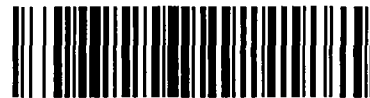




# City of Chicago



O2020-836

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	2/19/2020
<b>Sponsor(s):</b>	Gardiner (45)
<b>Type:</b>	Ordinance
<b>Title:</b>	Vacation of public alley(s) in area bounded by N Kilpatrick Ave, N Milwaukee Ave and W Irving Park Rd
<b>Committee(s) Assignment:</b>	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 3911-3985 N. Milwaukee Avenue, 3906-3940 N. Kilpatrick Avenue, and 4675-4733 W. Irving Park Road are owned by CSD Six Corners LLC, an Illinois limited liability company ("Developer"); and

WHEREAS, the properties at 4655-4663 W. Irving Park Road are owned by Grossprops Associates LLC, which has quit claimed its interests in the to-be-vacated alley to the Developer; and

WHEREAS, the properties at 4665-4673 W. Irving Park Road are owned by ACK Smith LLC, which has quit claimed its interests in the to-be-vacated alley to the Developer: and

WHEREAS, the Developer seeks to assemble the portion of the alley herein vacated with its adjacent lots, for a mixed development under BPD 1321, including ground floor commercial, senior living apartments on floors two through ten, and associated parking; and

WHEREAS, the City Council of the City, 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 of THAT PART OF AN EASTERLY-WESTERLY 16 FOOT WIDE PUBLIC ALLEY AND A NORTHWESTERLY-SOUTHWESTERLY 16 FOOT WIDE PUBLIC ALLEY LYING NORTHEASTERLY OF AND ADJOINING WITH THE NORTHEASTERLY LINE OF LOTS 1 THROUGH 15, AND LYING SOUTHERLY OF AND ADJOINING WITH THE SOUTHERLY LINES OF LOTS 18 THROUGH 25, ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 25 FOR A DISTANCE OF 5.00 FEET, ALL IN JACKSON'S ADDITION TO IRVING PARK, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 13,**

EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1897 AS DOCUMENT NUMBER 2625769, AND ALONG THE SOUTHERLY LINE OF "SCHOOL LOT" IN GRAYLAND SUBDIVISION, BEING A SUBDIVISION OF SAID NORTHWEST QUARTER (EXCEPT 10 ACRES IN THE NORTHEAST CORNER), ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 3, 1874 AS DOCUMENT NUMBER 180633, TO THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF LOT 1 IN SAID JACKSON'S ADDITION TO IRVING PARK, 10.50 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1, AND ALONG SAID NORTHEASTERLY EXTENSION TO SAID NORTHWESTERLY CORNER OF SAID LOT 1, AND ALONG THE NORTHERLY, WESTERLY AND SOUTHWESTERLY LINES OF LOT 26 IN SAID JACKSON'S ADDITION TO IRVING PARK, WITH THE EAST TERMINUS OF SAID PUBLIC ALLEYS BEING THE WESTERLY RIGHT-OF-WAY LINE OF NORTH KILPATRICK AVENUE, ALL IN COOK COUNTY, ILLINOIS. SAID ABOVE DESCRIBED PARCEL CONTAINING 8,873 SQ. FT., OR 0.204 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 vacations.

SECTION 2. The City 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 alleys 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 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. Any future Developer-prompted relocation of facilities lying within the areas herein vacated shall be accomplished by the utility, and be done at the expense of the Developer, its successors or assigns.

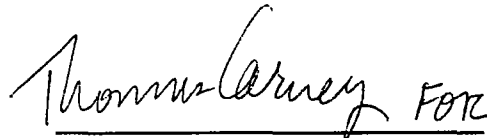
SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall deposit in the City Treasury of the City, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalks in 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 also 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 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 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 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 plats 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 publication. The vacation shall take effect and be in force from and after the recording of the approved ordinance and plat.

