



# City of Chicago



O2019-301

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	1/23/2019
<b>Sponsor(s):</b>	Solis (25)
<b>Type:</b>	Ordinance
<b>Title:</b>	Vacation of portion of W Cullerton St bounded by W 19th St, S Clark St, S Archer Ave and S LaSalle St
<b>Committee(s) Assignment:</b>	Committee on Transportation and Public Way

## COMMERCIAL 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 1926-1934 S. Clark Street are owned by MRR 1900 Clark LLC, an Illinois limited liability company, as to an undivided 65% interest, and by BPRS 1900 Clark LLC, an Illinois limited liability company as to an undivided 35% interest, as tenants in common, and the properties at 2000-2002 S. Clark Street are owned by an unrelated co-applicant, Sheng Man De Investment Company (collectively, the "Developers"); and

WHEREAS, the Developers propose to use the portion of the street remnant to be vacated herein for driveway access and parking; 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 street described in this ordinance; now therefore,

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

### SECTION 1.

**THE VACATION OF THAT PART OF W. CULLERTON STREET DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, IN BLOCK 28 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 MAY 18, 1852, ANTE-FIRE AND RE-RECORDED SEPTEMBER 24, 1877 PER DOCUMENT #151614; THENCE SOUTH 01 DEGREES 34 MINUTES 25 SECONDS EAST ALONG THE WEST LINE OF S. CLARK STREET 66.00 FEET TO THE NORTHEAST CORNER OF LOT 1 IN CANAL TRUSTEES' NEW SUBDIVISION AFORESAID; THENCE SOUTH 88 DEGREES 30 MINUTES 17 MINUTES WEST ALONG THE NORTH LINE OF LOT 1 AFORESAID 79.49 FEET TO THE EAST LINE OF VACATED W. CULLERTON STREET VACATED BY ORDINANCE PASSED JULY 12, 1894; THENCE NORTH 01 DEGREES 31 MINUTES 56 SECONDS WEST ALONG THE EAST LINE OF VACATED W. CULLERTON STREET AFORESAID ALSO BEING THE WEST LINE OF THE EAST HALF OF SAID LOT 7 EXTENDED SOUTH 66.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 7; THENCE NORTH 88 DEGREES 30 MINUTES 17 SECONDS EAST ALONG THE SOUTH LINE OF LOT 7 AFORESAID 79.44 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, SAID AREA BEING 5,245 SQ. FT. OR 0.12 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 Commonwealth Edison, MCI, and their respective 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 street 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 and/or MCI facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without an express written release of easement by the involved utility(ies). 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 Developer, its successors or assigns.

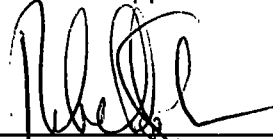
SECTION 3. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance the Developers shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalks in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices,

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 Developers 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 street hereby vacated the sum Two hundred and sixty-four thousand dollars (\$ 264,000.00 ), which sum in the judgment of this body will be equal to such benefits.

SECTION 5. 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 Developers 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 plats as approved by the Acting Superintendent of Maps and Plats.

SECTION 6. 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 the recording of the published ordinance and plat(s).

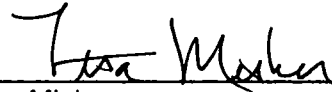
Vacation Approved:



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Rebekah Scheinfeld  
Commissioner of Transportation

Approved as to Form and Legality



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Lisa Misher  
Deputy Corporation Counsel



