# City of Chicago

O2021-1648

## Office of the City Clerk

## Document Tracking Sheet

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| **Meeting Date:** | 4/21/2021 |
| **Sponsor(s):** | Lightfoot (Mayor) |
| **Type:** | Ordinance |
| **Title:** | Construction and associated agreements with CSX Intermodal, Inc. for grade separation on 71st St, viaduct repairs on 69th St and grant of easement for property on 79th St |
| **Committee(s) Assignment:** | Committee on Transportation and Public Way |

TRANSP

OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

April 21, 2021

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Transportation, I transmit herewith an ordinance authorizing construction and associated agreements regarding a grade separation at 71st Street.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Lori E. Lightfoot

Mayor

**ORDINANCE**

**WHEREAS**, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, pursuant to an ordinance (the "1912 Ordinance") passed by the City Council of the City (the "City Council") on April 22, 1912, and published in the Journal of the Proceedings of the City Council (the "Journal") for such date at pages 3510 through 3543 (attached hereto as Exhibit A) and an ordinance (the "1928 Ordinance") passed by the City on July 11, 1928, and published in the Journal for such date at pages 3310 through 3324 (attached hereto as Exhibit B), the City authorized and required the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company ("PCC&SLRR") and the Baltimore & Ohio Chicago Terminal Railroad Company ("B&OCTRR") to elevate the plane of certain of their respective roadbeds and railway and railroad tracks within the City of Chicago and to construct, where appropriate, subways and bridges; and

**WHEREAS**, CSX Intermodal, Inc., a Delaware corporation ("CSX"), is the successor to PCC&SLRR's and some of B&OCTRR's ownership of and interests in their lines, as described in Section 1, Paragraphs 1 and 3 of the 1912 Ordinance and in Section 1, Paragraph 4 and 5 of the 1928 Ordinance (the "main line"), and therefore CSX has succeeded to PCC&SLRR's and B&OCTRR's rights and obligations under the 1928 Ordinance and the 1912 Ordinance; and

**WHEREAS**, beginning with a Joint Statement of Understandings ("JSOU") in 2003, the Chicago Regional Environmental and Transportation Efficiency ("CREATE") Program has resulted in joint and coordinated projects by and among the Class 1 freight railroads (including CSX), Amtrak, Metra, the Illinois Department of Transportation, Cook County and the Chicago Department of Transportation ("CDOT") to restructure, modernize and expand the freight and passenger rail facilities and public highway systems and reduce environmental and social impacts of rail operations in the Chicago metropolitan area; and

**WHEREAS**, portions of the track were not elevated as required and the subway at 71st street was never constructed as required; and

**WHEREAS**, the main line currently intersects 71st Street at grade; and

**WHEREAS**, as part of the CREATE Program, CSX proposes to construct a bridge and viaduct over the public way at the intersection of 71st Street and the main line ("Project") in order to separate the grades of rail traffic from surface street traffic at that location with the purpose of improving traffic safety and reducing delays and other negative impacts of traffic; and

**WHEREAS**, as part of the Project, CSX proposes to make repairs to the 69th Street viaduct with a different design than that authorized in the 1912 Ordinance; and

**WHEREAS**, the City is the owner of the real property located at approximately 2200 and

2201 West 79th Street, which is legally described on Exhibit C attached hereto, excluding the public way of 79th Street (the "79th Street Parcel"); and

**WHEREAS**, the 79th Street Parcel was purchased from the Consolidated Rail Corporation ("Conrail") by the City in a multi-parcel transaction (the "Conrail transaction") in order to create what is now known as the Major Taylor Trail, but was surplus to the needs of the Major Taylor Trail; and

**WHEREAS**, the JSOU provides that the ownership of each Component (as such term is defined in the JSOU) "shall become the property of the party that owns or controls (via easement or otherwise) substantially all of the property on which it is constructed or installed, with the public highway portions or grade crossing safety overpasses of each grade separation owned by the appropriate public body"; and

**WHEREAS**, the City Council finds that the 79th Street Parcel is not needed for any other public purpose and the grant of an easement for railroad purposes for CSX to use in the Project is in the best interests of the City; and

**WHEREAS**, the City is the owner of the existing railroad structure over 79th Street, which connects the two portions of the 79th Street Parcel located north and south of 79th Street and are depicted in Exhibit D attached hereto (the "Eastern Bridge"); and

**WHEREAS**, the Eastern Bridge was acquired by the City in the Conrail transaction; and

**WHEREAS**, CSX has requested the City convey the Eastern Bridge in order to maintain its existing and proposed railroad infrastructure including but not necessarily limited to track, structural, signal, and drainage systems located on and/or immediately adjacent to the 79th Street Parcel; and

**WHEREAS**, the City desires to convey and quitclaim the Eastern Bridge to CSX together with the railroad easement in the 79th Street Parcel and permission and authority to use it and occupy the 79th Street public way on and above the Eastern Bridge for railroad purposes; now, therefore,

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

**SECTION 1.** The foregoing recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

**SECTION 2.** The 1912 Ordinance and the 1928 Ordinance are hereby amended by deleting references to the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company, the Baltimore and Ohio Chicago Terminal Railroad Company and the Baltimore and Ohio Connecting Railroad Company and by inserting in each place CSX Intermodal, Inc., including references to successor railroads and references using initials for such railroads.

**SECTION 3.** Section 4a of the 1912 Ordinance is hereby amended by adding the underscored language to the end of the Paragraph, as follows: The bridge and viaduct carrying the tracks of the CSX main line over 69th Street and the roadway, sidewalks, parkways, drainage systems, and utilities impacted thereby shall be repaired pursuant to specifications as approved by the Commissioner of CDOT, in his or her reasonable discretion, in accordance with standards of CDOT.

**SECTION 4**. Section 12 of the 1928 Ordinance is hereby amended by deleting the language struck though, and adding the underscored language, as follows: ~~The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company, the Baltimore and Ohio Chicago Terminal Railroad Company and the Baltimore and Ohio Connecting Railroad Company~~CSX shall complete the elevation of their tracks over and the subways in the following named streets on or before the following dates respectively: West 71st street, December 31, 2024, provided, however, that the Commissioner of CDOT may, in his or her discretion, extend such period.

**SECTION 5**. Section 10 of the 1928 Ordinance is hereby amended by adding the underscored language to the end of the Paragraph, as follows: The bridge and viaduct carrying the tracks of the CSX main line over 71st Street and the roadway, sidewalks, parkways, drainage systems, and utilities impacted thereby shall be constructed pursuant to specifications as approved by the Commissioner of CDOT, in his or her reasonable discretion, in accordance with standards of CDOT.

**SECTION 6**. Notwithstanding prior agreements submitted pursuant to Section 18 of the 1912 Ordinance and Section 19 of the 1928 Ordinance, this amendatory ordinance shall take effect upon CSX filing within sixty (60) days from and after the passage and approval by the Mayor of this ordinance, an acceptance and agreement with the Commissioner of CDOT, in writing, whereby CSX shall agree to perform all the obligations required of it by this ordinance.

**SECTION 7**. The City Council hereby approves the conveyance to CSX or its nominee of an easement for railroad purposes in the 79th Street Parcel for no compensation as a direct contribution to the CREATE Program, as agreed in the amended JSOU .

**SECTION 8**. The Commissioner of Transportation is authorized to execute a grant of easement for railroad purposes in and through the 79th Street Parcel to CSX or its nominee, subject to the approval of the Corporation Counsel as to form and legality. Such grant of easement shall include the conveyance of the Eastern Bridge from the City to CSX or its nominee.

**SECTION 9**. Permission and authority are hereby granted to CSX to use and occupy the portions of 79th Street currently occupied by the Eastern Bridge for use and maintenance of such Bridge, and the portions of 79th Street on or above such Bridge for railroad purposes in accordance with the 1928 Ordinance, subject to the approval of the Corporation Counsel as to form and legality.

**SECTION 10**. The Commissioner or any successor department thereto or a designee of the Commissioner is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver any agreement and any such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of this ordinance, with such changes, deletions and insertions as shall be approved by the persons executing such agreement.

**SECTION 11.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**SECTION 12.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 13.** This ordinance shall take effect immediately upon its passage and approval.

Attachments: Exhibit A – 1912 Ordinance
Exhibit B – 1928 Ordinance
Exhibit C – Legal Description of the 79th Street Parcel (exclude street right of way)
Exhibit D – Depiction of the Eastern Bridge

Exhibit A

1912 Ordinance

(attached)

kewicz, Smith, Petlak, Kaindl, Seif, Nusser, Mills, Adamowski, Ringa, T. J. Bowler, Crowe, Loescher, Feigenbutz, Nelson, Hoellen, Massen, Frankhauser, Mose—45.

*Nays*—None.

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**Proposed Enactment of Legislation for the Regulation of the Business of Leasing and Renting Automobiles.**

The Committee on Judiciary and Special Assessments submitted the following report:

CHICAGO, July 11, 1928.

*To the Mayor and Aldermen of the City of Chicago in City Council Assembled:*

Your Committee on Judiciary and Special Assessments, to whom was referred (April 12, 1928, page 2611) an order in the matter of proposed enactment of legislation for the regulation of the business of leasing and renting automobiles, having had the same under advisement, beg leave to report and recommend that said order be placed on file.

Respectfully submitted,

(Signed) OSCAR F. NELSON,
*Chairman.*

Alderman Nelson moved to concur in said report.

No request being made by any two Aldermen present to defer consideration of said report for final action thereon until the next regular meeting, and the question being put,

The motion prevailed.

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## TRACK ELEVATION.

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**Chicago & Western Indiana R. R. Co. and Other Railroad Companies; Requirement for the Elevation of Certain Railroad Tracks.**

The Committee on Track Elevation submitted a report recommending the passage of an ordinance submitted therewith authorizing and requiring the Chicago and Western Indiana Railroad Company and other railroad companies to elevate the plane of certain of their tracks at West 75th street from South Wood street to Columbus avenue, and from West 69th street to West 87th street.

Alderman Toman moved to concur in said report and to pass said ordinance.

No request being made by any two Aldermen present to defer consideration of said report for final action thereon until the next regular meeting, and the question being put, the vote thereon was as follows:

*Yeas*—Coughlin, Anderson, Jackson, Cronson, Grossman, Guernsey, Woodhull, Meyering, Govier, Rowan, Wilson, Hartnett, McDonough, Byrne, Moran, Coyle, Ryan, McKinlay, Cepak, Toman, Arvey, J. B. Bowler, Sbarn, Van Norman, Maypole, A. J. Horan, Clark, Adamkewicz, Smith, Petlak, Kaindl, Seif, Nusser, Mills, Adamowski, Ringa, T. J. Bowler, Crowe, Loescher, Feigenbutz, Nelson, Hoellen, Massen, Frankhauser, Mose—45.

*Nays*—None.

The following is said ordinance as passed:

AN ORDINANCE

Authorizing and requiring the Chicago and Western Indiana Railroad Company, the Belt Railway Company of Chicago, the Wabash Railway Company, The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Connecting Railroad Company respectively, to elevate the plane of certain of their railway tracks within the City of Chicago.

*Be it ordained by the City Council of the City of Chicago:*

SECTION 1. Paragraph 1. That the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, the Wabash Railway Company, The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Connecting Railroad Company are each respectively, hereby required and authorized to elevate the plane of certain of their roadbeds and tracks within certain limits in the City of Chicago; in the manner and upon the conditions hereinafter specified, that is to say:

Paragraph 2. The Wabash Railway Company shall elevate its roadbed and tracks between the west line of South Wood street on the east and the west line of South Western avenue on the west, in such a manner as to comply with the provisions of this ordinance insofar as conditions are imposed upon the said Wabash Railway Company. From the west line of South Wood street the tracks of said Railway Company shall extend westerly on substantially a level grade to a point on the west line of South Damen avenue, where the elevation of the top of rail shall be not less than 38.5 feet above City datum; from the west line of South Damen avenue the tracks shall descend on a suitable grade to elevation 31.5 feet at the crossing of the tracks of The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Connecting Railroad Company; thence said tracks shall rise on a suitable grade to the east line of South Western avenue where their elevation shall be not less than 38.5 feet above City datum; thence said tracks shall cross South Western avenue at an elevation of not less than 38.5 feet above City datum to the west line of said avenue; thence the tracks may descend on suitable and convenient grades to connections with existing tracks.

Paragraph 3. The Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago shall elevate their roadbeds and tracks between the west line of South Wood street on the east, and the northwest line of Columbus avenue on the west in such a manner as to comply with the provisions of this ordinance, insofar as conditions are imposed upon the said Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago. From the west line of South Wood street the tracks of said Railroad and Railway Companies shall extend westerly on substantially a level grade to a point on the west line of South Damen avenue, where the elevation of top of rail shall be not less than 38.5 feet above City datum; from the west line of South Damen avenue the tracks shall descend on a suitable grade to elevation 31.5 feet at the crossing of the tracks of The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Connecting Railroad Company; thence said tracks

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shall rise on a suitable grade to the east line of South Western avenue where their elevation shall be not less than 38.5 feet above City datum; thence said tracks shall cross South Western avenue at an elevation of not less than 38.5 feet, and shall continue in a westerly direction on a substantially level grade for a distance of about 1,050 feet to the northwest line of Columbus avenue, where the same elevation of not less than 38.5 feet above City datum shall be maintained; thence the elevated roadbed and tracks may descend on suitable and convenient grades to connections with existing tracks.

Paragraph 4. The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company shall elevate its roadbed and tracks between the south line of West 69th street on the north and the south line of West 87th street on the south, in such a manner as to comply with the provisions of this ordinance insofar as conditions are imposed upon said The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company. From the south line of West Sixty-ninth street the tracks of said railroad company shall extend southwardly on substantially a level grade to the south line of West Seventy-third street where the elevation of the top of rail shall be not less than 37.0 feet above City datum; from the south line of West Seventy-third street the tracks shall descend on suitable grades to elevation of 31.5 feet at the crossing of the tracks of the Chicago and Western Indiana Railroad Company, The Belt Railroad Company of Chicago and the Wabash Railway Company; thence said tracks shall ascend on suitable grades to the north line of West Seventy-ninth street where their elevation shall be not less than 40.5 feet above City datum; thence said tracks shall ascend on required gradients to an elevation not less than 46.5 feet at West Eighty-third street and not less than 50.0 feet at the south line of West Eighty-seventh street; from the south line of West Eighty-seventh street the tracks may descend on suitable and convenient gradients to a connection with the present tracks of said railroad company.

Paragraph 5. The Baltimore and Ohio Chicago Terminal Railroad Company shall elevate its roadbed and tracks from the south line of West Sixty-ninth street on the north to the east line of South Western avenue on the south, in such a manner as to comply with the provisions of this ordinance insofar as conditions are imposed upon said The Baltimore and Ohio Chicago Terminal Railroad Company. From the south line of West Sixty-ninth street the tracks of said railroad company shall extend southwardly on substantially a level grade to the south line of West Seventy-third street where the elevation of the top of rail shall be not less than 37.0 feet above City datum; from the south line of West Seventy-third street the tracks shall descend on suitable grades to elevation 31.5 feet at the crossings of the tracks of the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, and the Wabash Railway Company; thence said tracks shall ascend on suitable grades to the north line of West Seventy-ninth street where the top of rail elevation shall be not less than 40.5 feet above City datum; thence said tracks shall ascend on suitable grades to a connection with the present elevated tracks of said railroad company at the east line of South Western avenue.

Paragraph 6. The Baltimore and Ohio Connecting Railroad Company shall elevate its roadbed and tracks from its connection with the tracks of The Baltimore and Ohio Chicago Terminal Railroad Company near West Seventy-fourth street, extended, on the north to the south line of West Eighty-seventh street on the south, in such a manner as to comply with the provisions of this ordinance, insofar as conditions are imposed upon said The Baltimore and Ohio Connecting Railroad Company. From its said connection with the tracks of The Baltimore and Ohio Chicago Terminal Railroad Company, the tracks of The Baltimore and Ohio Connecting Railroad Company shall descend on suitable grades to elevation 31.5 feet above City datum at the crossings of the tracks of the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, and the Wabash Railway Company; thence said tracks shall ascend on suitable grades to the north line of West Seventy-ninth street where the top of rail elevation shall be not less than 40.5 feet above City datum; thence said tracks shall ascend on required gradients to an elevation of not less than 46.5 feet at West Eighty-third street and not less than 50.0 feet at the south line of West Eighty-seventh street; thence said tracks shall descend on a suitable and convenient gradient to a connection with the present tracks of said railroad company.

Paragraph 7. If the railroad and railway companies herein mentioned shall agree among themselves to eliminate the railroad grade crossing at Seventy-fifth and Leavitt streets (so-called), they are hereby authorized and empowered so to do in such manner and upon such terms and conditions as they may now or at any time hereafter agree upon; provided such agreement shall in nowise change the specifications, including those establishing the grades and elevations hereinafter specified, for subways within the limits stated in this ordinance.

Paragraph 8. The railroad and railway companies hereinbefore mentioned are hereby authorized to make such changes in the position and alignment of their main tracks, side tracks, wye tracks, turnouts and switch connections as may be deemed necessary by said railroad and railway companies in carrying out the provisions of this ordinance, and said companies are hereby authorized and required to construct elevated embankments, in accordance with the provisions of this ordinance, and to construct, maintain and operate tracks thereon, upon their respective rights of way—now owned or which may be acquired by them—within the limits shown in green lines on the plat attached hereto and made a part of this ordinance, a copy of which plat shall be filed with the Commissioner of Public Works of the City of Chicago; provided, however, that the foregoing shall not prohibit the construction of embankments and the construction, maintenance and operation of tracks thereon outside said limits of said rights of way where said tracks will not cross or be upon any public street, avenue or alley. Said tracks, constructed within the aforesaid limits, shown in green lines, shall be carried over all intervening streets, avenues and alleys in the manner herein specified; provided, however, that all loss, cost, damage and expense of every kind incidental to the extension of any bridge, or the lengthening of any subway or the approaches thereto after the initial unit thereof shall have been completed in conformity with the terms of this ordinance, including—in addition to all other loss, cost, damage and expense—all property damage which may result from such extension, shall be paid by the said railroad or railway company or companies.

Section 2. Paragraph 1. The embankments on which said elevated roadbeds and tracks shall be constructed within the aforesaid limits shall be composed of any material that is of a permanent

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character and sufficiently substantial to bear the loads to be imposed upon it. The side slopes and lateral dimensions of said embankments shall be fixed and determined by the natural angle of repose of the materials of which said embankments may be constructed, but wherever it may become necessary for the purpose of keeping said embankments entirely within the lines of the rights of way of said companies, such portions of said embankments at all such points shall be kept within said right of way lines by retaining walls of concrete cribbing or masonry; provided, however, that wherever any such retaining wall is constructed of insufficient height to properly protect said rights of way and to prevent trespassing thereon, such retaining wall shall be surmounted with a suitable fence or railing; and wherever such retaining walls are not required to retain such embankment, said rights of way of said companies shall be fenced or otherwise properly enclosed in compliance with the ordinances of the City of Chicago relating to the fencing of railroad tracks.

SECTION 3. Paragraph 1. The elevated tracks shall be carried across all streets in which subways are hereinafter provided for, on suitable bridges of not more than four spans whose superstructure shall consist of iron, steel or reinforced concrete, or a combination of the same, with some suitable device provided that shall prevent storm water, dirt, oil and other substances from dropping from such elevated structure upon the subways beneath.