Vacation Approved:



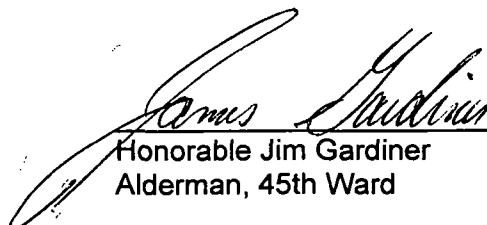
Gia Biagi  
Commissioner of Transportation

Approved as to Form and Legality



Arthur Dolinsky  
Senior Counsel

Introduced By:



Honorable Jim Gardiner  
Alderman, 45th Ward

# EXHIBIT "A" PLAT OF VACATION

THAT PART OF AN EASTERLY-WESTERLY 16 FOOT WIDE PUBLIC ALLEY AND A NORTHWESTLY-SOUTHWESTLY 15 FOOT WIDE PUBLIC ALLEY LOCATED WESTERLY OF AND ADJOINING WITH THE NORTHEASTLY LINE OF LOTS 1 THROUGH 15, AND LYING SOUTHERLY OF AND ADJOINING WITH THE SOUTHERLY LINE OF LOTS 18 THROUGH 25, ALONG THE SOUTHERLY EXTENSION OF SAID ALLEY, BEING A SUBDIVISION OF SAID ALLEY 5.00 FEET AL IN JACKSON'S ADDITION TO IRVING PARK, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT FOREGOING, RECORDED IN THE CITY RECORDS UNDER NUMBER 26525768 AND ALONG THE SOUTHERLY LINE OF "SCHOOL LOT" IN GRAYLAND SUBDIVISION, BEING A SUBDIVISION OF SAID NORTHWEST QUARTER (EXCEPT 10 ACRES IN THE NORTHEAST CORNER), ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 3, 1974 AS DOCUMENT NUMBER 1887 AS DOCK 26525768, TOGETHER WITH THE NORTHWESTLY LINE OF LOT 1 IN SAID JACKSON'S ADDITION TO IRVING PARK, 10.50 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1, AND ALONG SAID NORTH-EASTERLY EXTENSION TO SAID NORTHWESTLY CORNER OF SAID LOT 1, AND SOUTHWESTERLY LINES OF LOTS 26 IN SAID JACKSON'S ADDITION TO IRVING PARK, WITH THE EAST TERMINUS OF SAID PUBLIC ALLEYS BEING THE WESTERLY RIGHT-OF-WAY LINE OF NORTH KILPATRICK AVENUE, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARK LOTS, BEING 50 FT., OR 0.267 ACRES, MORE OR LESS.



**SURVEYOR SIGNATURE AND SEAL**  
STATE OF ILLINOIS  
COUNTY OF LAKE  
JSS  
WE, SIGHT ON SOLUTIONS, INC. DO HEREBY DECLARE THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE CURRENT PROFESSIONAL STANDARDS TO THE CURRENT PROFESSIONAL STANDARDS FOR A BOUNDARY SURVEY.  
PLAT DATE: SEPTEMBER 11, 2019