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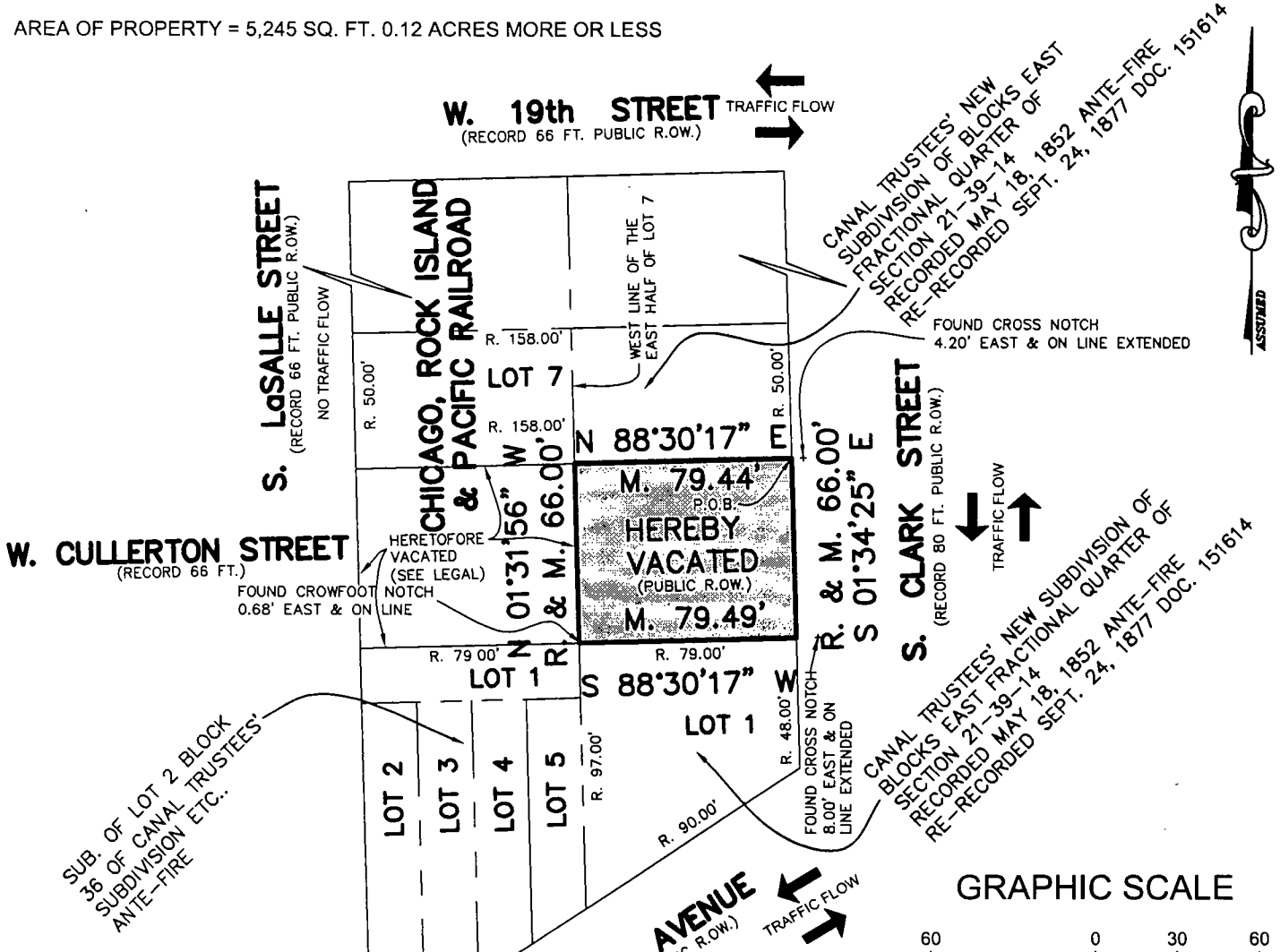
Honorable Daniel Solis  
Alderman, 25th Ward

# EXHIBIT "A"

## PLAT OF VACATION

THAT PART OF W. CULLERTON STREET DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, IN BLOCK 28 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 MAY 18, 1852, ANTE-FIRE AND RE-RECORDED SEPTEMBER 24, 1877 PER DOCUMENT #151614; THENCE SOUTH 01 DEGREES 34 MINUTES 25 SECONDS EAST ALONG THE WEST LINE OF S. CLARK STREET 66.00 FEET TO THE NORTHEAST CORNER OF LOT 1 IN CANAL TRUSTEES' NEW SUBDIVISION AFORESAID; THENCE SOUTH 88 DEGREES 30 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF LOT 1 AFORESAID 79.49 FEET TO THE EAST LINE OF VACATED W. CULLERTON STREET VACATED BY ORDINANCE PASSED JULY 12, 1894; THENCE NORTH 01 DEGREES 31 MINUTES 56 SECONDS WEST ALONG THE EAST LINE OF VACATED W. CULLERTON STREET AFORESAID ALSO BEING THE WEST LINE OF THE EAST HALF OF SAID LOT 7 EXTENDED SOUTH 66.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 7; THENCE NORTH 88 DEGREES 30 MINUTES 17 SECONDS EAST ALONG THE SOUTH LINE OF LOT 7 AFORESAID 79.44 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