Paragraph 2. The said bridges shall be of the so-called "ballasted type", constructed according to the most approved practice to insure their being permanent, noiseless and waterproof, and shall be supported upon abutments of concrete masonry, or upon abutments and rows of iron, steel or reinforced concrete columns braced together laterally and erected on and anchored to masonry foundations constructed within the lines of the intersecting avenues or streets as provided in the schedule of subways herein contained; provided, that the foundations of retaining walls, abutments and piers may project a reasonable distance beyond the lines of the property of the companies and under the surface of the public highways and sidewalks.

SECTION 4. Paragraph 1. The Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, and the Wabash Railway Company shall construct subways beneath their tracks where said tracks are intersected and crossed by South Damen avenue and South Western avenue.

Paragraph 2. The Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago shall construct a subway beneath their tracks where said tracks are intersected and crossed by Columbus avenue.

Paragraph 3. The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company shall construct subways beneath its tracks where said tracks are intersected and crossed by West Seventy-first street, West Seventy-third street, West Seventy-ninth Eighty-third street and West Eighty-seventh street.

Paragraph 4. The Baltimore and Ohio Chicago Terminal Terminal Railroad Company shall construct subways beneath its tracks where said tracks are intersected and crossed by West Seventy-first street, West Seventy-third street, and West Seventy-ninth street.

Paragraph 5. The Baltimore and Ohio Connecting Railroad Company shall construct subways beneath its tracks where said tracks are intersected and crossed by West Seventy-ninth street, West Eighty-third street and West Eighty-seventh street.

SECTION 4a. The subways hereinbefore referred to in Section 4 shall be constructed as to their size, dimensions, location and other details in accordance with the following schedule:

Subway in South Damen avenue under the tracks of the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago and the Wabash Railway Company. (Street 66 feet wide.)

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than 20 feet beyond the portals thereof, shall be not less than 21.5 feet above City datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 66.0 feet.
Width of roadway in subway 46.0 feet.
Width of sidewalks in subway 10.0 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

Subway in South Western avenue under the tracks of the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago and the Wabash Railway Company. (Street 110 feet wide.)

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than twenty (20) feet beyond the portals thereof, shall be not less than twenty-one and five-tenths (21.5) feet above City datum. From such elevation the north approach shall extend on a grade of 3.0 feet in 100 feet to connection with the present surface of the street, and the south approach shall extend on a grade of 3.0 feet in 100 feet to elevation 27.5 feet above City datum. From this point to a point south thereof where the elevation of the pavement in South Western avenue is 27.9 feet above City datum the surface of the roadway in said avenue shall be adjusted by the Wabash Railway Company to the satisfaction of the Commissioner of Public Works and improved with pavement of the type in place in said roadway at the time of such adjustment or with granite block pavement, as the Commissioner of Public Works shall decide.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 110 feet.
Width of roadway in subway 70 feet.
Width of sidewalks in subway 15 feet on the west side and 25 feet on the east side.

One line of columns may be placed in each sidewalk space immediately inside the curb line, and one line of columns in the center of the roadway to support the superstructure. The face of the west subway wall shall be placed on the west street line;

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the face of the east subway wall shall be placed on the east street line.

Clear headroom not less than 13.5 feet.

The existing sewer located approximately on the center line of the roadway may be changed or altered in a manner to be approved by the Commissioner of Public Works to permit the construction of piers to support the line of columns to be placed in the center of the roadway, providing any such change shall not reduce the capacity of the sewer.

Subway in Columbus avenue under the tracks of the Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago (Street 80 feet wide.)

The center line of Columbus Avenue Subway as located in this ordinance is established as follows:

Commencing at a point in the east and west center line of Section Twenty-five (25), Township Thirty-eight (38) North, Range Thirteen (13) East of the Third Principal Meridian, Cook County, Illinois, a distance of Two Hundred Thirteen and Ninety-four Hundredths (213.94) feet east of the North and South Center Line of northeast one-quarter (N. E. ¼) of said Section Twenty-five (25), said point being approximately One Hundred Eleven and Sixteen Hundredths feet (111.16') west of the intersection of original southeasterly line of Columbus avenue with said east and west center line; thence northeasterly on straight line making angle with said east and west center line of Fifty-three Degrees (53°) Eight Minutes (8'), a distance of one hundred forty-one and eighty-seven hundredths (141.87') feet more or less to an intersection with line one hundred thirteen and five-tenths feet (113.5') north of and parallel to said east and west center line.

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than twenty feet (20') beyond the portals thereof, shall be not less than twenty-one and five-tenths feet (21.5') above city datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 80 feet.
Width of roadway in subway 60 feet.
Width of sidewalks in subway 10 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line, and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

Subway in West Seventy-first street under the tracks of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and The Baltimore and Ohio Chicago Terminal Railroad Company. (Street 66 feet wide.)

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than 20 feet beyond the portals thereof, shall be not less than 20.0 feet above city datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway, to a point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 66.0 feet
Width of roadway in subway 46.0 feet.
Width of sidewalks in subway 10.0 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

Subway in West Seventy-third street under the tracks of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and The Baltimore and Ohio Chicago Terminal Railroad Company. (Street 66 feet wide.)

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than 20 feet beyond the portals thereof, shall be not less than 20.0 feet above city datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway, to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 66.0 feet.
Width of roadway in subway 46.0 feet.
Width of sidewalks in subway 10.0 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

Subway in West Seventy-ninth street under the tracks of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company and The Baltimore and Ohio Connecting Railroad Company. (Street 66 feet wide.)

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than 20 feet beyond the portals thereof, shall be not less than 24.5 feet above city datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 70.0 feet.
Width of roadway in subway 50.0 feet.
Width of sidewalks in subway 10.0 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

Subway in West Eighty-third street under the tracks of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and The Baltimore and Ohio Connecting Railroad Company. (Street 66 feet wide.)

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The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than 30 feet beyond the portals thereof, shall be not less than 31.0 feet above city datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 66.0 feet.
Width of roadway in subway 46.0 feet.
Width of sidewalks in subway 10.0 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

Subway in West Eighty-seventh street under the tracks of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and The Baltimore and Ohio Connecting Railroad Company. (Street 100 feet wide.)

The elevation of the floor of the subway and of the roadway outside of said subway, to points not less than 20 feet beyond the portals thereof, shall be not less than 33.5 feet above city datum. From such elevation the approaches shall extend on a grade of 3.0 feet in 100 feet to connections with the surface of the street.

The elevation of the curbs in the subway and adjoining the roadway outside of the subway to the point of curvature of the vertical curve at the foot of each approach shall be the same as and uniform with the crown of the roadway.

Width between walls of subway 80.0 feet.
Width of roadway in subway 60.0 feet.
Width of sidewalks in subway 10.0 feet each.

One line of columns may be placed in each sidewalk space immediately inside the curb line and one line of columns may be placed in the center of the roadway to support the superstructure.

Clear headroom not less than 13.5 feet.

SECTION 4-b. The roadway outside each subway shall be uniform in width with the roadway in such subway to points not less than twenty (20.0) feet beyond the portals thereof, and from such points shall vary uniformly to the established width of the roadway at the head of each approach in every street wherein such established width shall be different from that of the roadway in the subway, as hereinbefore specified; and in any street wherein the roadway width has not been established, the roadway outside the subway to points twenty (20.0) feet beyond the portals thereof and on the approaches thereto shall be of such width as the Commissioner of Public Works shall specify; provided, that no roadway shall be so constructed that the width thereof shall vary more than one (1.0) foot in six (6) feet.

SECTION 4-c. The grades of all the streets and avenues in which any subways and approaches are to be built, in accordance with the provisions of this ordinance, shall be and the same are hereby changed so as to conform to the grades of such subways and approaches as they shall be depressed pursuant to the provisions of this ordinance, and the grades of all the streets and alleys that intersect the approaches to subways described in Section 4-a of this ordinance shall be depressed at the rate of 3.0 feet in 100 feet so as to conform to the grade of the approaches to said subways and shall in all respects be considered a portion of said approaches.

SECTION 4-d. Vertical curves shall be constructed where the ends of the approaches to said subways connect at the top with the grades of the streets and at the bottom with the grades of the subway floors specified hereinbefore in Section 4-b of this ordinance.

At the head of each approach to each subway the vertical curve shall extend not less than twenty-five (25.0) feet each side of the intersection between the grade of the approach and the grade of the present street, and at the foot of each approach in said streets the vertical curve shall extend not less than twenty-five (25.0) feet each side of the intersection between the grade of the approach and the grade of the floor of the subway.

The point of intersection of the vertical curve at the foot of each approach to each subway shall be not less than forty-five (45.0) feet from the portal of the subway.

SECTION 5. Paragraph 1. All such excavations shall be made in the streets as may be required in complying with the provisions of this ordinance, but the excavated portions of the streets shall be restored to serviceable condition for the use of the public as soon as practicable. All water pipes, conduits, sewers and other similar substructures belonging to the city that may be disturbed by such excavation or required to be moved or deflected from the positions in which they are found, shall be replaced or suitable expedients shall be devised and provided to restore them in all respects to their former state of usefulness, the entire expense of which shall be borne by the railroad or railway company or companies involved.

The sewer in Columbus avenue shall be relocated through the subway herein provided for and upon the approaches thereto in a manner to be specified by the Commissioner of Public Works.

Paragraph 2. All excavations that shall be made within the limits of the subways and the approaches thereto and beneath the sub-grade of the same prior to the paving of the subways, shall be backfilled with sand, gravel, cinders or any other material satisfactory to the Commissioner of Public Works, and flooded or tamped in such manner as to insure the full settlement of such back-filling before the pavement is laid; provided, however, that if in the construction of any such subways and approaches it may become necessary to disturb, remove or destroy any pipes, conduits, wires or other property belonging to or leased by any private corporation or individual other than any street railway company treated in paragraph 4 of section 7 hereof, said owner or lessee is hereby authorized and required to make such rearrangement, relocation, replacement or removal thereof as may be required to conform to the track elevation herein provided for as the work of such elevation progresses. But this requirement shall not be conclusive of the liability for the expense of such rearrangement, relocation, replacement or removal, it being the purpose and intent of this provision that such expense, as among the parties involved, shall be borne accordingly to and agreeably to law. Provided, however, that such track elevation work shall be so conducted as to permit the free and uninterrupted continuance of other public utility service insofar as

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the same is reasonably possible in the judgment of the Commissioner of Public Works.

Paragraph 3. The railroad and railway companies, parties hereto, shall give reasonable notice in writing to the owner or owners, lessee or lessees of any wire or wires crossing the proposed elevated roadbeds aforesaid, to remove or change the location of said wire or wires as hereinafter provided; and in case of the inability of said railroad or railway companies to ascertain the owner or owners, lessee or lessees of any one or more of said wires, they shall notify the Commissioner of Public Works, in writing, of the character and location of the wire or wires the owner or owners, lessee or lessees of which they are unable to ascertain, and said Commissioner of Public Works shall thereupon in turn cause said notice to be served on the owner or owners, lessee or lessees of said wire or wires, who shall dispose of said wire or wires in such manner as not to interfere with the work of said railroad or railway companies, and in case said Commissioner of Public Works shall be unable to ascertain the owner or owners, lessee or lessees of the wire or wires designated in said notice served by said railroad or railway companies as aforesaid, he shall authorize the said railroad or railway companies to dispose of said wire or wires in such manner as not to interfere with the work of said railroad or railway companies.

Promptly after the receipt of any notice as aforesaid, from the said railroad or railway companies, or said Commissioner of Public Works, the owner or owners, lessee or lessees of said wires shall place them and the poles carrying the same temporarily in such a position as to insure proper and safe clearance from the construction and equipment of the said railroad or railway companies, and maintain them in such temporary condition until such time as the construction work of said railroad or railway companies has reached such a stage that the wires can be run underneath the roadbeds and tracks of said companies in conduits, the necessary consents being properly secured, or can be passed through the subways provided for in this ordinance. In the event that it is contemplated by the person or persons, private corporation or corporations owning or leasing the wire or wires in complying with the provisions of this paragraph to pass said wires through the subways in conduits, said conduits shall be entirely completed, including all necessary manholes, prior to the time the said railroad or railway companies begin the work of paving the subways and approaches. In the event, however, that the person or persons, private corporation or corporations, owning or leasing the wires aforesaid, in complying with the provisions of this paragraph, elect to string said wire or wires on the underside of the bridge structure supporting the tracks of said railroad or railway companies, the said wires shall be strung in a manner to be agreed upon by said owners or lessees and said railroad or railway companies, and without any compensation being paid therefor to said railroad or railway company or companies and without any liability on the part of any such railroad or railway company or companies not herein expressed, and in case said owner or owners, lessee or lessees and said railroad or railway company or companies shall in any instance fail to agree in that particular, said wire or wires shall be strung by the owner or owners, lessee or lessees thereof, on the underside of the structure supporting the tracks of said railroad or railway company or companies in such manner as the Commissioner of Public Works shall direct; provided, however, that in no case shall more than two (2) permanent trolley wires be strung in any subway through which street railways pass or may hereafter pass.

All overhead wires or cables belonging to the City of Chicago that cross the proposed elevated roadbeds and tracks of the railroad or railway companies shall be disposed of in one of the manners hereinbefore provided, as the Commissioner of Public Works may direct, and at the sole expense of the railroad and railway company or companies whose tracks said wires or cables may cross.

SECTION 6. Paragraph 1. Provision shall be made for the drainage of the subways where streets are depressed as provided for in this ordinance, by the construction of receiving basins properly located in or immediately adjacent to said subways, which said receiving basins shall be connected with and discharge their contents into the adjacent city sewers. Provided, however, that where no adjacent city sewer exists at the time any such subway shall be constructed, the said railroad or railway company or companies involved shall provide means to adequately drain such subway until a city sewer shall be constructed through or adjacent to such subway.

Adequate provision shall be made at each of the subways provided for in this ordinance to prevent storm water from flowing over the copings and around the ends of abutments upon the sidewalks and where necessary by connections into city sewers.

Paragraph 2. Any sewers or water mains lying below the surface of such streets as are not provided with subways under the terms of this ordinance, but which sewers or water mains pass under the tracks of said railroad or railway companies shall be adequately protected by said companies by constructing over them arches of brick or concrete masonry sufficiently strong to bear the loads of the proposed superimposed embankments.

SECTION 7. Paragraph 1. The subways and approaches thereto shall be constructed by the said railroad and railway companies in the streets and avenues aforesaid so as to conform to the following structural requirements:

(a) In any street which shall be improved with pavement other than macadam or asphaltic macadam at the time the subway therein shall be constructed, the roadways in the subway and on the approaches thereto to the end of the vertical curve at the head of each approach (except any portions of said approaches beyond the lines of the street in which the subway shall be constructed in intersecting streets or alleys described in sub-paragraph (d) hereof) shall be paved with No. 1 granite block pavement laid upon a base of Portland cement concrete eight (8) inches in depth.

(b) In any street which shall be improved with macadam or asphaltic macadam pavement at the time the subway therein shall be constructed, the roadways in the subway and on the approaches thereto to the limit of the right of way of the railroad or railway company or companies, or to the end of the vertical curve at the head of each approach, whichever such points shall be closer to the nearest portal of the subway (except any portions of said approaches beyond the lines of the street in which the subway shall be constructed in intersecting streets and alleys described in sub-paragraph (d) hereof), shall be paved with No. 1 granite block pavement laid upon a base of Portland cement concrete eight (8) inches in depth; any portions of the approaches beyond the limits of the area

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required to be paved with granite blocks as above provided, shall be improved with pavement similar to that upon the street at the time such approach is constructed.

(c) In any street which is unimproved at the time the subway therein shall be constructed, the roadways in the subway and on the approaches thereto, to the limit of the right of way of the railroad or railway company or companies, or to the end of the vertical curve at the head of each approach, whichever such point shall be closer to the nearest portal of the subway, (except any portions of said approaches beyond the lines of the street in which the subway shall be constructed in intersecting streets and alleys hereinafter provided for in sub-paragraph (d) hereof), shall be paved with No. 1 granite block pavement laid upon a base of Portland cement concrete eight (8) inches in depth. Any portions of such approaches beyond the limits of the area hereby required to be paved with granite blocks shall be excavated to the grade required by this ordinance, but the railroad or railway company or companies shall not be required to pave same.

(d) In any street or alley intersecting the streets or avenues in which subways are required in this ordinance, within the limits of the approaches on said streets and avenues, the said intersecting streets and alleys shall be excavated to the grades established by this ordinance and in the event the said intersecting streets are improved at the time the subway shall be constructed, with a pavement other than macadam or asphaltic macadam, they shall be paved with No. 1 granite blocks laid upon a base of Portland cement concrete eight (8) inches in depth; if said intersecting streets are improved with macadam or asphaltic macadam, they shall be improved with pavement similar to that upon the street at the time such approach is excavated, and if said intersecting streets are unimproved, no pavement shall be required.

(e) Provided, however, that the roadways in the subways and on approaches thereto in West 71st street and West 73rd street, shall be paved with No. 2 granite blocks within the limits required to be paved with granite blocks as provided in sub-paragraphs (a), (b), (c) and (d) hereof.

(f) The "limit of the right of way," referred to in sub-paragraphs (b) and (c) foregoing, shall be the right of way line which intersects either side of the street in which a subway is to be constructed at the point furthermost from the portal of the subway.

(g) The curbs and sidewalks in the subways and on the approaches thereto shall be constructed of concrete, and the curbs and sidewalks upon the approaches shall extend a distance equal to that of the pavement to be constructed by said railroad or railway company or companies; provided, that in any case wherein the said railroad or railway company or companies shall remove, damage or destroy any sidewalk in excavating for an approach, the said company or companies shall construct a sidewalk to conform to the grade of such approach in lieu of the one removed, damaged or destroyed.

The sidewalks on said approaches shall be constructed to correspond to the walks in the respective streets outside said subways but shall not be less than six (6) feet in width.

All such pavements, curbs and sidewalks shall be constructed in accordance with specifications approved by the Commissioner of Public Works.

Paragraph 2. Before doing any work under this ordinance each said railroad and railway company shall file with the City Clerk of the City of Chicago, its personal bond in form approved by the Corporation Counsel of the City of Chicago, in the penal sum of twenty-five thousand dollars ($25,000.00), conditioned that in constructing the improvement herein specified it shall furnish and use such material and employ such workmanship as will insure such improvement to be free from all defects. The obligation of the surety upon said bond shall be terminated respecting each subway herein provided for, as such subway shall be completed to the satisfaction of the Commissioner of Public Works.

Nothing herein contained shall be held or construed to require said companies to repair or reconstruct any improvement herein specified, which after its completion it shall become necessary to repair or reconstruct by reason of any person or corporation laying or repairing any sewer, gas, water or other pipe or conduit under a permit issued by the city.

Paragraph 3. The railroad and railway companies shall pave the entire length and width of the roadway in such portions of the subways as are required to be constructed by said companies, except that such companies shall not be required to pave any portions of the subways occupied by or which are adjacent to street railway tracks, which by reason of laws or ordinances it shall be the duty of any street railway company or other corporation, to pave.