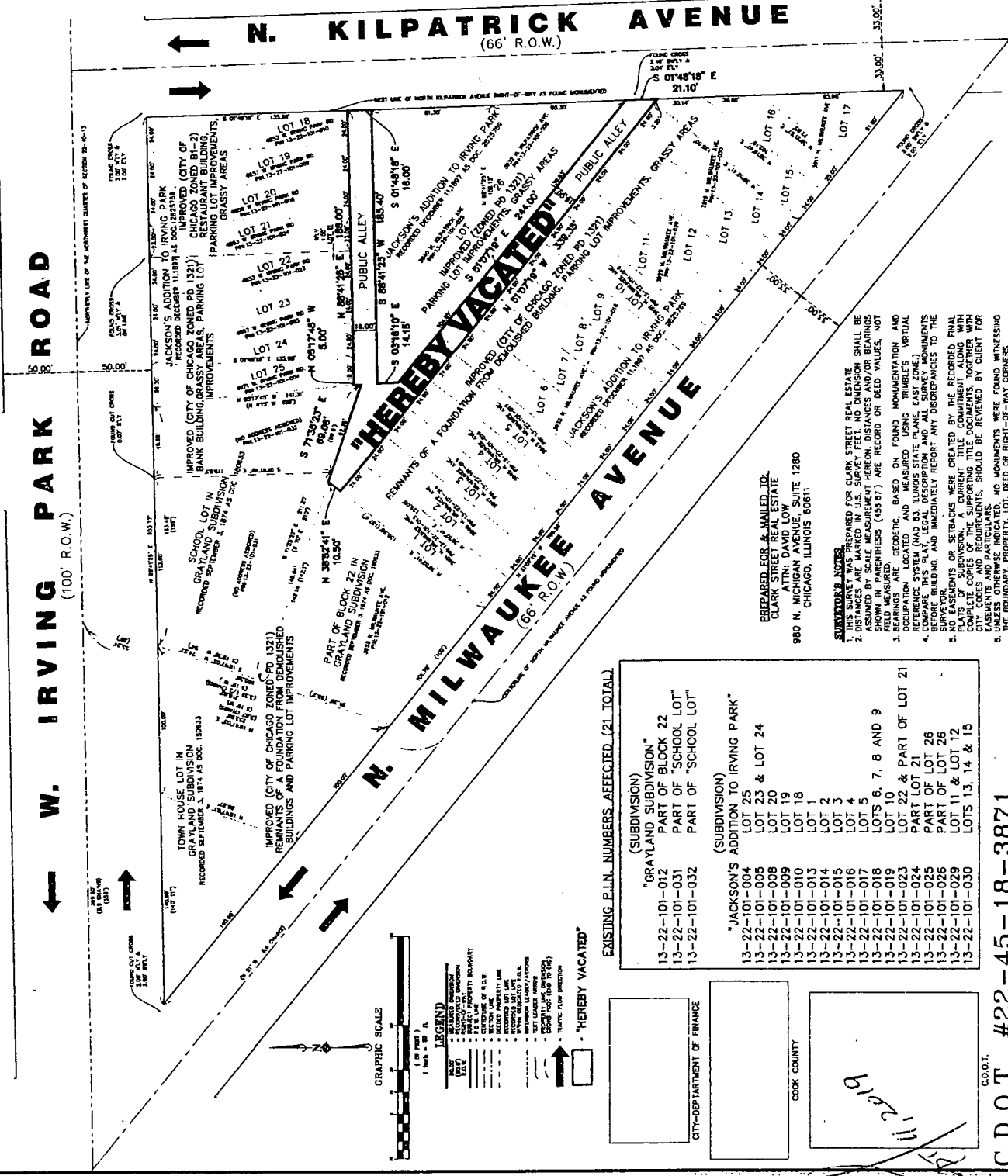
PLAT NO. 11-2019  
I, PROF. LAND SURVEYOR #3320 (EXP. 11/30/20) DESIGNATED REG. #124 (CROSS REF. #3320/21) FIELD WORK COMPLETED NOVEMBER 11, 2019



