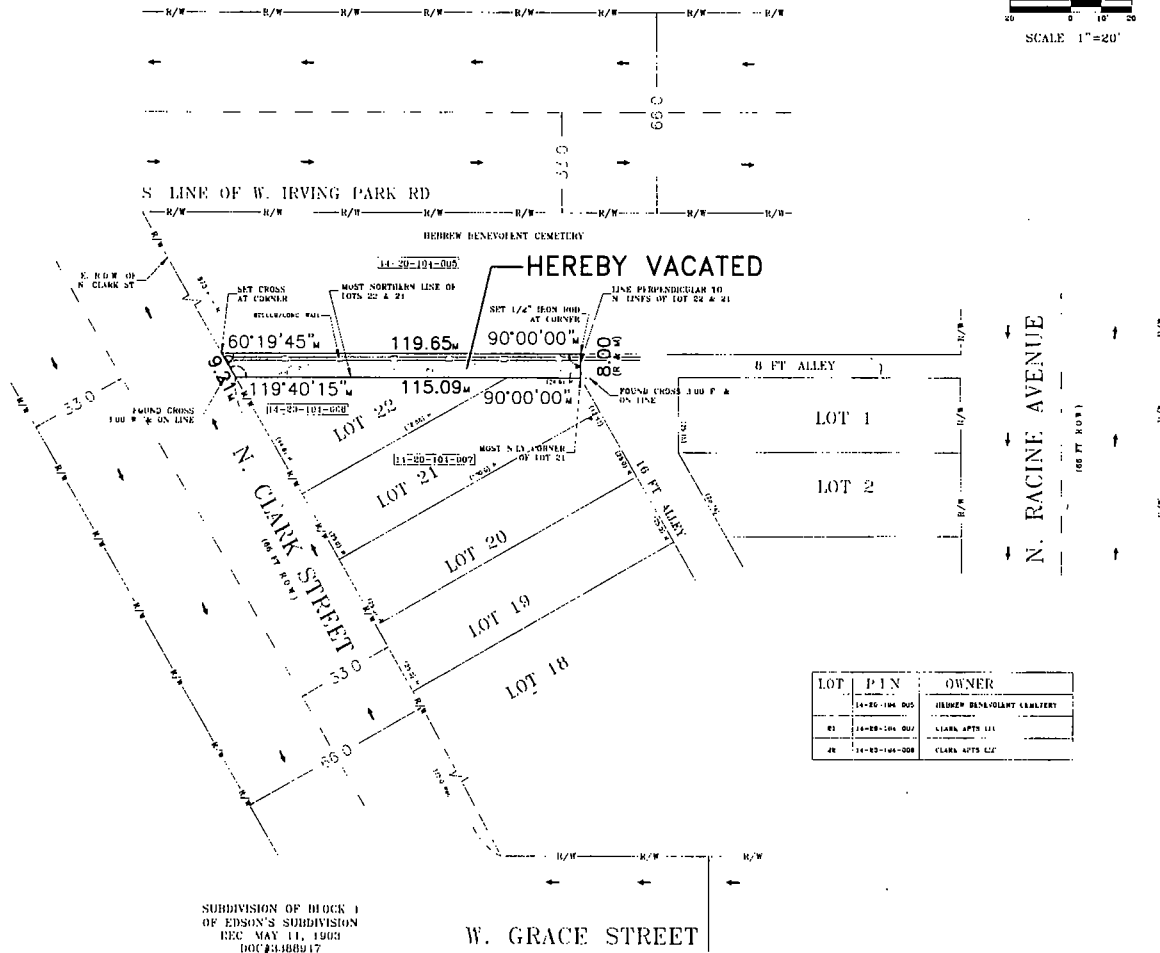
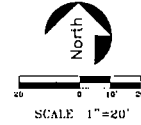
# EXHIBIT "A"