Paragraph 4. Any street railway company or companies occupying any of the streets in the City of Chicago crossed by said proposed elevated roadbeds and tracks of said railroad and/or railway company or companies shall when and as the grade of the entire width of the roadway of such street shall be changed by excavating to the subgrade required for the pavement to be constructed by the said railroad and/or railway company or companies as in this ordinance provided, conform the grade of its or their track or tracks to the said change of grade of said streets. Any such street railway company or companies shall also realign its or their track or tracks and do and perform all other work of excavation, removal, construction and reconstruction of street railway tracks, trolley poles, trolley wires, electric conduits and other street railway property necessary to the proper elevation of the railroad tracks hereby required to be elevated as in this ordinance provided. But this requirement shall not be conclusive of the liability for the expense of such realignment, excavation, removal, construction or reconstruction, it being the purpose and intent of this provision that such expense incurred by any street railway company or companies, as among the parties involved, shall be borne according to and agreeably to law. Provided, however, that construction work shall be prosecuted in such manner in conjunction with the street railway company that there shall be no interference with continuous and uninterrupted service of street cars, without the approval of the Commissioner of Public Works.

Provided, that nothing in this ordinance contained shall operate or be held to relieve said street railway company or companies of or from any liability, however created, at their own expense, after the changes, restoration and reconstruction of said street railway tracks and property provided for or necessitated by this ordinance shall have been completed, to pave and maintain such portions of streets between or on either side of their said tracks in the manner and to the extent now or hereafter required by ordinance.

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Page 1 of 1



Paragraph 5. Except as provided in paragraph 8 of Section 1 hereof, nothing in this ordinance shall be so construed as to require the said railroad or railway companies to assume or pay any damage to adjacent or abutting property caused by the excavation, elevation or depression or change of grade made in any of the public avenues, streets or alleys, incidental to the elevation of the roadbeds and tracks of said company or companies as herein required to be elevated, or to defend any suit or suits that may be brought by or against any party or parties for the recovery of any such damages, but for and in consideration of the agreement of the railroad and railway companies herein mentioned to do and perform all the obligations upon them imposed by this ordinance, all such damages, if there be any, shall be adjusted and paid by the City of Chicago and said City of Chicago will assume the defense of any and all suits brought for the recovery of same, intervening therein if necessary for the purpose, and shall wholly relieve said railroad or railway companies from defending the same and shall assume and pay all judgments recovered therein; provided, however, that said company or companies shall be liable for such damages as may arise from the negligent performance by said company or companies of any obligations imposed by this ordinance.

The foregoing stipulations in this paragraph contained are, however, made upon the condition precedent that in case any suit be brought against said company or companies, said company or companies will, providing it or they have been served with proper summons at least five (5) days before the return day of the summons therein, give notice in writing of such suit and of such service to the Mayor and Corporation Counsel of said City of Chicago, for the purpose of enabling such defense to be made by the City.

Paragraph 6. The said railroad and railway companies and any contractor employed by them, in the execution of the work herein required to be done, shall have the right in the performance of such work to take water from the public water system of said City and to use the same in such work free of all charge or expense.

Section 8. Authority is hereby given to said railroad and railway companies, whenever the same shall be necessary in the prosecution of the work they are herein authorized or required to perform, to obstruct temporarily any public street, avenue or alley to such extent and for such length of time as may be approved by the Commissioner of Public Works; and they are hereby authorized whenever the same shall be necessary, to erect and maintain temporary roadways, tracks, structures and false work, in any of said streets and avenues during the construction of said elevated railroads, subject to the like approval of the Commissioner of Public Works of the City of Chicago; provided, however, that construction work shall be prosecuted in such manner in conjunction with the street railway company that there shall be no interference with continuous and uninterrupted service of street cars, without the approval of the Commissioner of Public Works.

Section 9. Nothing in this ordinance named or contained shall be so construed as to prevent said railroad and railway companies from locating and constructing the abutments which form the walls of any subway at a sufficient distance back from the building or lot lines of the street or avenue, for the purpose of constructing and maintaining in the spaces or recesses so left between said abutments and said building lines, station buildings with all necessary waiting rooms and ticket offices, or other buildings fronting on said street or avenue, uniform with the said building lines thereof and entirely within the lines limiting and bounding the rights of way of said railroad and railway companies, and for the further purpose of constructing and maintaining within said lines stairways and approaches leading to and from said station buildings to the elevated platforms and tracks above the same for the accommodation and convenience of the passenger traffic of said railroad and railway companies, or for any other purposes in connection with the efficient maintenance and operation of the railroads.

Section 10. When the said railroad and railway companies shall have elevated their roadbeds and tracks in accordance with the provisions of this ordinance so that the same shall be ready for use and so accepted by the Commissioner of Public Works of the City of Chicago, then and thereupon all provisions of the ordinance of the City of Chicago relating to the speed of railway trains, the length of trains, the number of cars to constitute a train, and the maintenance of gates, flagmen, watchmen, signals and signal towers, and the ringing of bells shall cease to be applicable to said railroad and railway companies; provided, however, this ordinance is not to be construed as a waiver or surrender by the City of Chicago of any of its police powers, or of the right at any time hereafter to pass necessary and reasonable police ordinances in relation to the matters and things above enumerated. After the tracks are elevated it shall be unlawful for any person or persons, except employees of said companies in the discharge of their duties, to enter or be upon or to walk across or along the said elevated structures or roadways at any place.

Section 11. If the City of Chicago shall at any time require a crossing or crossings at any street or streets, avenue or avenues, public way or public ways, for which no subway is provided in the schedule of subways contained in this ordinance, or shall open, lay out or extend any street or streets, avenue or avenues, public way or public ways across the rights of way of the Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago, the elevation of which is hereby required between the west line of South Wood street and the northwest line of Columbus avenue; or across the right of way of the Wabash Railway Company, the elevation of which is hereby required between the west line of South Wood street and the west line of South Western avenue; or across the right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, the elevation of which is hereby required between the south line of West Sixty-ninth street and the south line of West Eighty-seventh street; or across the right of way of The Baltimore and Ohio Chicago Terminal Railroad Company, the elevation of which is hereby required between the south line of West Sixty-ninth street and the east line of South Western avenue; or across the right of way of The Baltimore and Ohio Connecting Railroad Company, the elevation of which is hereby required between the south line of West Seventy-fourth street, extended, and the south line of West Eighty-seventh street; such crossing or crossings shall be made by a subway or subways only, in accordance with plans approved by the Commissioner of Public Works and no claim for compensation on account of land taken for rights of way for said street or streets, avenue or avenues, public way or public ways, shall be made by said railroad or railway companies, and such waiver of compensation shall attach to and run with such land in the hands of any grantee or grantees of said companies.

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The provision in this section including waiver of compensation for land taken for a street or streets, shall apply to land owned, used or occupied for a railway right of way at the time of the opening of any such street or streets, avenue or avenues, public way or public ways, but the sole cost and expense of the construction of such subway or subways and of such bridge or bridges as may be necessary to carry all the tracks constructed or which may be hereafter constructed within the limits of said companies' rights of way shall be borne and paid by the City of Chicago without expense to said railroad and railway companies, and in no case shall such subway or subways, bridge or bridges, so to be built, be inferior in any respect to the bridges and subways, provided for in this ordinance, to be built by the railroad and railway companies across and in streets.

The work of such construction shall be done by the said railroad and railway companies and the amount to be paid by the city for such work and construction shall not exceed the actual and reasonable cost thereof. Said bridges respectively shall be constructed so as to support and carry across the lines of such proposed street or streets all the tracks of said companies then existing or which may thereafter be constructed within the limits of the rights of way and yards of said companies as they exist at the time of the passage of this ordinance. The said railroad and railway companies shall not be required to do any work towards the construction of any such subway until the cost thereof as may be estimated by the Commissioner of Public Works and the Chief Engineers of said railroad or railway company or companies, first shall have been paid over to said railroad or railway company or companies, or deposited in some responsible bank for its or their benefit and to be paid over to it or them in monthly installments upon certificates of the engineers in charge of said work proportionately as said work progresses. If the actual cost shall exceed the amount so paid over or deposited, the City of Chicago shall reimburse the railroad or railway companies for the excess cost, and if the actual cost shall be less than the amount paid over or deposited, the balance shall be refunded or returned to the city. The grade of the roadbeds and tracks of said railroad or railway company or companies shall be and remain at the grade as then established.

SECTION 12. Paragraph 1. The Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago and the Wabash Railway Company shall complete the elevation of their tracks over and the subway in South Western avenue on or before September 15th, 1929, and shall complete the subway under their tracks in South Damen avenue on or before December 31st, 1935, provided, however, a contract for paving and curbing in the roadway in South Damen avenue between West Seventy-fourth street and West Seventy-ninth street shall have been entered into one year prior to that date and notice of same given the said railroad and railway companies, by the Commissioner of Public Works of the City of Chicago. If such contract shall not have been entered into by December 31st, 1934, then such subway shall not be constructed until such contract has been entered into and notice of same given said railroad and railway companies by said Commissioner of Public Works. Upon receipt of such notice the said companies shall proceed with the work of constructing said subway.

The Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago shall complete the elevation of their tracks over and the subway in Columbus avenue on or before December 31st, 1933.

The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company and The Baltimore and Ohio Connecting Railroad Company shall complete the elevation of their tracks over and the subways in the following named streets on or before the following dates respectively: West 79th street, September 15, 1929; West 83rd street, December 31, 1930; West 87th street, December 31, 1932; West 71st street, December 31, 1935; and West 73rd street, December 31, 1935.

The Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, The Wabash Railway Company, The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company and The Baltimore and Ohio Connecting Railroad Company hereby agree that the work of raising the crossings of said railroad and railway companies to elevation 31.5 feet shall be undertaken and carried out prior to elevation of said railroad and railway companies' tracks over subways to be constructed at West 79th street, and South Western avenues.

The work of elevating the tracks hereinbefore referred to shall be completed within the time limits hereinbefore specified, unless prevented by strike or strikes, riot or riots, or other cause in this ordinance specified, or restrained by injunction or other order or process of a court of competent jurisdiction. The time during which said company or companies shall be prevented by strike or strikes, riot or riots, or such other causes or legal proceedings as aforesaid, shall be added to the time herein limited for said work, provided, said company or companies give notice in writing to the Corporation Counsel of the City of Chicago, of the institution of said legal proceedings. The City of Chicago shall thereupon have the right to intervene in any suit or proceedings brought by any person or persons seeking to enjoin or restrain or in any manner interfere with the prosecution of said work and move for a dissolution of such injunction or restraining order and for any other proper order in such suit.

Paragraph 2. And it is further provided, that if said railroad or railway companies shall be delayed in the prosecution of the said work required to be done under the provisions of this ordinance, by reason of the obstruction of pipes, conduits, wires or property of any private corporation or individual, as mentioned in Section 5 of this ordinance, or by reason of any delay on the part of the City of Chicago or any of its officers in performing the duties imposed upon the City or its officers by this ordinance, in respect to the work herein required to be done by said railroad or railway companies, then and in that event the time which said companies shall be so delayed shall be added to the time during which said companies are required by the terms of this ordinance to complete said work.

SECTION 13. All the work hereinbefore mentioned required to be done by the said railroad and railway companies upon or in connection with the public avenues and streets of the city shall be done and performed under the superintendence of and subject to the inspection and approval of the Commissioner of Public Works of the City of Chicago, and the cost of such inspection shall be paid by the said railroad and railway companies.

At least ten (10) days prior to the commence-

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ment of any part of such work, the plans therefor shall be submitted to said Commissioner of Public Works for his examination, and if found to be in accordance with the provisions of this ordinance insofar as this ordinance contains specific provisions, if they shall be satisfactory to the Commissioner of Public Works in regard to matters and things which by this ordinance are left to his discretion and judgment, such plans shall be approved by him and after such approval all of the work outlined and included therein shall be constructed in strict conformity therewith. Said plans to be known as "FILING PLANS" shall embody:

First:— A general plan or exhibit, on a scale of one inch equals one hundred feet, of all right of way and tracks as they exist at the time work under this ordinance is begun, within the limits prescribed by this ordinance.

Second:— A general plan or exhibit, on a scale of one inch equals one hundred feet, of all right of way as said right of way exists at the time of the filing of said plan. Said plan shall likewise show all tracks, retaining walls and abutments as it is proposed to establish them in carrying out the plan of track elevation herein provided.

Third:— A detail drawing or exhibit of each subway provided for in this ordinance whose outside dimensions shall be twenty (20) inches in width by thirty-six (36) inches in length. Said detail drawings shall each embody the following features:

(a) A plan on a scale of one inch equals twenty (20) feet, showing the number of tracks to be constructed across the street, the abutments, the ends of the retaining walls, the location of the portals of the bridge superstructure and the columns to support same, the limits of the level floor of the subway measured from the bridge superstructure and from the nearest lot line to each end of the level floor of the subway, the reference to the nearest lot line in each case to be the nearest foot, the length of each approach to the subway, the widths of roadway and sidewalks both in subway and on the approaches, drainage provisions, all underground revisions and improvement, street car lines where they exist, et cetera;

(b) A cross section of the subway showing the dimensions of the subway as specified in Sections 4-a, the elevation of the floor of the subway at the crown of same, the amount of crown of the roadway at catch-basins, the elevation of curbs, the rate of slope of the sidewalks, all underground revisions and improvements, et cetera;

(c) A longitudinal section of the roadway and the approaches thereto showing the elevation and grade of the crown of the subway floor, and of the curb, the clear head-room in the subway, the location of the portals of the subway, the vertical curves connecting the level floor of the subways, and the original grade of the street with the incline of the approaches, the length of the approaches, all underground revisions and improvements;

(d) Each subway drawing shall bear in the title the date of passage of this ordinance;

(e) Blank spaces for signature of the following city officers in the order listed:

Engineer of Track Elevation.
Engineer, Bureau of Streets.
Superintendent of Streets.
Engineer, Board of Local Improvements.
Engineer of Sewers.
Superintendent of Sewers.
Engineer, Water Pipe Extension.
Superintendent Water Pipe Extension.
City Engineer.
Commissioner of Gas and Electricity.
Commissioner of Public Works.

SECTION 14. This ordinance shall be binding in all its terms, conditions and requirements upon, and inure to the respective lessees, successors and assigns of the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, The Wabash Railway Company, The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company and The Baltimore and Ohio Connecting Railroad Company to the same effect and with like purpose as though said lessees, successors and assigns had been named herein respectively.

SECTION 15. The railroad and railway companies by this ordinance required to elevate their tracks shall do their work in accordance with the terms hereof, in apt and proper time. Should any of said companies fail or neglect to so prosecute its work, the Commissioner of Public Works of the City of Chicago shall have and is hereby given the right, power and authority to give thirty (30) days' notice in writing to such delinquent company to prosecute its work. If such company shall fail or neglect to comply with said notice, the Commissioner of Public Works shall take charge of and cause such work to be done and the expense thereof shall thereupon be paid by such delinquent company and if such expense is not paid to the City of Chicago within ten (10) days after a demand therefor, such delinquent company shall be liable to said City of Chicago in an action of assumpsit for the amount so expended.

SECTION 16. All portions of any streets, avenues or alleys extending into, along or across the aforesaid rights of way of the railroad and railway companies herein mentioned within the limits thereof upon which the road-bed and tracks are hereby required to be elevated above the grades of such streets, avenues and alleys, except the streets and avenues in which subways are required to be constructed, and including all streets, avenues and alleys hereinafter described, shall be discontinued and the same are hereby vacated. Said discontinued and vacated streets, avenues and alleys are described as follows:

That part of the east-and-west sixteen foot (16') alley along the southerly end of Block five (5) of Hinkamp and Company's Columbus Avenue Subdivision, being a resubdivision of part of Wabash Addition to Chicago in southeast quarter (S. E. ¼) northeast quarter (N. E. ¼) Section twenty-five (25) Township thirty-eight (38) North, Range thirteen (13), East of Third Principal Meridian, Cook County, Illinois, lying west of a line beginning at a point in the south line of said Block five (5) seventy-four and two hundredths feet (74.02') west of the east line of said block and running thence southwesterly making an angle with said south line of fifty-three degrees (53°) and eight minutes (8') to a point in the south line of said alley sixty-four and eighty-five hundredths feet (64.85') more or less west of the northwesterly line of Columbus avenue.

That part of the north-and-south alley in said Block five (5) south of a line one hundred sixty-five and seventy-six hundredths feet (165.76') north of and parallel to the east and west center line of said Section twenty-five (25).

All that part of South Rockwell street in the

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southeast quarter of the northeast quarter of said Section 25, lying southerly of the following described line: Commencing at the point of intersection of easterly line of South Rockwell street with a line 165.76 feet north of and parallel to the east and west center line of said Section 25; thence on a curved line convex to the southwest and tangent to said last described line with a radius of 66 feet, and continuing to a point of tangent with a line 33 feet west of and parallel to the north and south center line of the northeast quarter of said Section 25, and 231.76 feet north of the east and west center line of said Section 25.

That part of the east and west and northeasterly and southwesterly alley in Block nine (9) of said Hinkamp and Company's Columbus Avenue Subdivision, lying westerly and southwesterly of a line five feet (5') northeasterly of and parallel to the northeasterly line of Lot twenty-eight (28) extended southeasterly in said Block nine (9).

That part of the north-and-south alley in said Block nine (9) lying southerly of a line five feet (5') north of and parallel to the north line of Lot two (2) of said Block nine (9) extended westerly.

All of the east-and-west thirty-three foot (33') alley south of and adjoining Lot one (1) in said Block nine (9).

All that part of Columbus avenue and Maplewood avenue lying easterly and southerly of the following described line: Commencing at a point on the southerly line of Columbus avenue at the intersection of the westerly line of Lot eleven (11) in Block six (6) of said Hinkamp and Company's Columbus avenue subdivision projected southeasterly; thence sixty-eight and eighty-nine hundredths feet (68.89') on a curved line convex to the southeast tangent to the southerly line of Columbus avenue and having a radius of one hundred thirty-three and fifty-eight hundredths feet (133.58'), to a point of tangent in a line eighty feet (80') south of and parallel to a line which begins in the northerly line of Columbus avenue fourteen and thirteen hundredths feet (14.13') southwesterly of the southwesterly line of said Lot eleven (11) and extends west to a point in the west line of Lot nineteen (19) in said Block six (6) eight and ninety-five hundredths feet (8.95') south of the northerly corner of said lot; thence from said point of tangent west along said line eighty feet (80') south of and parallel to above described line a distance of one hundred thirty-two and eighty-four hundredths feet (132.84') more or less to a point of curve, tangent to said last described course and having a radius of seventy-five and sixty-four hundredths feet (75.64'); thence continuing westerly and southerly on said curved line, convex to the northwest, seventy and fourteen one-hundredths feet (70.14') to a point of tangent in a line which is eighty feet (80') southeasterly from and parallel to a line which begins in the northerly line of Columbus avenue four and eighteen hundredths feet (4.18') northeasterly from the intersection of the east and west center line of said Section twenty-five (25) and extends thence northeasterly, making an angle with said east and west center line of fifty-three degrees and eight minutes (53°-8'), passing through a point in the south line of Lot eighteen (18) in Block five (5) in said Hinkamp and Company's Columbus Avenue Subdivision, seventy-four and two hundredths feet (74.02') west of the southeast corner of said Lot eighteen (18); thence from said point of tangent southwesterly along said line eighty feet (80') southeasterly from and parallel to above described line one hundred ninety-five and eleven hundredths feet (195.11') more or less to a point of curve tangent to last described line and having a radius of one hundred feet (100'); thence continuing southwesterly along last described curve convex to southeast forty-one and sixteen hundredths feet (41.16') to point of tangency in the southeasterly line of Columbus avenue.

All that part of the northerly and southerly alley in Block 29 of the Wabash Addition to Chicago in Section 25, Township 38 North, Range 13, East of Third Principal Meridian, Cook County, Illinois, also all of the easterly and westerly public alleys abutting Blocks 1-2-7-25-28 and 29 in said Wabash Addition, together with all of that part of South Whipple street, formerly known as Utica street, South California avenue, South Washtenaw avenue and South Rockwell street in said Wabash Addition to Chicago, lying southerly and easterly of the southeasterly line of Columbus avenue; also that part of West 77th street lying west of the easterly line of the right of way of The Baltimore and Ohio Chicago Terminal Railroad Company, and east of the southeasterly line of Columbus avenue.