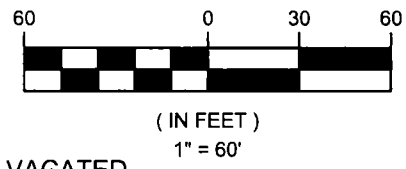
AREA OF PROPERTY = 5,245 SQ. FT. 0.12 ACRES MORE OR LESS



CDOT# 21-25-17-3824  
 REVISED 1/15/19 (BB)  
 REVISED 1/3/19 #2019-26306 (BB)

ORDERED BY MRR 1900 CLARK LLC	CHECKED.	DRAWN:	BB
ADDRESS 1900 S CLARK STREET			
<b>GREMLEY &amp; BIEDERMANN</b> <small>A DIVISION OF</small> <b>PLCS CORPORATION</b> <small>LICENSE NO 184-COS332</small> <small>PROFESSIONAL LAND SURVEYORS</small> 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 <small>TELEPHONE (773) 685-5102 FAX (773) 286-4184 EMAIL INFO@PLCS-SURVEY.COM</small>			
ORDER NO	DATE	PAGE NO.	
<b>2017-24246-001</b>	JULY 27, 2017	<b>1 OF 2</b>	
SCALE 1 INCH = 60 FEET			

- LEGEND**
- HEREBY VACATED
  - RECORD LINES
  - UNDERLYING LOTS
  - BOUNDARY LINES
  - R. RECORD DISTANCE
  - M. MEASURED DISTANCE
  - R.O.W. RIGHT OF WAY
  - P.O.B. POINT OF BEGINNING



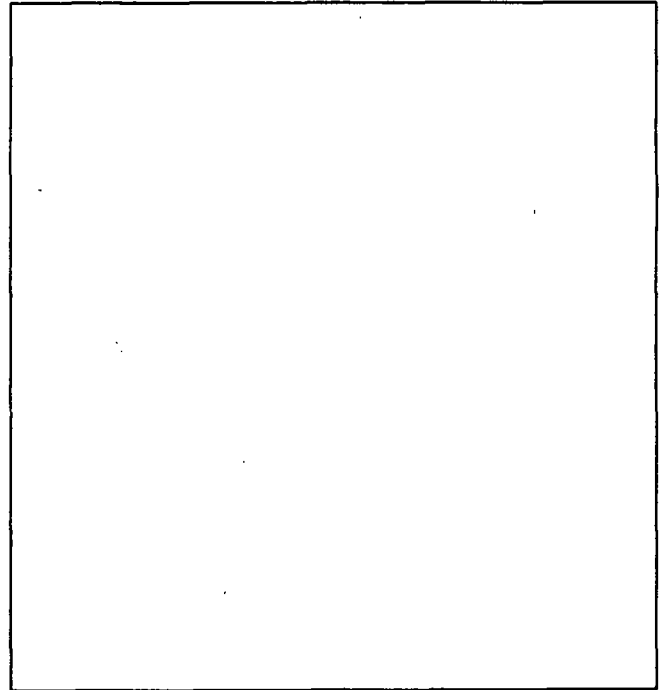
RD  
1/16/19

EXHIBIT "A"

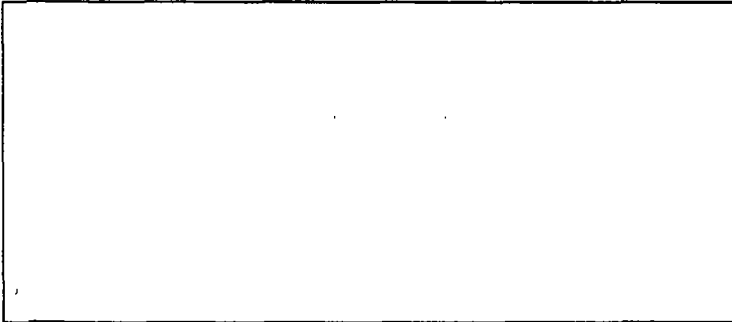
PLAT OF VACATION



CITY - DEPT. OF FINANCE



C.D.O.T.