## PLAT OF VACATION

of

THAT PART OF THE EAST-WEST 80 FOOT WIDE PUBLIC ALLEY LYING NORTH AND ADJOINING TO THE MOST NORTHERN LINES OF LOTS 22 AND 21, ALL INCLUSIVE, IN THE SUBDIVISION OF BLOCK 1 OF EDSON'S SUBDIVISION IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 46 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 11, 1903 AS DOCUMENT NUMBER 3388947, LYING EAST OF AND ADJOINING THE EAST RIGHT OF WAY LINE OF N CLARK STREET, AND LYING WEST OF AND ADJOINING A LINE PERPENDICULAR TO SAID NORTHERN LINES OF LOTS 22 AND 21 BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID LOT 21 THEN NORTH FOR A DISTANCE OF 80 FEET, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 939.0 SQUARE FEET, OR 0.022 ACRES, MORE OR LESS

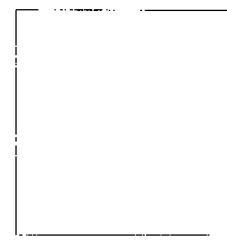
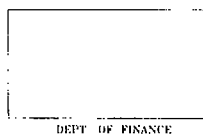
ADDRESS 3039-41 N CLARK STREET, CHICAGO, ILLINOIS



LOT	P.I.N.	OWNER
22	14-20-194-005	HEBREW BENEVOLENT CEMETERY
21	14-20-194-004	CLARA APTE LLC
20	14-20-194-003	CLARA APTE LLC

SUBDIVISION OF BLOCK 1  
OF EDSON'S SUBDIVISION  
REC MAY 11, 1903  
DOC #3388947

W. GRACE STREET  
(80 FT. R.O.W.)



- LEGEND**
- R = RECORD
  - M = MEASURED
  - R/W = RIGHT OF WAY
  - = STREET CENTER LINE
  - ┌───┐ = LOT LINES
  - = TRAFFIC FLOW ARROW
  - ▭ = AREA HEREBY VACATED

- SURVEYOR NOTES.**
- THIS SURVEY SHOWS THE BUILDING LINES AND EASEMENTS AS INDICATED BY THE RECORDED PLAT. THIS PLAT DOES NOT SHOW ANY RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES UNLESS SUPPLIED BY THE CLIENT.
  - BASES OF BEARING FOR THIS SURVEY IS AN ASSUMED NORTH.
  - LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO INTERPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN HEREON.
  - ONLY COPIES WITH AN ORIGINAL SIGNATURE AND SEAL ARE OFFICIAL LEGAL DOCUMENTS. ALL SURVEYS ARE COPYRIGHTED MATERIALS WITH ALL RIGHTS RESERVED.
  - ZONE CLASSIFICATION: THAT PORTION OF THE ALLEY IS SPHT-700L2. US-2 AND RT-4.
  - FIELD WORK COMPLETED 01/18/18

PREPARED FOR & MAILED TO:  
MANGAN BUILDERS  
1807 W RAVELAND AVE.  
CHICAGO IL 60613



STATE OF ILLINOIS )  
COUNTY OF COOK )

I, GARY HOLT, AS AN EMPLOYEE OF PREFERRED SURVEY, INC., DO HEREBY STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A PROFESSIONAL SURVEY. DISCREPANCIES ARE SHOWN IN FEET AND DECIMAL PORTIONS THEREOF AND ARE CORRELATED TO A 1/4"=100' SCALE OF 65 DECIMALS PRECISION.

GIVEN UNDER MY HAND AND SEAL THIS  
20TH DAY OF APRIL A.D. 2018

*Gary Holt*  
GARY HOLT - LIC #0210-00180 - EXPIRES 12/31/18

P.S.I. NO. 170367

Professional Survey Registration #18-062795

**Preferred Survey, Inc.**  
7845 N 79TH STREET, SUITE 100, CHICAGO, IL 60645  
PHONE 708-458-7845 / FAX 708-458-7852  
WWW.PREFERRED-SURVEY.COM

Plat's Area Completed: 04/18/18 1:10 PM 422'x15'  
Total Area Surveyed: 939.0 Sq. Ft. 140'x67'  
ALP/MS 04/18/18



P.S.I. DESIGN FIRM LAND SURVEYOR CORPORATION  
LIC #181-002795 - EXPIRES 04/30/17