All of the east-and-west thirty-three foot (33') alley south of and adjoining Lot thirty-three (33) in said Block thirty-eight (38).

All of West Seventy-fifth street lying between the east line of South Western avenue and the east line of South Oakley avenue.

That part of Claremont avenue lying north of the north line of West Seventy-fifth street, and south of a line beginning at the northwest corner of the intersection of West Seventy-fifth street and Claremont avenue, and running thence northeasterly to a point in the east line of Claremont avenue five and ninety-three hundredths feet (5.93') north of the north line of West Seventy-fifth street.

That part of South Oakley avenue lying north of the south line of West Seventy-fifth street and south of a line described as follows:

Commencing at a point on the east line of South Oakley avenue, four hundred eleven feet (411') south of the southeast corner of South Oakley avenue and West Seventy-fourth street, and running thence southwesterly to a point on the west line of South Oakley avenue fifty-three and twelve hundredths feet (53.12') north of the northwest corner of South Oakley avenue and West Seventy-fifth street.

That part of the north and south alley of Block fourteen (14) of the Subdivision of Blocks one (1), two (2), six (6), seven (7), eight (8), ten (10), eleven (11) and fourteen (14) in Dewey and Hogg's Subdivision of the west half (W. ½) of the northwest quarter (N. W. ¼) Section thirty (30), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian, lying south of a line described as follows: Beginning at a point on the west line of said alley twenty-eight and twelve hundredths feet (28.12') north of the north line of West Seventy-fifth street, and running thence northeasterly to a point in the east line of said alley thirty and ninety-three hundredths feet (30.93') north of the north line of West Seventy-fifth street.

All that part of West Seventieth street between the west line of the original sixty-five foot (65') right of way of The Baltimore and Ohio Chicago Terminal Railroad Company and the west line of South Hamilton avenue, said west line being the east line of Lots five hundred and seventeen (517) and five hundred and eighty-eight (588) in Allerton's Englewood Addition in the southwest one-half (S. W. ½) of Section nineteen (19), Township thirty-eight (38) North, Range fourteen (14), East of the Third Prin-

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cipal Meridian; also that part of the east and west public alley lying south of and adjoining the south line of Lots four hundred and four (404) to four hundred and nine (409) both inclusive, and north of and adjoining the north line of Lots four hundred and twenty (420) to four hundred and twenty-five (425) both inclusive, in Allerton's Addition aforesaid; also that part of West Sixty-ninth place south of and adjoining Lots four hundred and nineteen (419) to four hundred and twenty-five (425) both inclusive, and north of and adjoining Lots four hundred and ninety-six (496) to five hundred and two (502) both inclusive; also that part of the east and west public alley lying south of and adjoining Lots four hundred and ninety-six (496) to five hundred and three (503) both inclusive, and north of and adjoining Lots five hundred and ten (510) to five hundred and seventeen (517) both inclusive, in Allerton's Addition aforesaid; also that part of the east-and-west public alley lying south of and adjoining Lots five hundred and eighty-eight (588) to five hundred and ninety-seven (597) both inclusive, and north of and adjoining Lots six hundred (600) to six hundred and nine (609) both inclusive, in Allerton's Addition aforesaid; also that part of West Seventieth place lying south of and adjoining Lots five hundred and ninety-nine (599) to six hundred and nine (609) both inclusive, and north of and adjoining Lots six hundred and eighty (680) to six hundred and ninety (690) both inclusive in Allerton's Addition aforesaid; also that part of the east and west sixteen (16) foot public alley lying south of and adjoining Lots six hundred and eighty (680) to six hundred and ninety (690) both inclusive, and north of and adjoining Lots six hundred and ninety-one (691) to seven hundred and one (701) both inclusive in Allerton's Addition aforesaid;

That part of South Leavitt street lying between the south line of West Seventy-first street and the north line of West Seventy-third street; also that part of the east and west sixteen (16) foot public alley lying south of and adjacent to Lots fifteen (15) to twenty-two (22) both inclusive, and north of and adjacent to Lots twenty-five (25) to thirty-two (32) both inclusive (except the east sixteen (16) feet thereof) all in Block three (3) of Herron's Subdivision of fifty (50) acres in the east one-half (E. ½) of the northwest one-quarter (N. W. ¼) of Section thirty (30), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian; also that part of West Seventy-first place lying south of and adjacent to Lots twenty-five (25) to thirty-one (31) both inclusive, in Block three (3), and north of and adjacent to Lots sixteen (16) to twenty-two (22) both inclusive (except the east sixteen feet (16') thereof), in Block four (4), all in Herron's Subdivision aforesaid; also that part of the sixteen (16) foot east-and-west public alley south of and adjoining Lots sixteen (16) to twenty-two (22), and north of and adjoining Lots twenty-five (25) to thirty-one (31) both inclusive, (except the east sixteen feet (16') thereof) in Block four (4) of Herron's Subdivision aforesaid; also that part of West Seventy-second street lying south of and adjacent to Lots twenty-five (25) to twenty-nine (29) both inclusive, in Block four (4), and north of and adjacent to Lots eighteen (18) to twenty-two (22) both inclusive (except the east sixteen feet (16') thereof) in Block five (5) of Herron's Subdivision aforesaid; also that part of the east and west sixteen (16) foot public alley lying south of and adjoining Lots eighteen (18) to twenty-two (22) both inclusive, and north of and adjoining Lots twenty-five (25) to twenty-nine (29), both inclusive (except the east sixteen feet (16') thereof) in Block five (5) of Herron's Subdivision aforesaid, also that part of West Seventy-second place lying south of and adjoining Lots twenty-five (25) to twenty-seven (27) both inclusive, in Block five (5), and north of and adjoining Lots twenty (20) to twenty-two (22) both inclusive, (except the east sixteen feet (16') thereof), in Block six (6) of Herron's Subdivision aforesaid; also that part of the east-and-west sixteen (16) foot public alley lying south of and adjoining Lots twenty (20) to twenty-two (22), both inclusive and north of and adjoining Lots twenty-five (25) to twenty-seven (27) both inclusive, (except the east sixteen feet (16') thereof) in Block six (6) of Herron's Subdivision aforesaid.

All of the sixteen (16) foot public alleys in Block one (1) of Dewey & Hogg's Subdivision of the west half (W. ½) of the northwest quarter (N. W. ¼) Section thirty (30), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian; also all of the sixteen (16) foot public alleys in Block eight (8) of Dewey & Hogg's Subdivision aforesaid; also that part of West Seventy-second street lying east of the east line of South Irving avenue and west of the east line of South Leavitt street herein vacated; also that part of West Seventy-fourth street lying east of a line parallel to and three hundred and eighty-six and thirteen one-hundredths feet (386.13') east of the east line of South Oakley avenue and west of the northwesterly line of the original right of way of The Chicago and Western Indiana Railroad Company.

That part of West Seventy-ninth place lying west of the west line of the one hundred foot (100') right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and east of a line one hundred thirty-nine feet (139') westerly thereof; also the north-and-south fourteen (14) foot public alley lying east of and adjoining lots eighteen (18) to twenty-eight (28) both inclusive, in Block one (1) of C. H. Beckwith's Subdivision of Lots fourteen (14) and fifteen (15) of Hunter's Subdivision of the northwest quarter (N. W. ¼) of Section thirty-one (31), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian; also all the north-and-south fourteen (14) foot public alley lying east of and adjoining Lots eighteen (18) to twenty-eight (28) both inclusive, in Block four (4) of C. H. Beckwith's Subdivision aforesaid; also that part of West Eightieth street lying west of the west line of the one hundred (100) foot right of way of The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company and east of a line drawn from the southwest corner of Lot twenty-eight (28) in Block one (1), to the Northwest corner of Lot eighteen (18) in Block four (4) of Beckwith's Subdivision aforesaid; also that part of West Eightieth place lying west of the west line of the one hundred (100) foot right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and east of a line one hundred and forty-one (141) feet westerly thereof; also those parts of the east-and-west fourteen (14) foot public alley in Block one (1) and the east-and-west fourteen (14) foot public alley in Block four (4), West Eighty-first street, West Eighty-first place, West Eighty-second street, and South Oakley avenue in Lingle and Darlow's Subdivision of Lots eleven (11) and twelve (12) in Hunter's Subdivision of the northwest one-quarter (N. W. ¼) of Section thirty-one (31), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian, lying west of the west line of

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the one-hundred (100) foot right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company and east of a line described as follows: Beginning at a point on the east line of South Western avenue fifteen and fourteen one-hundredths feet (15.14') south of the intersection of said east line with the north line of Lot ten (10) of Hunter's Subdivision aforesaid, running thence easterly on a straight line a distance of one hundred and eighty-two and five-tenths feet (182.5') to a point fourteen and thirty-seven one-hundredths feet (14.37') south of the north line of said Lot ten (10), thence northeastwardly on a curved line tangential to the last hereinbefore described course, having a radius of nine hundred and two and eighty-seven one-hundredths feet (902.87') to a point in the north line of Lingle & Darlow's Subdivision aforesaid.

All of the sixteen (16) foot public alley between the south line of West Eighty-seventh street and the northerly line of Hopkins place westerly of and adjoining the right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company; also that part of Hopkins place lying west of the west line of one hundred (100) foot right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, and east of the east line of Prospect avenue; also that part of Prospect avenue lying south of the southerly line of Hopkins place and north of a line parallel with and twelve hundred and forty-six and nineteen one-hundredths (1,246.19) feet southeasterly from said southerly line of Hopkins place, measured along the west line of the aforesaid right of way of The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company.

That part of Canal (formerly Hickey) street, now Eggleston avenue, between Blocks five (5) and six (6) in Original L. A. Gilbert's Subdivision of part of Lot five (5) Assessor's Division of West half (W. ½) Section thirty-three (33), Township thirty-eight (38) North, Range fourteen (14) East of the Third Principal Meridian, now a part of Lot "B", Chicago and Western Indiana Railroad Company's Subdivision of part of said Section thirty-three (33); also

That part of West Eighty-fourth (84th) street, between said Block five (5) and Block seven (7) of said L. A. Gilbert's Subdivision and that part of Holland Settlement road southwest of said Block seven (7), also that part of the northeasterly-and-southwesterly alley and the northwesterly-and-southeasterly alley in said Block six (6) lying northeasterly of a line beginning at a point in the south line of northeast quarter (N. E. ¼) southwest quarter (S. W. ¼) said Section thirty-three (33), thirty-three (33) feet west of southeast corner thereof and running thence northwesterly to a point in the original southeasterly line of Vincennes avenue, one hundred sixty-eight (168') feet southwesterly from the southwesterly corner of Lot forty-seven (47) in Block six (6) in said L. A. Gilbert's Subdivision measured along said original southeasterly line. Also all the north-and-south alley in said Block five (5) and all of the north-and-south and northwesterly-and-southeasterly alley in said Block seven (7).

SECTION 17. The Chicago and Western Indiana Railroad Company and The Belt Railway Company of Chicago shall dedicate to the public for use as public streets or alleys the following described property:

The north twenty feet (20') of Lot three (3), and the northeasterly twenty feet (20') of Lot twenty-seven (27) in Block nine (9) of Hinkamp and Company's Columbus Avenue Subdivision, being a subdivision of part of Wabash Addition to Chicago in southeast quarter (S. E. ¼) northeast quarter (N. E. ¼) of Section twenty-five (25), Township thirty-eight (38) North, Range thirteen (13), East of the Third Principal Meridian, Cook County, Illinois.

All that part of Lots fourteen (14) to eighteen (18), and Lots twenty-one (21) to twenty-three (23) in Block five (5) of said Hinkamp and Company's Columbus Avenue Subdivision lying northerly and easterly of a line described as follows: Commencing at a point on the south line of said Lot eighteen (18) in Block five (5) seventy-four and two hundredths feet (74.02') west of the southeast corner of said lot, at the intersection of a line which extends northeasterly from a point in the northerly line of Columbus avenue four and eighteen hundredths feet (4.18') northeasterly from the east-and-west center line of said Section twenty-five (25) and makes an angle with said east-and-west center line of fifty-three degrees and eight minutes (53°-08'); thence running northeasterly from said intersection on an angle of fifty-three degrees and eight minutes (53°-08') with said east-and-west center line forty-nine and thirty-seven hundredths feet (49.37') more or less to a point of curve, tangent to last described line and having a radius of twenty-seven and sixty-six hundredths feet (27.66'); thence along said curve convex to northeast sixty-one and twenty-five hundredths feet (61.25') to a point tangency in a line seventy-one feet (71') south of and parallel to the north lines of said Lots fourteen (14) and twenty-three (23); thence west along last described line to east line of Rockwell street, excepting from the foregoing, the northerly five (5') feet of said Lots fourteen (14) and twenty-three (23).

That part of Lots twelve (12) to nineteen (19) inclusive in Block six (6) of said Hinkamp and Company's Columbus Avenue Subdivision lying south of a line beginning at the southwest corner of Lot eleven (11) in said Block six (6) and running thence southwesterly twenty-seven and sixty-three hundredths feet (27.63') on a curve, convex to the southeast, having a radius of fifty-three and fifty-eight hundredths feet (53.58') to a point of tangent in a line which extends from a point in the northerly line of Columbus avenue fourteen and thirteen hundredths feet (14.13') southwesterly from the said southwest corner of Lot eleven (11) and extends thence west to a point in the west line of said Lot nineteen (19) eight and ninety-five hundredths feet (8.95') south of the north corner of said lot; thence from said point of tangent one hundred seventy-five and eighty-three hundredths (175.83') more or less to the east line of Maplewood avenue, except that part of said Lot nineteen (19) lying south of a line eighty feet (80') south of and parallel to last above described line running west from the southeasterly line of said Lot nineteen (19) five and eighty-six hundredths feet (5.86') more or less to a point of curve having a radius of seventy-five and sixty-four hundredths feet (75.64') thence along said curve convex to northwest seventy and fourteen hundredths feet (70.14') to a point of tangent in a line which is eighty feet (80') southeasterly from and parallel to a line which extends from a point in the northerly line of Columbus avenue four and eighteen hundredths feet (4.18') northeasterly from the east and west center line of said Section twenty-five northeasterly making an angle with said east-and-west center line of fifty-three degrees and eight minutes (53°-08') and passes through a point in the south line of Lot eighteen (18) in Block five (5) of said Hinkamp and Company's Columbus Avenue Subdi-

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vision seventy-four and two hundredths feet (74.02') west of the southeast corner thereof.

A tract of land in the southwest quarter of the northeast quarter of said Section 25, described as follows: Commencing at point on a line 33 feet west of and parallel to the north-and-south center line of the northeast quarter of said Section 25, and 231.76 feet north of the east and west center line of said Section 25, and running southeasterly on a curve convex to the southwest with a radius of 66 feet to intersection with north and south center line of said northeast quarter of said Section 25; thence northerly on said center line to a point 236.76 feet north of the east and west center line of said Section 25; thence westerly 33 feet and parallel to said east and west center line; thence southerly 5 feet more or less on a line parallel to north and south center line of the northeast quarter of said Section 25 to point of beginning.

A tract of land in the southeast quarter of the northeast quarter of said Section 25 described as follows: Lying northwesterly, southerly and easterly of the following described lines; commencing at a point on the original northwesterly line of Columbus avenue, a distance of 66 feet north of east and west center line of said Section 25; thence westerly on a straight line parallel to the east and west center line of said Section 25, a distance of 84.85 feet; thence southwesterly on a straight line making an angle of 53°-8' with the east and west center line of said Section 25, a distance of 75.75 feet more or less to a point of curve tangent to the last described course; thence continuing southwesterly on a curve convex to the southeast, with a radius of 20 feet, to a point of tangent with the original northwesterly line of Columbus avenue, said last point being at the intersection of the east and west center line of said Section 25 with the said northwesterly line of Columbus avenue.

Lots nineteen (19) and twenty (20) and the south twenty-one and nine hundredths feet (21.09') of Lots (18) and twenty-one (21) in Block thirteen (13) in the subdivision of Blocks five (5), twelve (12) and thirteen (13) in Dewey and Hogg's Subdivision of the west half (W. ½) of the northwest quarter (N. W. ¼) Section thirty (30), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian.

A fifty foot (50) strip through lots Sixteen (16), seventeen (17), eighteen (18), twenty (20), twenty-one (21) and twenty-two (22) in Block fourteen (14) of the subdivision of Blocks one (1), two (2), six (6), seven (7), eight (8), ten (10), eleven (11) and fourteen (14) in Dewey and Hogg's Subdivision of the west half (W. ½) of the northwest quarter (N. W. ¼) Section thirty 30), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian, lying southerly of and adjoining a line described as follows: Commencing at a point on the east line of Claremont avenue fifty-six and sixty-nine hundredths feet (56.69') north of the southwest corner of said Lot twenty (20) running thence northeasterly to the northeasterly corner of said Lot twenty-two (22), thence continuing northeasterly to the northeasterly corner of said Lot sixteen (16).

The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company shall dedicate to the public for use as public alleys the following:

A north-and-south alley, not less than 16.0 feet in width, between South Leavitt street (vacated) and South Hoyne avenue east of the property of said railroad company, said alley to connect the east-and-west alley between West Seventy-first street and West Seventy-first place with either West Seventy-first street or West Seventy-first place.

A north-and-south alley, not less than 16.0 feet in width, between South Leavitt street (vacated) and South Hoyne avenue east of the property of said railroad company, said alley to connect the east-and-west alley between West Seventy-first place and West Seventy-second street with either West Seventy-first place or West Seventy-second street.

A north-and-south alley, not less than 16.0 feet in width, between South Leavitt street (vacated) and South Hoyne avenue east of the property of said railroad company, said alley to connect the east-and-west alley between West Seventy-second street and West Seventy-second place with either West Seventy-second street or West Seventy-second place.

A north-and-south alley, not less than 16.0 feet in width, between South Leavitt street (vacated) and South Hoyne avenue east of the property of said railroad company, said alley to connect the east-and-west alley between West Seventy-second place and West Seventy-third street with either West Seventy-second place or West Seventy-third street.

In the event that the railroad and railway companies herein required to dedicate certain property for use as public streets or alleys shall fail or be unable within six months after the passage and acceptance of this ordinance, to acquire the necessary title to the lands required for said dedications, then and in that event the said companies shall notify the City of Chicago, and the City of Chicago will upon such notice institute condemnation proceedings for the acquisition of said land and the awards, judgments, costs and expenses of said suit or condemnation proceedings shall be borne and paid for by the railroad or railway companies hereinbefore required to provide such dedication, provided, however, that attorneys for said railroad or railway companies may prosecute said suits or condemnation proceedings for and in behalf of said City of Chicago if said companies shall so elect.

The Mayor and City Clerk of the City of Chicago are hereby authorized to execute and deliver to the Wabash Railway Company for a consideration to be agreed upon, a good and sufficient deed for the following described property:

All that part of Block sixteen (16) in Dewey and Vance's Subdivision in the south one-half (S. ½) of Section thirty (30), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian, lying north of a straight line drawn from a point in the east line of said Block twenty-nine (29) feet south of the northeast corner thereof to a point in the west line of said block, thirty-six and one-half (36½) feet south of the northwest corner of said block.