# W. IRVING PARK ROAD (100' R.O.W.)

# N. KILPATRICK AVENUE (66' R.O.W.)

# N. MILWAUKEE AVENUE (66' R.O.W.)



**REMARKS:**  
1. THIS SURVEY WAS PREPARED FOR CLARK STREET REAL ESTATE ASSUMED BY SCALE MEASUREMENT HEREON, DISTANCES AND/OR BEARINGS SHOWN IN PARENTSHEETS (458877) ARE RECORD OR DEED VALUES, NOT OCCUPATION LOCATED AND MEASURED USING TRIMBLE'S VIRTUAL REFERENCE SYSTEM (MAD 83, ILLINOIS STATE PLANE, EAST ZONE).  
2. DISTANCES ARE MARKED IN U.S. SURVEY FEET, NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON, DISTANCES AND/OR BEARINGS SHOWN IN PARENTSHEETS (458877) ARE RECORD OR DEED VALUES, NOT OCCUPATION LOCATED AND MEASURED USING TRIMBLE'S VIRTUAL REFERENCE SYSTEM (MAD 83, ILLINOIS STATE PLANE, EAST ZONE).  
3. BEARINGS ARE GEODESIC, BASED ON FOUND MONUMENTATION AND REFERENCE TO THE NORTH POLAR STAR (POLARIS).  
4. BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.  
5. NO ELEMENTS OR SETBACKS WERE CREATED BY THE RECORDS, FINAL MONUMENTS WERE PLACED AT THE CORNERS OF THE LOTS.  
6. COMPLETE COPIES OF THE SUPPORTING TITLE DOCUMENTS, TOGETHER WITH CITY CODES AND REQUIREMENTS, SHOULD BE REVIEWED BY CLIENT FOR COMPLIANCE WITH ALL APPLICABLE REGULATIONS.  
7. UNLESS OTHERWISE INDICATED, NO MONUMENTS WERE FOUND WITNESSING THE BOUNDARY, PROPERTY, LOT, DEED OR RIGHT-OF-WAY CORNERS.

PREPARED FOR & MAILED TO:  
CLARK STREET REAL ESTATE  
ATTN: DAVID LOW  
980 N. MICHIGAN AVENUE, SUITE 1280  
CHICAGO, ILLINOIS 60611

- EXISTING P.L.N. NUMBERS AFFECTED (21 TOTAL)
- (SUBDIVISION)
    - "GRAYLAND SUBDIVISION"
      - 13-22-101-012 PART OF BLOCK 22
      - 13-22-101-031 PART OF "SCHOOL LOT"
      - 13-22-101-032 PART OF "SCHOOL LOT"
    - (SUBDIVISION)
      - "JACKSON'S ADDITION TO IRVING PARK"
        - 13-22-101-004 LOT 25
        - 13-22-101-005 LOT 23 & LOT 24
        - 13-22-101-009 LOT 20
        - 13-22-101-010 LOT 19
        - 13-22-101-013 LOT 18
        - 13-22-101-014 LOT 17
        - 13-22-101-015 LOT 16
        - 13-22-101-016 LOT 15
        - 13-22-101-017 LOT 14
        - 13-22-101-018 LOT 13
        - 13-22-101-019 LOT 12
        - 13-22-101-023 PART OF LOT 21
        - 13-22-101-025 PART OF LOT 26
        - 13-22-101-026 PART OF LOT 26
        - 13-22-101-029 LOT 11 & LOT 12
        - 13-22-101-030 LOTS 13, 14 & 15

**LEGEND**

- SEARCHED INDEXED
- INDEXED
- RECORDED
- PROPERTY BOUNDARY
- 1/4" = 1' (1" = 10')
- CHANGING OF USE
- RECORD PROPERTY LINE
- RECORD ALLEY
- RECORD LOT LINE
- RECORD LOT CORNER
- RECORD LOT AREA
- RECORD LOT PERIMETER
- RECORD LOT VOLUME
- RECORD LOT (FOR LOT)
- TRIPLE FLAME ORIENTATION

CITY-DEPARTMENT OF FINANCE

COOK COUNTY

11/2019

C.D.O.T. #22-45-18-3871

NO.	DATE	REVISION

**SIGHT ON SOLUTIONS, INC.**  
LAND SURVEYING, PROGRESSIVE MAPPING, SITE STAKING  
SITE PLANS, GRADING PLANS, PMA CERTIFICATES AND MORE  
WE GET CORNERS OTHER PEOPLE CAN'T

PLAT OF VACATION  
SIX CORNERS REDEVELOPMENT  
CHICAGO, ILLINOIS  
1 OF 1  
SHEET