COOK CO.

SURVEYOR'S NOTES:

FIELD MEASUREMENTS COMPLETED ON FEBRUARY 18, 2015

ZONING = M2-3, B2-5 & C3-5

Note R. & M. denotes Record and Measured distances respectively.

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.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

Improvements not shown hereon

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2019 "All Rights Reserved"

SURVEY PREPARED FOR & MAILED TO:

MRR 1900 CLARK LLC  
55 E. JACKSON STE 500,  
CHICAGO IL. 60604

PINS:  
17-21-410-005-0000  
17-21-410-006-0000

State of Illinois)  
County of Cook)ss

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 corrected to a temperature of 62° Fahrenheit.

Field measurements completed on FEBRUARY 18, 2015.

Signed on Jan 15, 2019

By: Robert G. Biedermann

Professional Illinois Land Surveyor No. 2802

My license expires November 30, 2020

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



CDOT# 21-25-17-3824

REVISED 1/15/19 (BB)

REVISED 1/3/19 #2019-26306 (BB)

ORDERED BY: MRR 1900 CLARK LLC  
ADDRESS 1900 S CLARK STREET

CHECKED: DRAWN:  
BB

GREMLEY & BIEDERMANN  
A Division of  
PLCS, CORPORATION  
LICENSE No 184-005332  
PROFESSIONAL LAND SURVEYORS  
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630  
TELEPHONE (773) 685-5102 FAX. (773) 286-4184 EMAIL: INFO@PLCS-SURVEY.COM

ORDER NO. **2017-24246-001**  
DATE: JULY 27, 2017  
SCALE: 1 INCH = 60 FEET  
PAGE NO. **2 OF 2**

G:\CAD\2017\2017-24246\2017-24246-001.dwg

RD 1/15/19



Recd  
1/17/19

CHICAGO DEPARTMENT OF TRANSPORTATION

CITY OF CHICAGO 01/16/19

Mr. Edward Siskel  
Corporation Counsel  
Room 600 - City Hall  
Chicago, IL 60602-1289

Attention: Ms. Lisa Misher  
Deputy Corporation Counsel

**Re: Proposed Vacation for MRR 1900 Clark LLC, and Sheng Man De Investments Co.  
(Unrelated Coapplicants)  
Commercial File: 21-25-17-3824**

Dear Mr. Siskel:


Pursuant to a request from Mr. Joe Jensen (MMR) and Mr. Kin Chong (Sheng), 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 a dead-ended portion of W. Cullerton Street between S. LaSalle Street and S. Clark Street. The street is cut off by railroad tracks. This property is located in the 25th Ward.

MRR 1900 Clark LLC, and Sheng Man De Investments Company are the owners of record to the properties adjoining the public street to be vacated. The people to contact in connection with this proposed ordinance are Attorney Michael Ezgur (312-327-3350) and Mr. Joe Jensen (312-884-5400) for MMR; and Attorney Agnes Plecka (312-541-1878) and Mr. Kin Chong (312-522-9832) for Sheng.

A reservation for telecommunications has been reserved in Section 2. A deposit is required for curb and walk in Section 3. Section 4 requires compensation to the City for the land. All other underground utility agencies are either not involved or have made suitable arrangements. Sections 5 and 6 are standard language regarding the ordinance.

Sincerely,  
  
Rebekah Scheinfeld  
Commissioner

Originated by:

  
Luann Hamilton  
Deputy Commissioner

RS: LH: RD

cc: Alderman Daniel Solis (25)  
Alderman Anthony Beale  
Pablo David  
Sandra Foreman/w Attach. Dwg.-s.f. & Ord. (3) file copies  
(2) Maps & Plans  
LASALLE STREET, SUITE 1100, CHICAGO, ILLINOIS 60602



## 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

April 10, 2019

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 the proposed ordinance transmitted herewith for a VACATIONS to MRR 1900 CLARK, LLC AND SHENG MAN DE INVESTMENTS COMPANY - 02019-301 A proposed vacation of a dead-ended portion of West Cullerton Street between South LaSalle Street and South Clark Street. This ordinance was referred to Committee on January 23, 2019.

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

(Ward 25)

Respectfully submitted,

Anthony Beale,  
Chairman