SECTION 18. It shall be the duty of the Commissioner of Public Works of the City of Chicago to supervise all work herein authorized and permitted to be done. He shall cause to be made and to be kept on file in the department of public works of said City, records and reports showing the progress of all work done under this ordinance. In the event that the work herein provided for shall be wilfully delayed by any of said companies or become impossible of performance, he shall report to the Mayor and City Council of said City of Chicago the cause or causes therefor with his recommendations concerning the steps to be taken or the means to be used to properly enforce the provisions of this ordinance and to secure the completion of the work

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herein contemplated without unnecessary cost, hindrance or delay.

SECTION 19. This ordinance shall be in effect from and after the date of its passage and approval by the Mayor; provided, however, that it shall be null and void unless the Chicago and Western Indiana Railroad Company, The Belt Railway Company of Chicago, the Wabash Railway Company, The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, The Baltimore and Ohio Chicago Terminal Railroad Company and The Baltimore and Ohio Connecting Railroad Company shall each through their duly authorized officers, file with the City Clerk of the City of Chicago—within sixty (60) days from and after the passage of this ordinance and its approval by the Mayor—their agreement or agreements, duly executed, whereby they shall undertake to do and perform all the matters and things required of them by this ordinance.

After the filing of such agreement or agreements by said railroad and railway companies, this ordinance shall not be materially modified or amended unless such railroad company or companies shall be in default in the performance of the several matters and things required by this ordinance to be done by such agreement.

The failure or default of any of said railroad or railway company or companies to file such agreements within the time herein limited shall not void or impair any of the rights hereunder of the railroad or railway company or companies, which shall have filed its or their agreement or agreements, as hereinbefore provided, so long as it or they shall perform the matters and things expressly required of it or them by this ordinance.

Nothing in this ordinance contained shall be a waiver or surrender of the police power of the City or be taken in any way to deprive the City of the right to properly execute such power.

## LOCAL TRANSPORTATION.

At the request of Alderman McDonough, unanimous consent was given to permit immediate action on sundry reports of the Committee on Local Transportation.

### Direction for Representation in Behalf of the City of Chicago at Hearings before the Illinois Commerce Commission Relative to Feeder Buses for Street Railway Lines.

The Committee on Local Transportation submitted a report recommending the passage of an order submitted therewith, in reference to the operation of feeder buses for street railway lines in Chicago.

Alderman McDonough moved to concur in said report and to pass said order.

No request being made by any two Aldermen present to defer consideration of said report for final action thereon until the next regular meeting, and the question being put, the vote thereon was as follows:

*Yeas*—Coughlin, Anderson, Jackson, Cronson, Grossman, Guernsey, Woodhull, Meyering, Govier, Rowan, Wilson, Hartnett, McDonough, Byrne, Moran, Coyle, Ryan, McKinlay, Cepak, Toman, Arvey, J. B. Bowler, Sloan, Van Norman, Maypole, A. J. Horan, Clark, Adamkewicz, Smith, Petlak, Kaindl, Seif, Nusser, Mills, Adamowski, Ringo, T. J. Bowler, Crowe, Loescher, Feigenbutz, Nelson, Hoellen, Massen, Frankhauser, Mosc—45.

*Nays*—None.

The following is said order as passed:

*Ordered*, That the Corporation Counsel or his assistants appear at the hearings on the various applications pending before the Illinois Commerce Commission relative to feeder buses to surface cars and lend his aid in any way possible toward obtaining a feeder bus service to the surface lines.

### Establishment of "Feeder" Buses on Certain Streets.

The Committee on Local Transportation submitted the following report:

CHICAGO, May 9, 1928.

*To the Mayor and Aldermen of the City of Chicago in City Council Assembled:*

Your Committee on Local Transportation, to whom were referred

(December 28, 1927, page 1603) an ordinance granting permission and authority to the Chicago Railways Company to establish an extension of the existing auxiliary or supplementary motorbus line on Diversey avenue from North Crawford avenue to Milwaukee avenue and from North Laramie avenue to North Narragansett avenue, and on Belmont avenue between North Narragansett avenue and North Central avenue;

(October 14, 1927, page 1206) an order directing that consideration be given to the matter of substituting motorbus service for "one-man" street railway service on Diversey avenue between North Crawford avenue and Milwaukee avenue;

(October 14, 1927, page 1206) an order directing that consideration be given to the matter of extending the motorbus service on Diversey avenue from North Laramie avenue to North Narragansett avenue;

(March 5, 1928, page 2321) an ordinance for the establishment and operation of a "feeder" motorbus line on Diversey avenue from Milwaukee avenue to the city limits;

(March 5, 1928, page 2323) an ordinance for the operation of motorbus service on the following streets:

Elston avenue from Milwaukee avenue to Lawrence avenue;

Belmont avenue from No. 5600 west to the city limits;

North Central avenue from West Grand avenue to Higgins road;

North Narragansett avenue from West Grand avenue to Irving Park boulevard;

Addison street from North Harlem avenue to Sheridan road;

Northwest Highway from Milwaukee avenue to the city limits;

(March 28, 1928, page 2569) an ordinance granting permission for day-to-day operation of motorbuses on sundry streets; and

(April 12, 1928, page 2820) an ordinance granting permission and authority to the Chicago Railways Company for day-to-day operation of motorbuses, during the month of April, 1928, on Lin-

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Exhibit B

1928 Ordinance

(attached)

line from bottom page, strike out the words "Sixty-eighth" and insert the words "Sixty-ninth";

Page 3347, right-hand column, bottom line, strike out the word "street" and insert the word "place";

Page 3348, left-hand column, 20th line from bottom of page, strike out the words "and Oakley avenue, west of and adjoin-" and after the word "street" in the 13th line from bottom, same page and column, insert the words "and Oakley avenue, west of and adjoin-"

Page 3329, left-hand column, 15th line from top of page, strike out the words, "fifth street, West Sixty-seventh".

Page 3321, left-hand column, 15th line from top of page, insert the word "the" between the word "to" and the word "same".

Page 3321, right-hand column, 13th line from top of page, insert the word "the" between the word "under" and the word "tracks".

Page 3334, left-hand column, 18th line from top of page, strike out the word "thereof" and insert the word "thereof",

Same page, right-hand column, 12th line from top of page, strike out the word "carrrying" and insert the word "carrying."

Same page and column, 42nd line from top of page, strike out the word "asume" and insert the word "assume".

Page 3335, right-hand column, 11th line from top of page, strike out the word "accommondation", and insert the word "accommodation".

Page 3336, left-hand column, 41st line from top of page, strike out the word "or" and insert the word "of".

Same page and column, 4th line from bottom of page, strike out the word "Cibcago" and insert the word "Chicago".

Page 3311, right-hand column, 6th line from bottom of page, strike out the word "adoining" and insert the word "adjoining".

Page 3313, left-hand column, 29th and 28th lines from top of page, strike out the word "sixten" and insert the word "sixteen".

Page 3343, left-hand column, 8th and 7th lines from bottom of page, strike out the word "ading" and insert the word word "adjoining".

Ald. Janovsky moved to adopt the foregoing amendments.

The motion prevailed.

Ald. Janovsky moved to pass the said substitute ordinance as amended.

The motion prevailed and the said substitute ordinance as amended was passed, by yeas and nays as follows:

*Yeas*—Coughlin, Kenna, Shufelt, Harding, Pringle, Tearney, Richert, Martin, Carr, Parker, Snow, Sance, Derpa, Emerson, Egan, Vavricek, Klaus, Danisch, Cullerton, Cermak, Schultz, Buckley, Lucas, Lawley, Beilfuss, Utpatel, Kunz, Walkowiak, Sitts, Healy, Bowler, Powers, Murray, Stewart, Geiger, Clottenberg, Schaeffer, Britton, Hey, Haderlein, Krumholz, Thomson, Capitain, Reinberg, Lipps, Wilson, Hyldahl, Littler, McDermott, Janovsky, Mahoney, McInerney, Bergen, Kearns, Rea, Block, Reading, Donahoe, Ryan (34th) and Hazen -60.

*Nays*—None.

The following is the said ordinance as passed:

AN ORDINANCE

**Authorizing and requiring the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, the Englewood Connecting Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company and the Union Stock Yard and Transit Company of Chicago, and the Chicago River and Indiana Railroad Company, Lessee, respectively, to elevate the plane of certain of their roadbeds and railway and railroad tracks within the City of Chicago.**

*Be it ordained by the City Council of the City of Chicago:*

SECTION 1. That the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Englewood Connecting Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company and the Union Stock Yard and Transit Company of Chicago and the Chicago River and Indiana Railroad Company, Lessee, are each, respectively, authorized and required to elevate the plane of certain of their roadbeds and railway and railroad tracks within the City of Chicago,

in the manner and upon the conditions hereinafter specified, that is to say:

Paragraph 1. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company shall elevate the roadbed and tracks of its main line between the East line of Western avenue boulevard on the north, and the South line of West Sixty-ninth street on the south in such a manner as to comply with the provisions of this ordinance and to give minimum floor depth of 3.5 feet from the top of running rails to "low iron" or "clearance" at each subway hereinafter specified. And said railway company shall elevate its tracks to such grades as to cross the proposed elevated tracks of the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River and Indiana Railroad Company, Lessee, the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company near West Forty-ninth street, either at grade or by separating the grades of the said tracks, as may be agreed upon by the various railroad and railway companies interested. From the South line of West Sixty-ninth street the tracks may descend on a suitable and convenient gradient to a connection with the present tracks of said railway company.

Paragraph 2. The Englewood Connecting Railway Company shall elevate its roadbed and tracks from the West line of South Halsted street on the East to its connection with the main line of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company herein authorized to be elevated in such a manner as to comply with the provisions of this ordinance and to give a minimum floor depth of 3.5 feet from the top of the running rails to "low iron" or "clearance" at each subway hereinafter specified.

Paragraph 3. The Baltimore & Ohio Chicago Terminal Railroad Company shall elevate the roadbed and tracks of its "Chicago Central Division" from the East line of Western avenue boulevard on the North to the South line of West Sixty-ninth street on the South in such a manner as to comply with the provisions of this ordinance and to give a minimum floor depth of 3.5 feet from the top of the running rails to "low iron" or "clearance" at each subway hereinafter specified. And said railroad company shall elevate its tracks to such grades as to cross the proposed elevated tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River and Indiana Railroad Company, Lessee, the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company, near West Forty-ninth street, either at grade or by separating the grades of the said tracks, as may be agreed upon between the various railroad and railway companies interested. From the South line of West Sixty-ninth street the tracks may descend on a suitable and convenient gradient to a connection with the present tracks of said railroad company.

Paragraph 4. The Union Stock Yard and Transit Company of Chicago and the Chicago River and Indiana Railroad Company, Lessee, shall elevate its roadbed and tracks from the North line of West Forty-third street, on the North, to a connection with the present elevated tracks of the Indiana Harbor Belt Railroad Company on the South, in such a manner as to comply with the provisions of this ordinance and to give a minimum floor depth of 3.5 feet from the top of the running rails to "low iron" or "clearance" at each of the subways hereinafter specified. And said company, or companies, shall elevate its tracks to such grades as to cross the proposed elevated tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, and the Baltimore & Ohio Chicago Terminal Railroad Company, either at grade or by separating the grades of said tracks, as may be agreed upon between the railroad and railway companies interested. From the North line of West Forty-third street the tracks may descend on a suitable and convenient gradient to a connection with the present tracks of said company.

Paragraph 5. The railroad and railway companies herein authorized to elevate their roadbed and tracks may cross each other at grade in the neighborhood of West Forty-ninth street, or they may separate their grades according to any plan agreed upon among themselves, provided such plan shall not interfere with the construction of subways at the grades hereinafter specified.

Paragraph 6. Permission is hereby granted to the railroad and railway

companies which are herein authorized to elevate their roadbed and tracks to elevate their "Y" tracks and to make such changes in their location and alignment as said railroad and railway companies may deem necessary to maintain proper connections with each other's tracks.

Paragraph 7. Nothing in this ordinance contained shall prevent the various companies owning the tracks mentioned herein from changing the location of said tracks by the mutual agreement of those interested as they may deem necessary, provided that no change of location shall be made that will prevent the separation of the grade of said tracks as contemplated in this ordinance.

The railroad and railway companies herein authorized to elevate their tracks may make such changes in the position and alignment of their main tracks, side tracks and switch connections as may be rendered necessary by the execution of the work specified to be performed by them under the terms of this ordinance. Said companies are hereby authorized and permitted to construct elevated embankments on their respective rights of way and to construct, maintain and operate thereon such number of railroad tracks as they may deem necessary or convenient for the transaction of their business, and to carry such additional tracks over all intervening streets, avenues and alleys in the same manner as herein provided for existing tracks.

The right of way referred to in this ordinance, in so far as it affects the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company is hereby defined to be the entire width east and west of Leavitt street of the land acquired and owned by the said Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company and used for passenger and freight yard tracks, terminal tracks, round houses, machine shops and other railroad purposes between the northerly and southerly limits defined in this ordinance for the elevation of the tracks of said railway and railroad companies. Provided, however, that where streets and alleys are to be vacated they shall not be vacated beyond the limits shown in red on the map which is hereto attached and made part of this ordinance.

Section 2. That the embankment on which said elevated roadbed shall be constructed within the aforesaid limits shall be composed of any material which is of a permanent character and sufficiently substantial to bear the loads to be imposed upon it. The side slopes and lateral dimensions will be fixed and determined by the natural angle of repose of the material of which said embankments shall be constructed. But whenever it may become necessary for the purpose of keeping said embankments entirely within the lines of the rights of way occupied by said companies, such portions of said embankments at all such points shall be kept within said right of way lines by, or they shall be confined between retaining walls of stone or concrete masonry; provided, however, that whenever said retaining walls are of insufficient height to properly protect said right of way and to prevent trespassing thereon, then said retaining walls, as aforesaid, shall be surmounted with a suitable fence or railing, but whenever said retaining walls are not used at all, said rights of way of said companies shal be fenced in or otherwise properly enclosed in compliance with the ordinances of the City of Chicago relating to the fencing of railroad tracks.

Section 3. That the said elevated tracks shall be carried across all intersecting streets and avenues which by the terms of this ordinance are to be provided with subways, on suitable bridges of one, two, three or four spans whose superstructure shall consist of iron, steel or reinforced concrete, or a combination of the same, with some suitable device provided, which shall prevent storm water, dirt, oil and other substances from dropping from such elevated structures upon the subway beneath. The said bridges shall be supported upon abutments of concrete or stone masonry, or upon abutments and rows of iron, steel or reinforced concrete columns braced together laterally and erected on and anchored to masonry foundations constructed within the lines of the rights of way occupied by said companies and in the center and curb lines of the intersecting avenues and streets, as provided in the schedule of subways herein contained, provided that the foundations of retaining walls, abutments and piers may project a rea-

sonable distance beyond the lines of the rights of way occupied by said companies under the surface of the public highways and sidewalks.

SECTION 4. Paragraph 1. That subways shall be constructed beneath the tracks of the main line of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company where said tracks are intersected and crossed by West Forty-third street, West Forty-seventh street, West Fiftieth street, West Fiftieth Place, West Fifty-first street, West Fifty-second street, West Fifty-fourth street, West Garfield boulevard, West Fifty-sixth street, West Fifty-ninth street, West Sixty-third street, West Sixty-fifth street, West Sixty-seventh street, West Sixty-eighth street and West Sixty-ninth street.

Paragraph 2. That subways shall be constructed beneath the tracks of the "Chicago Central Division" of the Baltimore & Ohio Chicago Terminal Railroad Company where said tracks are intersected and crossed by West Forty-third street, West Forty-seventh street, West Fiftieth street, West Fiftieth Place, West Fifty-first street, West Fifty-second street, West Fifty-fourth street, West Garfield boulevard, West Fifty-sixth street, West Fifty-ninth street, West Sixty-third street, West Sixty-fifth street, West Sixty-seventh street, West Sixty-eighth street and West Sixty-ninth street.

Paragraph 3. That subways shall be constructed beneath the tracks of the Englewood Connecting Railway where said tracks are intersected and crossed by South Green street, South Peoria street, South Sangamon street, South Morgan street, South Carpenter street, Aberdeen street, South May street, South Center avenue, South Elizabeth street, Throop street, South Ada street, Loomis street, Bishop street, Laflin street, Justine street, South Ashland avenue, South Paulina street, South Wood street, Honore street, South Lincoln street, South Winchester avenue, South Robey street and a foot passageway at South Hoyne avenue.

Paragraph 4. That subways shall be constructed beneath the tracks of the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, Lessee, at West Forty-third street and West Forty-seventh street.

SECTION 4a. The several subways hereinbefore referred to in Section 4 of this ordinance shall be constructed as to their size and dimensions, locations and other details in accordance with the following schedule:

Subway in West Forty-third street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway, the Baltimore & Ohio Chicago Terminal Railroad, the Union Stock Yard and Transit Company of Chicago and the Chicago River and Indiana Railroad Company, Lessee. (Street, 66.0 feet wide.)

The depression of the street shall be not more than 2.6 feet below the established street grade to the east of the subway, making the elevation of the floor of subway 10.4 feet above city datum.

Level floor shall extend 30.0 feet beyond the East and West portals of subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway in subway, 46.0 feet.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in West Forty-third street outside of subway shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in West Forty-seventh street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River and Indiana Railroad Company, Lessee. (Street, 66.0 feet wide.)

The depression of the street shall

be not more than 2.68 feet below the established street grade, making the elevation of the floor of subway not less than 11.32 feet above city datum.

Level floor shall extend 30.0 feet beyond the east and west portals of subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway in subway, 46.0 feet.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in West Forty-seventh street outside of the subway shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

In the event that the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, Lessee; the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company shall agree among themselves to separate the grades of all their tracks at West Forty-ninth street by carrying the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company beneath the tracks of the other railway and railroad companies mentioned in this ordinance, then the specifications for the subway in West Forty-seventh street shall be as follows:

The elevation of the floor of the subway shall be 9.0 feet above city datum. This level shall extend twenty (20) feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of the street.

The elevation of the curbs in the subway shall be 10.0 feet above city datum.

The curbs on the approaches shall extend from an elevation of 10.0 feet above city datum at the foot of the approaches on a grade parallel with the surface of the roadway to a connection with the established curb grade.

Width between walls of subway, 66.0 feet.

Width of roadway in subway, 46.0 feet.

Width of sidewalks in subway, 10.0 feet each.

Width of roadway and sidewalks in West Forty-seventh street outside of the subway shall be the same as they now exist. Two lines of posts may be placed in the sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in West Fiftieth street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide.)

In the event that the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, Lessee, the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company shall agree among themselves that their tracks shall cross each other at grade at West Forty-ninth street, then the specifications for the subway in West Fiftieth street shall be as follows:

There shall be no depression of the street. The elevation of the floor of the subway shall be not less than 13.25 feet above city datum.

The elevation of the curbs in the subway shall be 13.25 feet above city datum.

In the event that the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, Lessee, the

Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company shall agree among themselves to separate their tracks at West Forty-ninth street by carrying the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company beneath the tracks of the other railroad and railway companies mentioned in this ordinance, then the specifications for the subway in West Fiftieth street shall be as follows:

The depression of the street shall be 4.0 feet below the established street grade, making the elevation of the floor of the subway 9.5 feet above city datum. This level shall extend twenty (20) feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

The elevation of curbs in the subway shall be 10.0 feet above city datum.

The curbs on the approaches shall extend from an elevation of 10.0 feet above city datum at the foot of approaches on a grade parallel with the surface of the roadway to a connection with the established curb grade.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in West Fiftieth street outside of subway shall be the same as they now exist. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in West Fiftieth Place, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide).

In the event that the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, lessee, the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company shall agree among themselves that their tracks shall cross each other at grade at West Forty-ninth street, then the specifications for the subway in West Fiftieth Place shall be as follows:

There shall be no depression of the street. The elevation of the floor of the subway shall be not less than 13.25 feet above city datum.

The elevation of the curbs in the subway shall be not less than 13.25 feet above city datum.

In the event that the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, lessee, the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company shall agree among themselves to separate the grades of their tracks at West Forty-ninth street by carrying the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company beneath the tracks of the other railroad and railway companies mentioned in this ordinance, then the specifications for the subway in West Fiftieth Place shall be as follows:

The depression of the street shall be 1.0 foot below the established street grade, making the elevation of the floor of the subway 11.25 feet above city datum. This level shall extend twenty (20) feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surfaces of street.

The elevation of the curbs in the subway shall be 12.25 feet above city datum.

Width between walls of subway, 30.0 feet.

Width of roadway, 20.0 feet in subway.

Width of sidewalks, 5.0 feet each in subway.

Width of roadway and sidewalks in

West Fiftieth Place outside of the subway shall be the same as they now exist.

Clear head-room, 12.0 feet.

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Subway in West Fifty-first street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide.)

The depression of the street shall be sufficient to make the elevation of the floor of the subway not less than 11.75 feet above city datum. This level shall extend thirty (30) feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

The elevation of the curbs in the subway shall be not less than 12.25 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 46.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in West Fifty-first street outside of the subway shall be the same as they now exist. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

In the event that the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago and the Chicago River & Indiana Railroad Company, Lessee, the Indiana Harbor Belt Railroad Company and the Grand Trunk Western Railway Company shall agree among themselves to separate the grades of all their tracks at West Forty-ninth street by carrying the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company beneath the tracks of the other railway and railroad companies mentioned in this ordinance, then the specifications for the subway in West Fifty-first street shall be as follows:

The elevation of the floor of the subway shall be 11.15 feet above city datum.

The elevation of the curbs in the subway shall be not less than 12.15 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 46.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks outside of the subway shall be the same as they now exist. Two lines of posts may be placed immediately inside the curb lines and one line of posts in the center of the roadway to support the girders.

Clear head-room, 13.5 feet.

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Subway in West Fifty-second street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 60.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall be not less than 13.25 feet above city datum.

Width between walls of subway, 60.0 feet.

Width of roadway, 40.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in West Fifty-second street outside of the subway shall be the same as they now exist.

The elevation of the sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in West Fifty-fourth street, under the tracks of the Pittsburgh, Cin-

cinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide on the east).

The elevation of the floor of the subway shall be not less than 13.23 feet above city datum.

Width between walls of subway 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in West Fifty-fourth street outside of the subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in West Garfield boulevard, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 200.0 feet wide.)

This subway shall be constructed of such dimensions and according to such plans as may be agreed upon between the South Park Commissioners and the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company.

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Subway in West Fifty-sixth street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide.)

The depression of the street shall be sufficient to make the elevation of the floor of the subway not less than 13.2 feet above city datum. This level shall extend twenty (20) feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in West Fifty-sixth street outside of the subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in West Fifty-ninth street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide.)

The depression of the street shall be not more than 9.5 feet below the established street grade, making the elevation of the floor of the subway not less than 12.9 feet above city datum.

Level floor shall extend 50.0 feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

The elevation of the curbs in the subway shall be not less than 12.5 feet above city datum.

The curbs on the approaches shall extend from an elevation of 12.5 feet above city datum at the foot of approaches on a grade parallel with the surface of the roadway to a connection with the established curb grade.

Width between walls of subway, 66.0 feet.

Width of roadway, 46.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in West Fifty-ninth street outside of the subway shall be the same as they now

exist. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in West Sixty-third street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 83.0 feet wide.)

The elevation of the floor of the subway shall be not less than 17.6 feet above city datum.

Level floor shall extend 30.0 feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

The elevation of the curbs in the subway shall be not less than 18.1 feet above city datum.

The curbs on the approaches shall extend from an elevation of 18.1 feet above city datum at the foot of approaches on a grade parallel with the surface of the roadway to a connection with the established curb grade.

Width between walls of subway, 83.0 feet.

Width of roadway, 48.0 feet in subway.

Width of sidewalks, 17.5 feet each in subway.

Width of roadway and sidewalks in West Sixty-third street outside of the subway shall be the same as they now exist. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in West Sixty-fifth street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall be not less than 21.7 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in West Sixty-fifth street outside of the subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.4 feet.

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Subway in West Sixty-seventh street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide.)

This subway shall be constructed of such dimensions and according to such plans as may be agreed upon between the South Park Commissioners and the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, and the Baltimore & Ohio Chicago Terminal Railroad Company.

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Subway in West Sixty-eighth street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide).

The elevation of the floor of the subway shall be not less than 22.3 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in West Sixty-eighth street outside of the subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk

spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in West Sixty-ninth street, under the tracks of the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, and the Baltimore & Ohio Chicago Terminal Railroad Company. (Street, 66.0 feet wide on the East and 73.0 feet wide on the West.)

The depression of the street shall be 5.85 feet below the established street grade, making the elevation of the floor of the subway not less than 10.15 feet above city datum.

Level floor shall extend 30.0 feet beyond the east and west portals of the subway. From this level the approaches shall extend on a grade of 3.5 feet in 100 feet to a connection with the present surface of street.

The elevation of the curbs in the subway shall be not less than 19.65 feet above city datum.

The curbs on the approaches shall extend from an elevation of not less than 19.65 feet above city datum at the foot of approaches on a grade parallel with the surface of roadway to a connection with the established curb grade.

Width between walls of subway, 66.0 feet.

Width of roadway, 46.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in West Sixty-ninth street outside of the subway shall be the same as they now exist. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in South Green street, under the Englewood Connecting Railway. (Street, 66.0 feet wide.)

The depression of the street shall not be more than 0.7 of a foot below the established street grade, making the elevation of the floor of the subway not less than 15.0 feet above city datum.

Level floor shall extend 20.0 feet beyond the north and south portals of subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Green street, outside of subway shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in South Peoria street, under the Englewood Connecting Railway. (Street, 66.0 feet wide.)

The depression of the street shall not be more than 0.2 of a foot below the established street grade, making the elevation of the floor of the subway not less than 15.0 feet above city datum.

Level floor shall extend 20.0 feet beyond the north and south portals of subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Peoria street, outside of subway shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

Subway in South Sangamon street, under the Englewood Connecting Railway. (Street, 66.0 feet wide.)

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 14.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Sangamon street, outside of subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of the same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in South Morgan street, under the Englewood Connecting Railway. (Street, 66.0 feet wide.)

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 15.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Morgan street outside of subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in South Carpenter street, under the Englewood Connecting Railway. (Street, 66.0 feet wide.)

The depression of the street shall not be more than 0.1 of a foot below the established street grade, making the elevation of the floor of the subway not less than 15.0 feet above city datum.

Level floor shall extend 20.0 feet beyond the north and south portals of subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Carpenter street, outside of subway shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in Aberdeen street, under the Englewood Connecting Railway. (Street, 66.0 feet wide.)

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 14.7 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in Aberdeen street outside of subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in South May street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 14.6 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South May street, outside of subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in South Center avenue, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

The depression of the street shall not be more than 1.1 feet below the established street grade, making the elevation of the floor of the subway not less than 13.5 feet above city datum.

Level floor shall extend 30.0 feet beyond the north and south portals of subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway, 46.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in South Center avenue outside of subway shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

Subway in South Elizabeth street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 13.6 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Elizabeth street outside of subway shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in Throop street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 14.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in Throop street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.0 feet.

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Subway in South Ada street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of

the subway shall not be less than 14.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Ada street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.0 feet.

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Subway in Loomis street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

This subway shall be constructed of such dimensions and according to such plans as may be agreed upon between the South Park Commissioners and the Englewood Connecting Railway.

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Subway in Bishop street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall be not less than 14.5 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in Bishop street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in Laflin street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 13.5 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in Laflin street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in Justine street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 14.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in Justine street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.0 feet.

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Subway in South Ashland avenue, under the Englewood Connecting Railway. (Street, 80.0 feet wide).

The depression of the street shall not be more than 1.8 feet below the established street grade, making the elevation of the floor of the subway not less than 13.5 feet above city datum.

Level floor shall extend 30.0 feet beyond the north and south portals of

subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 30.0 feet.

Width of roadway, 48.0 feet in subway.

Width of sidewalks, 16.0 feet each in subway.

Width of roadway and sidewalks in South Ashland avenue, outside of subway, shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in South Paulina street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 13.5 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Paulina street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in South Wood street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 14.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Wood street, outside of subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 13.5 feet.

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Subway in South Honore street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall be not less than 15.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Honore street, outside of the subway, shall be the same as they now exist.

The elevation of curbs shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support the girders.

Clear head-room, 12.0 feet.

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Subway in South Lincoln street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 15.5 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Lincoln street, outside of the subway, shall be the same as they now exist.

The elevation of sidewalks shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support girders.

Clear head-room, 12.0 feet.

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Subway in South Winchester avenue, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

There shall be no depression of the street. The elevation of the floor of the subway shall not be less than 16.0 feet above city datum.

Width between walls of subway, 66.0 feet.

Width of roadway, 42.0 feet in subway.

Width of sidewalks, 12.0 feet each in subway.

Width of roadway and sidewalks in South Winchester avenue outside of the subway, shall be the same as they now exist.

The elevation of the curbs shall be uniform with the roadway and level with the crown of same. Two lines of posts may be placed in the sidewalk spaces immediately inside the curb lines and one line of posts in the center of the roadway to support the girders.

Clear head-room, 12.0 feet.

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Subway in South Robey street, under the Englewood Connecting Railway. (Street, 66.0 feet wide).

The depression of the street shall not be more than 2.0 feet below the established street grade, making the elevation of the floor of the subway not less than 15.0 feet above city datum.

Level floor shall extend 30.0 feet beyond the north and south portals of subway. From this level the approaches shall extend on a grade of not to exceed 3.5 feet in 100 feet to a connection with the present surface of street.

Width between walls of subway, 66.0 feet.

Width of roadway, 46.0 feet in subway.

Width of sidewalks, 10.0 feet each in subway.

Width of roadway and sidewalks in South Robey street, outside of subway, shall be the same as they now exist.

The depression of sidewalks shall be uniform with the roadway and 0.5 of a foot above the level of the crown of same. Two lines of posts may be placed in sidewalk spaces immediately inside the curb lines and one line of posts in the center of the street to support girders.

Clear head-room, 13.5 feet.

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Passageway in South Hoyne avenue, under the tracks of the Englewood Connecting Railway. The center line of the subway shall be 5 feet west of the east line of Hoyne avenue.

(Passageway, 10.0 feet wide).

The elevation of the floor of the subway shall be 17.5 feet above city datum.

Clear head-room, 9.0 feet.

A concrete sidewalk sloped so as to drain properly shall be laid in the subway.

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SECTION 4b. That the grade of all the streets and avenues in which any subways and approaches are to be built, in accordance with the provisions of this ordinance, shall be and the same are hereby changed so as to conform to the grades of such subways and approaches as they shall be depressed pursuant to the provisions of this ordinance, and the grade of all platted streets and alleys that intersect the approaches to subways as described in Section 4a of this ordinance shall be depressed so as to conform to the grade of the approaches into said subways and shall in all respects be considered a portion of said approaches.

SECTION 4c. In the several subways provided for in this ordinance vertical curves shall be constructed where the ends of the approaches to said subways connect at the top with the present grade of the streets and at the bottom with the level grades of the subway

floors specified hereinbefore in Section 4a of this ordinance.

At the head of each and every approach the vertical curve shall extend not less than twenty (20) feet each side of the intersection between the grade of the approach and the level grade of the present street. At the foot of each and every approach the vertical curve shall extend not less than twenty (20) feet each side of the intersection between the grade of the approach and the level grade of the floor of the subway.

SECTION 3. Paragraph 1. That all such excavations shall be made in the streets as may be required in complying with the provisions of this ordinance. But the excavated portions of the streets shall be restored to serviceable condition for the use of the public as soon as practicable, and all water pipes, conduits, sewers, and other similar substructures belonging to the city that may be disturbed by such excavations or required to be moved or deflected from the position in which they are found shall be replaced or suitable expedients and arrangements shall be devised and provided to restore them in all respects to their former state of usefulness, but the gradients of the sewers shall not be reduced in any event.

All excavations that shall be made within the limits of the subways and beneath the sub-grade of the same, prior to the paving of the subways, shall be back filled with sand, gravel, or cinders and flooded or tamped in such manner as to assure the full settlement of such back filling before the pavement is laid.

Provided, however, that if in the construction of any of such subways and approaches it may become necessary to disturb, remove or destroy any pipes, conduits, wires or other property belonging to any private corporation or individual, said railroad and railway companies shall not be required to assume any of the expense thereof or damages thereto, and the City of Chicago will secure to said railway and railroad companies the free and uninterrupted right to prosecute their said work and will save said railroad and railway companies harmless from any and all claims, demands and suits arising therefrom and all damages which may be recovered from such suits.

Paragraph 2. All overhead wires or cables crossing the proposed elevated tracks of the respective companies mentioned in this ordinance, with the exception of wires belonging to the City of Chicago, shall be disposed of at the sole expense of the persons, companies or corporations owning them in the following manner:

The railway and railroad companies herein mentioned shall give reasonable notice in writing, to the owner or owners of any wire or wires crossing the proposed elevated roadbed as aforesaid, to remove or change the location of said wires as hereinafter provided; and in case of the inability of said railway and railroad companies to ascertain the owner or owners of any one or more of said wires, they shall notify the Commissioner of Public Works of the City of Chicago in writing, of the character and location of the wires the ownership of which they are unable to ascertain, and the Commissioner of Public Works shall thereupon in turn cause said notice to be served on such owner or owners of said wires, and in case said Commissioner of Public Works shall be unable to ascertain the ownership of the wires designated in said notice served by said railway or railroad companies, as aforesaid, he shall dispose of said wires in a manner not to interfere with the work of said railway and railroad companies.

Promptly after the receipt of any notice aforesaid, from the railway or railroad companies, or said Commissioner of Public Works, the owner or owners of said wires shall place them and the poles carrying the same, temporarily, in such a position as to insure proper and safe clearance from the construction and equipment of the railway and railroad companies and to so continue them in such temporary condition until such time as the construction work of said railway and railroad companies has reached such a stage that the wires can be run underneath the roadbed and the tracks of said companies in conduits, the necessary consents being properly secured, or to pass them through the subways provided for in this ordinance. In the event that it is contemplated by the person or persons, corporation or corporations, owning the wires in complying with the provisions of this paragraph, to pass said wires through the subways in conduits, said conduits shall be entirely completed, including all necessary manholes, prior to the time the said companies begin the work of pav-

ing the subways and approaches. In the event, however, that the person or persons, corporation or corporations, owning the wires aforesaid, in complying with the provisions of this paragraph, elect to string said wires on the underside of the bridge structures supporting the tracks of said railway and railroad companies, the said wires shall be strung in a manner to be agreed upon between said owner or owners and said railway and railroad companies; and in case said owner or owners and said railway and railroad companies shall in any instance fail to agree in that particular, said wires shall be strung on the underside of the bridge structure supporting the tracks of said railway and railroad companies in such manner as the Commissioner of Public Works of the City of Chicago shall direct; provided, however, that in no case shall more than two (2) trolley wires be strung in any subway through which street railways pass.

All overhead wires or cables belonging to the City of Chicago which cross the proposed elevated roadbed and tracks of the railway and railroad companies mentioned in this ordinance, shall be disposed of in one of the manners hereinbefore provided, as the Commissioner of Public Works may direct; but at the sole expense of the company whose tracks said wires may cross.

SECTION 6. Paragraph 1. That provision shall be made for the drainage of the several subways wherever the streets are depressed, as provided for in this ordinance by the construction of receiving basins properly located in or immediately adjacent to said subways, which said receiving basins shall be connected with and discharge their contents into the adjacent city sewers.

In case the lowest point of the surface of any of such subways where the streets are depressed, as provided for in this ordinance, should be below the grade necessary to make proper connection with the adjacent sewer, some other adequate means of drainage shall be devised and provided by said railroad and railway companies at their expense.

Adequate provision shall be made at each of the subways provided for in this ordinance to prevent storm water from flowing over the copings and around the ends of abutments upon the sidewalks.

Paragraph 2. Any sewers or water mains lying below the surface of such streets as are not provided with subways under the terms of this ordinance, but which sewers or water mains pass under the tracks of said railroad and railway companies mentioned in this ordinance, shall be adequately protected by said companies by constructing over them arches of brick or concrete sufficiently strong to bear the loads of the proposed superimposed embankment.

SECTION 7. Paragraph 1. That the subways and the approaches thereto shall be constructed by said companies within the area to be covered by said subways and the approaches thereto in each of said streets and avenues aforesaid, so as to conform to the following structural requirements: The roadways in subways shall be paved with No. 2 granite block of standard quality and workmanship, laid at right angles with the curb lines and set upon a solid foundation of Portland cement concrete not less than six (6) inches thick or deep when solidly tamped in place and otherwise finished and properly crowned ready for the granite block wearing surface between which and the concrete there shall be interposed a layer of screened sand not less than one-half inch thick. The curbs and sidewalks in subways shall be constructed with Portland cement concrete of standard quality and workmanship and with the roadway paving shall be made, finished and put in permanent place in accordance with the standard specifications of the City of Chicago.

Wherever streets are depressed in subways, the approaches thereto and the sidewalks on said approaches shall be paved and constructed in the like manner as provided for paving and constructing the same in subways.

Said companies shall guarantee the improvement herein specified to be free from all defects and to remain in continuous good order for a period of ten years from and after the completion and acceptance by the city. Said companies shall, without cost or charge to the city, keep and maintain such improvement in such order and condition during said period as shall be satisfactory to the Commissioner of Public Works of the City of Chicago, ordinary wear excepted, such keeping and maintaining to include all repairs or the entire reconstruction of the improvement

when the necessity shall in the judgment of said Commissioner of Public Works be occasioned by or through the use of faulty or inferior material or workmanship; and conditioned further, that if said company or companies shall for a period of ten (10) days after being notified by said Commissioner of Public Works to repair said improvements, fail, neglect or refuse to make such repairs, the City of Chicago may make such repairs or have the same made, and said company or companies shall upon demand pay the cost thereof to the City of Chicago.

Nothing herein contained shall be held or construed to require said companies to repair or reconstruct any improvement herein specified which after its completion and acceptance it shall become necessary to repair or reconstruct by reason of any person laying or repairing any sewer, gas, water or other pipe or conduit under a permit issued by the city.

Paragraph 2. Said companies shall pave the entire length and width of the roadway in such portions of the subways and approaches as are required to be constructed by said companies, except that such companies shall not be required to pave any portion of the subways or approaches to be occupied by or which are adjacent to street railway tracks, which by reason of existing laws or ordinances it will be the duty of any street railway company or other corporation to pave.

Paragraph 3. Any street railway company or companies, occupying any of the streets in the City of Chicago crossed by said proposed elevated roadbed and tracks of said companies shall, when and as the grade of such street shall be changed as in this ordinance provided, at its own expense, without claim for damages, conform the grade of its track or tracks to the said change of grade of said streets, and nothing in this ordinance contained shall operate or be held to relieve any such street railway companies from any liability now existing, however created, to realign its or their track or tracks, to excavate or pave or bear the expense of realigning its or their track or tracks, or excavating or paving the subways and approaches between or on the outside of the rails, of its tracks; and, further, this provision shall be construed as including the excavation and paving of all the area within the inside rails of said street railway tracks in said subways and on said approaches developed by reason of the spread of said street railway tracks in said subways to provide proper and safe clearance from the posts or columns supporting the bridges carrying the elevated roadbed and tracks of said railway and railroad companies; said paving within said inside rails shall be in all respects as good as or conform to the specifications herein before drawn in Section 7, Paragraph 1, of this ordinance.

Paragraph 4. Nothing in this ordinance contained shall be so construed as to require the said railway and railroad companies to assume or pay any damages to adjacent or abutting property caused by the passage and enforcement of this ordinance, or by the excavation, elevation, depression or change of grade made in any of the public avenues, streets or alleys, or by the elevation of the roadbed and tracks of said railway and railroad companies as herein required to be elevated, or to defend any suit or suits which may be brought by or against any party or parties for the recovery of any such damages; but for and in consideration of the agreement by said railway and railroad companies to do and perform all the obligations imposed upon it by this ordinance, all such damages, if there be any, will be adjusted and paid by the City of Chicago and said City of Chicago will assume the defense of any and all suits brought for the recovery of the same, intervening therein if necessary for the purpose, and will wholly relieve said railway and railroad companies from defending the same and will assume and pay all judgments recovered therein, provided, however, that said companies shall be liable for such damages as may arise from the negligent performance by said company or companies of any of the obligations imposed by this ordinance, and further provided, however, that the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company agrees to indemnify and save harmless the City of Chicago from any and all lawful claim or claims of any kind or character that can or may be made on account of loss, damage or injury to property contiguous to the right of way of said railroad, by reason of the vacation of streets and alleys as herein provided or by reason of the construction of the subway and approaches at West 59th street.

The above stipulations in this paragraph contained are, however, made upon the condition precedent that in case any suit be brought against said company or companies, said company or companies will, providing it has been served with proper summons, at least five (5) days before the return day of the summons therein, give notice in writing, of such suit and of such service to the Mayor and the Corporation Counsel of said City of Chicago for the purpose of enabling such defense to be made by the city.

Paragraph 5. The said railway and railroad companies and any contractor employed by it or them in the execution of the work herein required to be done, shall have the right in the performance of such work to take water from the public water system of said city and to use the same in such work free of all charge or expense.

SECTION 8. That permission and authority are hereby given to said railway and railroad companies whenever the same shall be necessary in the prosecution of the work they are herein authorized or required to perform, to obstruct temporarily any public street, avenue or alley, to such extent and for such length of time as may be approved by the Commissioner of Public Works; and they are also hereby authorized whenever the same shall be necessary, to erect and maintain temporary tracks, structures and false work in any of said streets and avenues during the construction of their said elevated railroad, subject to the approval of said Commissioner of Public Works.

SECTION 9. Nothing in this ordinance named or contained shall be so construed as to prevent said railway and railroad companies from locating and constructing the abutments which form the walls of the subway at sufficient distance back from the building or lot line of the streets, boulevards or avenues, for the purpose of constructing and maintaining in the spaces or recesses so left between said abutments and said building lines, station buildings, with all necessary waiting rooms, and ticket offices or other buildings fronting on said streets, boulevards or avenues, uniform with the said building lines thereof and entirely within the lines limiting and bounding the right of way of said railway and railroad companies, and for the further purpose of constructing and maintaining within said lines stairways and approaches leading to and from said station buildings to the elevated platform and tracks above the same for the accommodation and convenience of the passenger traffic of said companies, or for any other purposes in connection with the efficient maintenance and operation of the lines.

SECTION 10. That when the said railway and railroad companies shall have elevated their roadbeds and tracks in accordance with the provisions of this ordinance so that the same shall be ready for use and so accepted by the Commissioner of Public Works of the City of Chicago, then and thereupon all provisions of the ordinance of the City of Chicago relating to the speed of railway trains, the length of trains, the number of cars to constitute a train, and the maintenance of gates, flagmen, watchmen, signals and signal towers, and the ringing of bells shall cease to be applicable to said railway and railroad companies. Provided, however, this ordinance is not to be construed as a waiver or surrender by the City of Chicago of any of its police powers or of the right at any time hereafter to pass necessary and reasonable police ordinances in relation to the matters last above enumerated. After such elevation it shall be unlawful for any person or persons save employes of said companies in the discharge of their duties to enter or be upon or to walk across or along the said elevated structure or roadway at any place. The railway and railroad companies are hereby required to light the subways provided for in Section 4a of this ordinance in the manner prescribed by ordinances now in force or that may hereafter be passed and in force relative to the lighting of railroad crossings.

SECTION 11. In consideration of the acceptance of this ordinance by the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, the Englewood Connecting Railway Company, the Baltimore and Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago, and the Chicago River and Indiana Railroad Company, Lessee, and of the agreement by said companies to do and perform all the obligations imposed upon them by this ordinance, the City of Chicago agrees that upon the lines of railway hereinbefore described, namely: The

Pittsburgh, Cincinnati, Chicago and St. Louis Railway and the Baltimore and Ohio Chicago Terminal Railroad, between Western avenue boulevard on the north and West Sixty-ninth street on the south; the Union Stock Yard and Transit Company of Chicago, and the Chicago River and Indiana Railroad, Lessee, between West Forty-third street on the north and the south line of West Forty-ninth street on the south, and the Englewood Connecting Railway between South Halsted street on the east and the Pittsburgh, Cincinnati, Chicago and St. Louis Railway on the west, if it shall at any time require a crossing or crossings at any street or streets, avenue or avenues, publicway or publicways, for which no subway is, or subways are, provided in the schedule of subways contained in this ordinance, or shall open, lay out or extend any street or streets, avenue or avenues, publicway or publicways, across the rights of way of said companies within the limits above mentioned in this section, such crossing or crossings shall be made by a subway or subways only, and no claim for compensation on account of land taken for right of way of said street or streets, avenue or avenues, publicway or publicways shall be made by said company or companies whose right of way or rights of way is or are to be crossed, and such waiver of compensation shall attach to and run with such land in the hands of any grantee or grantees of said railway or railroad company or companies.

The provision of this section, including the waiver of compensation for land taken for a street or streets shall apply only to land actually used or occupied for a railway right of way at the time of the opening of any such street or streets, avenue or avenues, publicway or publicways. But the sole cost and expense of the construction of such subway or subways and of such bridge or bridges as may be necessary to carry all the tracks on said companies' rights of way shall be borne and paid for by the City of Chicago without expense to said railway and railroad companies mentioned in this ordinance; and in no case shall any such subway or subways, bridge or bridges, so to be built be inferior in any respect to the bridges and subways to be built by the railway and railroad companies across streets provided for in this ordinance.

The work of such construction shall be done by the railway or railroad company, or companies, interested and the amount to be paid by the city for such work and construction shall not exceed the actual and reasonable cost thereof. Said bridges, respectively, shall support all the tracks of said company or companies then existing and in use across the lines of such proposed street or streets at the time of the construction of such subway across such right of way or yards of said railway or railroad company, or companies. But the said railway or railroad company, or companies, shall not be required to do any work towards the construction of any such subways until the cost thereof as may be estimated by the City Engineer and the Chief Engineer of said railway or railroad company, or companies, first shall have been paid over to said company, or companies, or deposited in some responsible bank for its or their benefit and to be paid over to it or them at once upon the completion of said work. The grade of the roadbeds and tracks of said company, or companies, shall be and remain at the grade hereinbefore specified.

SECTION 12. Paragraph 1. That the railway and railroad companies shall begin the actual work of construction not later than January 1, 1913, and shall diligently prosecute the same to completion and shall fully and finally complete the work of elevating their tracks as by this ordinance provided by December 31, 1918, unless prevented by strike or strikes, riot or riots, or other cause in this ordinance specified, or restrained by injunction or other order or process of a court of competent jurisdiction. The time during which said company or companies shall be prevented by strike or strikes, riot or riots, or such other causes, or legal proceedings as aforesaid, shall be added to the time hereby limited for said work; provided said railway or railroad company, or companies, give notice to the Corporation Counsel of the City of Chicago of said legal proceedings. The City of Chicago shall thereupon have the right to intervene in its own name or in the name of said company or companies in any suit or proceedings of which it has been notified as aforesaid, and move for a dissolution of such injunction or restraining order and for any other proper order in such suit.

Paragraph 2. And it is further provided that if said company or companies

shall be delayed in the prosecution of said work required to be done under the provisions of this ordinance, by reason of the obstruction of pipes, conduits, wires or other property of private corporations or individuals, as mentioned in Section 5 of this ordinance, or by reason of any delay on the part of the City of Chicago or any of its officers in performing the duties imposed upon the city and its officers by this ordinance, in respect to the work herein required to be done by said railway and railroad companies, then and in that case the time during which said company or companies shall be delayed shall be added to the time during which said company or companies are required by the terms of this ordinance to complete said work.

SECTION 12. That all the work hereinbefore required to be done by said railway and railroad companies upon or in connection with the public avenues and streets of the city, shall be done and performed under the superintendence and subject to the inspection and approval of the Commissioner of Public Works of the City of Chicago, without charge for the same.

At least ten (10) days prior to the commencement of any part of such work the plans and specifications therefor shall be submitted to said Commissioner of Public Works for his examination, and if found to be in accordance with the provisions of this ordinance, in so far as this ordinance contains specific provisions, if they shall be satisfactory to the Commissioner of Public Works, in regard to matters and details which by this ordinance are left to his discretion and judgment, such plans shall be approved by him and after such approval all of the work outlined and included therein shall be constructed in strict conformity therewith. Said plans to be known as "Filing Plans," shall embody:

First: A general plan or exhibit on a scale of one inch equals one hundred feet, of all right of way, tracks and appurtenances as they exist at the time work under this ordinance is begun within the limits prescribed by this ordinance.

Second: A general plan or exhibit, on a scale of one inch equals one hundred feet, of all right of way, tracks, retaining walls, abutments, fences and appurtenances as it is proposed to establish them in complying with the provisions of this ordinance.

Third: A detail drawing or exhibit of each subway provided for in this ordinance whose outside dimensions shall be twenty (20) inches in width by thirty-six (36) inches in length. Said detail drawings shall each embody the following features:

(a) A plan, on a scale of one inch equals twenty (20) feet of the subway, showing the number of tracks to be constructed across the street, the abutments, the end of the retaining walls, the location of the portals of the bridge superstructure and the columns to support same, the limits of the level floor of the subway measured from the bridge superstructure and from the nearest lot line to each end of the level floor of subway, (the reference to the nearest lot line in each case to be to the nearest foot) the length of each approach to the subway, the widths of roadway and sidewalks, both in subway and on the approaches, drainage provisions, all underground revisions and improvements, street car lines where they exist, et cetera;

(b) A cross section of the subway showing the dimensions of the subway specified in Section 4a, the elevation of the floor of the subway at the crown of same, the amount of crown of the roadway at catchbasins, the elevation of curbs, the rate of slope of the sidewalks, all underground revisions and improvements, et cetera;

(c) A longitudinal section of the subway and the approaches thereto, showing the elevation and grade of the crown of the subway floor, and of the bridge superstructure, the vertical curves connecting the level floor of the subways, and the original grade of the street, with the incline of the approaches, the length of the approaches, all underground revisions and improvements;

(d) Each subway drawing to bear in the title the date of passage of this ordinance;

(e) Blank spaces for signatures of the following city officers in the order listed:

Engineer of Track Elevation.
Commissioner of Track Elevation.
Engineer of Streets.
Superintendent of Streets.

Engineer of the Board of Local Improvements.

Superintendent of Sewers.

Engineer Water Pipe Extension.

Superintendent Water Pipe Extension.

City Engineer.

Commissioner of Public Works.

SECTION 14. That this ordinance shall be binding in all its terms, conditions and requirements upon, and inure to the respective lessees, successors and assigns of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, the Englewood Connecting Railway Company, the Baltimore and Ohio Chicago Terminal Railroad Company, the Union Stock Yard and Transit Company of Chicago, and the Chicago River and Indiana Railroad Company, Lessee, to the same effect and with like purpose as though said lessees, successors and assigns had been named herein respectively.

SECTION 15. That the railway and railroad companies required by this ordinance to elevate their tracks, shall do the work of elevating their tracks and such other work in accordance with the terms hereof, in apt and proper time. Should said company, or companies, fail or neglect so to prosecute their work, the Commissioner of Public Works shall have and is hereby given the right, power and authority to give to said company or companies, ten (10) days' notice in writing to prosecute such work. If after the expiration of the time mentioned in said notice, said company or companies shall fail or neglect to comply with said notice, the Commissioner of Public Works may take charge of and cause the work herein required by said company or companies to be done, to be performed, and thereupon the expense thereof shall be charged to such delinquent company or companies, and if such expense is not paid to the City of Chicago within ten (10) days after a demand therefor, said company or companies shall be liable to said City of Chicago in an action of assumpsit for the amount so expended.

SECTION 16. Whereas, certain alleys are legally open and platted across the right of way of the Englewood Connecting Railway Company at the time of the passage of this ordinance, namely:

The north and south alleys in McCarthy's Subdivision of the west half (W. ½) of the Southwest quarter (S. W. ¼) of the Northeast quarter (N. E. ¼) of Section seventeen (17), Township thirty-eight (38) North, Range Fourteen (14), east of the Third (3d) Principal Meridian, which alleys are further described as follows:

The north and south alley between Aberdeen street and May street from the south line of West Fifty-eighth street to the north line of West Fifty-ninth street.

The north and south alley between May street and Center avenue from the south line of West Fifty-eighth street to the north line of West Fifty-ninth street.

A north and south alley between Center avenue and Elizabeth street from the south line of West Fifty-eighth street to the north line of the right-of-way of the Englewood Connecting Railway.

Also the alleys in Dr. Snowden's Subdivision of the Southwest quarter (S. W. ¼) of the northwest quarter (N. W. ¼) of Section seventeen (17), Township thirty-eight (38) North, Range fourteen (14), east of the Third (3d) Principal Meridian, said alleys being further described as follows:

The north and south alley between Loomis street and Bishop street from the south line of West Fifty-eighth street to the north line of the east and west alley between the right of way of the Englewood Connecting Railway Company and West Fifty-ninth street.

The north and south alley between Bishop street and Laflin street from the south line of West Fifty-eighth street to the north line of the east and west alley between the right of way of the Englewood Connecting Railway Company and West Fifty-ninth street.

The north and south alley between Laflin street and Justine street from the south line of West Fifty-eighth street to the north line of West Fifty-ninth street.

The north and south alley between Justine street and Ashland avenue from the south line of West Fifty-eighth street to the north line of West Fifty-ninth street; and

WHEREAS, the ends of certain other alleys abutting on or crossing the right of way of the Englewood Connecting Railway Company are to be closed to the public by reason of the construc-

tion of the elevated embankments and retaining walls of said railway company, which alleys are described as follows:

The north and south alley between Halsted street and Green street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Green street and Peoria street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Peoria street and Sangamon street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Sangamon street and Morgan street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Morgan street and Carpenter street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Carpenter street and Aberdeen street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Elizabeth street and Throop street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Throop street and Ada street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Ada street and Loomis street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Marshfield avenue and Paulina street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Paulina street and Hermitage avenue from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Hermitage avenue and Wood street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Lincoln street and Winchester avenue from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

The north and south alley between Winchester avenue and Robey street from the south line of West Fifty-eighth street to the north line of the right of way of the Englewood Connecting Railway Company.

Turning basins at the ends of said alleys or exits from said alleys shall be provided for by the Englewood Connecting Railway Company, according to the provisions of this ordinance in one of three ways hereinafter specified, namely:

First: Said railway company may provide a turning space and dedicate to the public for public use as a part of said alleys a tract of land at least twenty-five feet by twenty-five feet (25′ x25′) in dimension adjoining said alleys within twenty-five feet (25′) from the north line of the right of way of the Englewood Connecting Railway Company, providing a turning basin at least twenty-five feet by forty-one feet (25′x 41′) in dimension at the points where each of said alleys shall be closed by the slope or retaining walls of its elevated roadbed.

Second: Said railway company may procure and dedicate to the public for use as a public alley a strip or strips of land sufficient to make an alley not less than sixteen feet (16′) in width within twenty-five feet (25′) of the right of way of said Englewood Connecting Railway Company, connecting the ends of said alleys which shall be cut off by the elevated roadbed with the nearest street; said alleys shall not connect one street

with another, but shall connect the end of the existing alley with one of the parallel and adjoining streets.

Third. Said railway company may construct subways beneath its proposed elevated tracks at the alleys herein referred to; said alley subways shall have a width between walls of 16.0 feet and a clear head-room of 11.0 feet.

SECTION 17. All portions of any streets or avenues or alleys extending into or across any of said lines of railway within the limits of the right of way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company and the Union Stock Yard and Transit Company of Chicago, and the Englewood Connecting Railway Company, and within the limits hereinafter described and shown in red on the plat hereto attached and made a part of this ordinance, except the streets and alleys enumerated above, in which subways are required to be constructed, shall be discontinued and vacated, including the discontinuance and vacation of:

All that part of West Forty-seventh place south of and adjoining the south line of lots twenty-four (24), twenty-five (25), and twenty-six (26), in B. F. Jacob's Subdivision of north half (N. ½) of block fourteen (14), (except therefrom the west seventeen (17) feet); and north of and adjoining the north line of lots twenty-one (21), twenty-two (22), and twenty-three (23), in Southgate's Subdivision of south half (S. ½) of block fourteen (14), (except therefrom the west seventeen (17) feet); also all that part of West Forty-seventh place south of and adjoining the south line of lots forty-one (41) to forty-six (46), both inclusive, in block one (1), and north of and adjoining the north line of lots one (1) to six (6), both inclusive, in block four (4) of McDavid & Rhoad's Subdivision of blocks fifteen (15) and sixteen (16), (except therefrom the lands of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company and Western avenue boulevard); also all that part of West Forty-eighth street south of and adjoining the south line of lots forty-one (41) to forty-six (46), both inclusive, in block four (4) of McDavid & Rhoad's Subdivision aforementioned, and north of and adjoining the north line of lots one (1) to six (6), both inclusive, in block one (1) in George and Wanner's Boulevard Subdivision, being a subdivision of block eighteen (18), (except therefrom the east seventeen (17) feet of the north half (N. ½) and the east fifty (50) feet of the south half (S. ½)); also all that part of West Forty-eighth street south of and adjoining the south line of lots twenty-four (24) to twenty-nine (29), both inclusive, of Southgate's Subdivision aforementioned, of south half (S. ½) of block fourteen (14), and north of and adjoining the north line of lots one (1) to six (6), both inclusive, in block one (1) of E. C. Huling's Subdivision of block nineteen (19), (except therefrom the west seventeen (17) feet thereof); also all of that part of West Forty-eighth place south of and adjoining the south line of lots forty-two (42) to forty-eight (48), both inclusive, of block one (1), and north of and adjoining the north line of lots one (1) to seven (7), both inclusive, of block two (2) in E. C. Huling's Subdivision aforementioned; also all that part of West Forty-eighth place south of and adjoining the south line of lots forty-one (41) to forty-six (46), both inclusive, in block one (1) of George and Wanner's Boulevard Subdivision aforementioned; also all that part of West Forty-ninth street south of and adjoining the south line of lot forty-eight (48) of block two (2) of E. C. Huling's Subdivision aforementioned; also all that part of West Forty-ninth street lying within the one hundred (100) foot right of way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, also all that part of West Forty-ninth place south of and adjoining the south line of lots one (1) to eight (8), both inclusive, (except therefrom the west five and two-tenths (5.2) feet of lot eight (8), and north of and adjoining the north line of Lots thirty-nine (39) to forty-six (46), both inclusive, (except therefrom the west five and fifteen one-hundredths (5.15) feet of lot thirty-nine (39)) in B. F. Jacob's Subdivision of block thirty-one (31), (excepting therefrom the rights of way of the C. & C. E. R. R. and the G. T. J. Railway); also all that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots twenty-one (21), twenty-two (22), and twenty-three (23), and north of and adjoining the north line of lots twenty-four (24), twenty-five (25) and twenty-six (26), in B. F. Jacob's Subdivision aforementioned; also all of that part of the east and west sixteen (16) foot

public alley south of and adjoining the south line of lots twenty (20) to twenty-three (23), both inclusive, and north of and adjoining the north line of lots twenty-four (24) to twenty-seven (27), both inclusive, in Southgate's Subdivision aforementioned; also all of that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to eight (8), both inclusive, and north of and adjoining the north line of lots forty-one (41) to forty-eight (48), both inclusive, in block one (1); also all of that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to four (4), both inclusive, and north of and adjoining the north line of lots forty-five (45) to forty-eight (48), both inclusive in Block two (2) of E. C. Holling's Subdivision aforementioned; also all those parts of the east and west sixteen (16) foot public alleys south of and adjoining the south line of lots one (1) to six (6), both inclusive and north of and adjoining the north line of lots forty-one (41) to forty-six (46), both inclusive, in blocks one (1) and four (4) of McDavid & Rhond's Subdivision aforementioned; also all that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to six (6), both inclusive, and north of and adjoining the north line of lots forty-one (41) to forty-six (46), both inclusive, of block one (1), of George and Wanner's Boulevard Subdivision aforementioned; also all of those parts of the east and west sixteen (16) foot public alleys north of and adjoining the north line of lots one (1) to eight (8), both inclusive, (except therefrom the west five and three-tenths (5.3) feet of lot eight (8)); and south of and adjoining the south line of lots thirty-nine (39) to forty-six (46), both inclusive, (except therefrom the west four and eighty-three one-hundredths (4.83) feet of lot thirty-nine (39)) in B. F. Jacob's Subdivision of block thirty-one (31) aforementioned; also all of that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to nine (9), both inclusive, and north of and adjoining the north line of lots thirty-eight (38) to forty-six (46), both inclusive, (except therefrom the west fifteen (15) feet of lots nine (9) and thirty-eight (38)); also all that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots forty-seven (47) to fifty-four (54), both inclusive, and north of and adjoining the north line of lots seventy-four (74) to eighty-one (81), both inclusive; all in Rand's Subdivision of block thirty-four (34), except one (1) acre in the southwest corner; all in Stone and Whitney's Subdivision of west half (W. ½) of southeast quarter (S. E. ¼) of Section six (6), and the north half (N. ½), and the west half (W. ½) of the southeast quarter (S. E. ¼) of Section seven (7), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian; also all that part of West Forty-ninth place lying within the right of way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company; also that part of West Forty-ninth place south of and adjoining the south line of lots twenty-six (26), twenty-seven (27) and twenty-eight (28), in block thirty-seven (37), and north of and adjoining the north line of lots twenty-three (23), twenty-four (24), and twenty-five (25) in block thirty-eight (38); also all those parts of the east and west sixteen (16) foot public alleys south of and adjoining the south line of lots twenty-four (24) and twenty-five (25), and north of and adjoining the north line of lots twenty-six (26) and twenty-seven (27) in block thirty-seven (37), and south of and adjoining the south line of lots twenty-three (23), twenty-four (24) and twenty-five (25), and north of and adjoining the north line of lots twenty-six (26), twenty-seven (27) and twenty-eight (28) in blocks thirty-eight (38), fifty-nine (59) and sixty (60), all in Chicago University Subdivision of south half (S. ½) of northeast quarter (N. E. ¼), and the west three-quarters (W. ¾) of south half (S. ½) of north half (N. ½) of northeast quarter (N. E. ¼), and the northwest quarter (N. W. ¼) of the northwest quarter (N. W. ¼) of the northeast quarter (N. E. ¼), and the southeast quarter (S. E. ¼) of the northwest quarter (N. W. ¼), of Section seven (7), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian; also all of that part of West Fifty-first place south of and adjoining the south line of lots forty-five (45) to forty-eight (48), both inclusive, (except therefrom the east nine and sixty-two one-hundredths (9.62) feet of said lot forty-five (45)), in Nutt and Wallack's Subdivision of west half (W. ½) of lots one (1) and

four (4) in N. P. Iglehart's Subdivision of southwest quarter (S. W. ¼) of Section seven (7), Township thirty-eight (38) North, Range fourteen (14), East of the third (3d) Principal Meridian; also all of that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to four (4), both inclusive, and north of and adjoining the north line of lots forty-five (45) to forty-eight (48), both inclusive, (except therefrom the east nine and sixty-three one-hundredths (9.63) feet of said lots four (4) and forty-five (45), in Nutt and Walleck's Subdivision aforementioned; also all of that part of West Fifty-first place south of and adjoining the south line of lots thirty-six (36) and thirty-seven (37), (except therefrom the west six and two-tenths (6.2) feet of said lot thirty-six (36)), in subdivision of lots two (2) and three (3) of N. P. Iglehart's Subdivision aforementioned, (except the east one hundred ten (110) feet of lot two (2) and the east one hundred eighty-two (182) feet of lot three (3), and except the west two hundred (200) feet of said lots); also all of that part of the east and west eight (8) and sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to five (5), both inclusive, and north of and adjoining the north line of lots thirty-six (36) and thirty-seven (37), (except the west two and six-tenths (2.6) feet of said lot thirty-six (36) and except the west two and five-tenths (2.5) feet of said lot five (5)), in the subdivision of lots two (2) and three (3) of N. P. Iglehart's Subdivision aforementioned; also all of that part of Warner street east of and adjoining the east line of lot one (1), and west of and adjoining the west line of lot fifty (50) in R. H. Milton's Addition to Chicago, being a subdivision of lots nine (9), ten (10), eleven (11) and twelve (12) in N. P. Iglehart's Subdivision aforementioned; also all that part of Warner street west of and adjoining the west line of lot fifty (50) in R. H. Milton's Addition to Chicago aforementioned, and east of and adjoining the east line of lot forty-two (42), and east of and adjoining said east line of said lot forty-two (42), produced south ten (10) feet in the subdivision of lots one (1) to forty-five (45), both inclusive, (except boulevard in subdivision of lot one (1) of N. P. Iglehart's Subdivision aforementioned; also all that part of the east and west ten (10) foot public alley south of and adjoining the south line of lots thirty-four (34) to forty-two (42), both inclusive, (except the west ten and one-tenth (10.1) feet of said lot thirty-four (34)), in the subdivision of lots one (1) to forty-five (45), both inclusive, (except boulevard in subdivision of lot one (1) of N. P. Iglehart's Subdivision aforementioned; also all of that part of West Fifty-third place north of and adjoining the north line of lots forty-three (43) to forty-seven (47), both inclusive, (except the east fifteen (15) feet of said lot forty-seven (47)), in McKay's Garfield Boulevard Addition, being a subdivision of lot twenty-one (21) of N. P. Iglehart's Subdivision aforementioned; also all that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots forty-three (43) to forty-seven (47), both inclusive, (except the east fifteen (15) feet of said lot forty-seven (47)), in McKay's Garfield Boulevard Addition aforementioned, and north of and adjoining the north line of lots thirty-nine (39) to forty-two (42), both inclusive, (except the east ten and two one-hundredths (10.02) feet of said lot thirty-nine (39)), in T. W. Kirby's Subdivision of lot twenty-four (24) of N. P. Iglehart's Subdivision aforementioned; also all that part of West Fifty-fourth place south of and adjoining the south line of lots seventy-two (72) to seventy-five (75), both inclusive, (except the east thirteen and eighteen one-hundredths (13.18) feet of said lot seventy-two (72)), in M. F. Dorman's Subdivision of lots twenty-five (25) and twenty-eight (28), in N. P. Iglehart's Subdivision aforementioned, and north of and adjoining the north line of lots one (1), two (2) and three (3), (except the east twenty-five and seventy-seven one-hundredths (25.77) feet of said lot three (3)), and also north of and adjoining the north line of said lot one (1) produced east sixteen (16) feet in Collins and Morris Subdivision of lots twenty-nine (29) and thirty-two (32), (except the east five (5) acres and the west fifty (50) feet thereof), in N. P. Iglehart's Subdivision aforementioned; also all of the north and south sixteen (16) foot public alley east of and adjoining the east line of lot one (1), and west of and adjoining the west line of lot two (2) and the west line of said lot two (2) produced south sixteen (16) feet in Collins and Morris Subdivision afore-

mentioned; also all of that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots two (2) and three (3), (except the east twenty-five and seventy-seven one-hundredths (25.77) feet of said lot three (3)), in Collins and Morris Subdivision aforementioned; also all of South Leavitt street as laid out in blocks one (1) and three (3) in Edward's Boulevard Addition to Chicago, being a subdivision of lots twenty-seven (27), thirty (30) and thirty-one (31) of N. P. Iglehart's Subdivision aforementioned; also all of that part of West Fifty-fourth place south of and adjoining the south line of lots twenty-four (24) to twenty-seven (27), both inclusive, in block one (1), and north of and adjoining the north line of lots one (1) to four (4), both inclusive, in block three (3), in Edwards' Boulevard Addition to Chicago aforementioned; also all of that part of the eight (8) foot east and west public alley north of and adjoining the north line of lots twenty-four (24) to twenty-seven (27), both inclusive, in block one (1); also all of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots one (1) to four (4), both inclusive, and north of and adjoining the north line of lots twenty-seven (27) to thirty (30), both inclusive, in block three (3), in Edwards' Boulevard Addition to Chicago aforementioned; also all of that part of South Irving avenue as laid out in blocks one (1), two (2), seven (7) and eight (8) in Tremont Ridge, being a subdivision of southwest quarter (S. W. ¼) of northwest quarter (N. W. ¼) of Section eighteen (18), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian, (except the north five (5) acres); also all of that part of West Fifty-eighth street as laid out in Tremont Ridge aforementioned, lying between the east line of lots one (1) and eight (8) produced north and south, and between the east line of the sixteen (16) foot public alleys as laid out in blocks two (2) and seven (7) in Tremont Ridge aforementioned; also all that part of West Sixty-first street south of and adjoining the south line of block "A" of Dewey's Subdivision of northwest quarter (N. W. ¼) of southwest quarter (S. W. ¼) of Section eighteen (18), Township thirty-eight (38) North, Range fourteen (14), East of the Third Principal Meridian, (except the right of way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company), and north of and adjoining the north line of the east three hundred forty (340) feet of block three (3) of the subdivision of the south half (S. ½) of the southwest quarter (S. W. ¼) of Section eighteen (18), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian; also all of that part of West Sixty-second street south of and adjoining the south line of the east three hundred forty (340) feet of block three (3), and north of and adjoining the north line of the east three hundred forty (340) feet of block six (6) in the subdivision of the south half (S. ½) of the southwest quarter (S. W. ¼) of Section eighteen (18), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian; also all of that part of the south half (S. ½) of West Sixty-first street as laid out in E. A. Cumming's Subdivision of blocks two (2) and seven (7), blocks three (3) and six (6), (except the east three hundred forty (340) feet thereof), and lots one (1) and two (2), block five (5), all in the subdivision of the south half (S. ½) of the southwest quarter (S. W. ¼) of Section eighteen (18), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian, lying between the west line produced north of lot one hundred forty-eight (148) and the east line produced north of lot ninety-four (94) in E. A. Cumming's Subdivision aforementioned; also all of that part of West Sixty-second street lying between the west line of lots one hundred forty-seven (147) and one hundred forty-eight (148) produced north and south, and between the east line of lots one hundred eighteen (118) and one hundred nineteen (119) produced north and south; also all of that part of South Hamilton avenue lying between the east line of lots ninety-five (95) to one hundred eighteen (118), both inclusive, and the west line of lots seventy-one (71) to ninety-four (94), both inclusive; and also all of the sixteen (16) foot north and south public alley east of and adjoining the east line of lot one hundred forty-eight (148), and west of and adjoining the west line of lots ninety-five (95) to one hundred eighteen (118), both inclusive; also all of the north and south public alley east of and adjoining the east line of lot one hundred forty-seven (147), and west of and adjoining the west line of lots one hundred nineteen

(119) to one hundred thirty-six (136), both inclusive; also all of the sixteen (16) foot east and west public alley north of and adjoining the north line of lots one hundred thirty-seven (137) to one hundred forty-six (146), both inclusive, and south of and adjoining the south line of lots one hundred and thirty-six (136) and one hundred forty-seven (147), all in E. A. Cumming's Subdivision aforementioned; also all of that part of South Leavitt street lying between the north line of block twelve (12) produced west, and the south line of block twenty-one (21) produced west; also all of that part of South Leavitt street lying between the north line of block thirteen (13) produced east, and the south line of block twenty (20) produced east, also all of that part of South Leavitt street lying between the north line of block forty-four (44) produced west, and the south line of block fifty-three (53) produced west; also all of that part of South Leavitt street lying between the north line of block forty-five (45) produced east, and the south line of block fifty-two (52) produced east; also all of that part of West Sixty-fourth street north of and adjoining the north line of the west one hundred twenty-two (122) feet of block twenty-one (21), and south of and adjoining the south line of the west one hundred twenty-two (122) feet of block twelve (12); also all of that part of West Sixty-fourth street south of and adjoining the south line of the east thirty-five (35) feet of lot twenty-four (24), in block thirteen (13), and north of and adjoining the north line of the east thirty-five (35) feet of lot one (1), in block twenty (20), also all of that part of West Sixty-sixth street south of and adjoining the south line of lot twenty-four (24), in block forty-four (44), and north of and adjoining the north line of lot one (1), in block fifty-three (53); also all that part of West Sixty-sixth street south of and adjoining the south line of the east thirty-five (35) feet of lot twenty-four (24), in block forty-five, and north of and adjoining the north line of the east thirty-five (35) feet of lot one (1), in block fifty-two (52), also all that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots five (5) to nine (9), both inclusive, in block twelve (12); also all that part of the east and west sixteen (16) foot public alley south of and adjoining the south line of lots five (5), [illegible] (6), all in South Lyons, being Van's Subdivision of the north half (N. ½) of Section nineteen (19), Township thirty-eight (38) North, Range fourteen (14) East of the Third (3d) Principal Meridian; also all of that part of South Leavitt street lying between the north line of lot forty-six (46) produced west, and the south line of lot one hundred thirty-nine (139) produced west; also all of that part of West Sixty-seventh place south of and adjoining the south line of lots forty-seven (47) to fifty-six (56), both inclusive, and north of and adjoining the north line of lots one hundred twenty-nine (129) to one hundred thirty-eight (138), both inclusive; also all of that part of the sixteen (16) foot east and west public alley south of and adjoining the south line of lots thirty-seven (37) to forty-six (46), both inclusive, and north of and adjoining the north line of lots forty-seven (47) to fifty-six (56), both inclusive; also all of that part of the sixteen (16) foot east and west public alley south of and adjoining the south line of lots one hundred twenty-nine (129) to one hundred thirty-eight (138), both inclusive, and north of and adjoining the north line of lots one hundred thirty-nine (139) to one hundred forty-eight (148), both inclusive, all in Allerton's Englewood Addition to the southwest quarter (S. W. ¼) of Section nineteen (19), Township thirty-eight (38) North, Range fourteen (14) East of the Third (3d) Principal Meridian; also all of that part of South Leavitt street lying between the north line of lot two hundred thirty (230) produced west, of Allerton's Englewood Addition aforementioned, and the north line of block one (1) of Peter's Re-Subdivision of lots three hundred twenty-one (321), three hundred twenty-two (322), three hundred twenty-three (323) and three hundred twenty-four (324), in Allerton's Englewood Addition, etc.; also all of that part of West Sixty-eighth place south of and adjoining the south line of lots two hundred thirty-one (231) to two hundred forty (240), both inclusive, and north of and adjoining the north line of lots three hundred thirteen (313) to three hundred twenty-two (322), as originally laid out, both inclusive; also all of that part of the sixteen (16) foot east and west public alley south of lots two hundred twenty-one (221) to two hundred thirty (230), both inclusive, and north of and adjoining the north line of

lots two hundred thirty-one (231) to two hundred forty (240), both inclusive; also all of that part of the sixteen (16) foot east and west public alley south of and adjoining the south line of lots three hundred eleven (311) to three hundred twenty (320), both inclusive, and north of and adjoining the north line of lots three hundred twenty-five (325) to three hundred thirty-four (334), both inclusive, all in Allerton's Englewood Addition aforementioned; also all of that part of South Leavitt street as laid out in Peter's Resubdivision of lots three hundred twenty-one (321), three hundred twenty-two (322), three hundred twenty-three (323) and three hundred twenty-four (324), in Allerton's Englewood Addition aforementioned; also all of that part of South Leavitt street lying between the north line of lot four hundred fourteen (414) produced west and the south line of lot five hundred seven (507) produced west, and between the north line of lot five hundred ninety-eight (598) produced west and the south line of lot six hundred ninety-one (691) produced west; also all of that part of West Sixty-ninth place south of and adjoining the south line of lots four hundred fifteen (415) to four hundred eighteen (418), both inclusive, and north of and adjoining the north line of lots five hundred three (503) to five hundred six (506), both inclusive; also all of that part of the sixteen (16) foot east and west public alley south of and adjoining the south line of lots four hundred ten (410) to four hundred fourteen (414), both inclusive, and north of and adjoining the north line of lots four hundred fifteen (415) to four hundred nineteen (419), both inclusive; also all of that part of the sixteen (16) foot east and west public alley south of and adjoining the south line of lots five hundred four (504), five hundred five (505) and five hundred six (506), and north of and adjoining the north line of lots five hundred seven (507), five hundred eight (508) and five hundred nine (509); also all of that part of the sixteen (16) foot east and west public alley south of and adjoining the south line of lot five hundred ninety-eight (598), and north of and adjoining the north line of lot five hundred ninety-nine (599), all in Allerton's Englewood Addition aforementioned; also all of that part of the thirty (30) foot east and west public alley north of and adjoining the north line of lot three hundred thirty-one (331), and also all of that part of the thirty (30) foot east and west public alley south of and adjoining the south line of lot three hundred thirty (330), both in Englewood on the Hill Fourth Addition, being a subdivision of north thirty-nine and twelve one-hundredths (39.12) acres of northwest quarter (N. W. ¼) of southwest quarter (S. W. ¼) of Section nineteen (19), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian, together with lot "A" in Englewood on the Hill Third Addition; also all of that part of the thirty (30) foot east and west public alley north of and adjoining the north line of lot three hundred thirty-one (331); also all of that part of the thirty (30) foot east and west public alley south of and adjoining the south line of lot three hundred thirty (330) in Englewood on the Hill Third Addition, being a subdivision of the west half (W. ½) of the southwest quarter (S. W. ¼) of Section nineteen (19), Township thirty-eight (38) North, Range fourteen (14), East of the Third (3d) Principal Meridian, (except the north thirty-nine and twelve one-hundredths (39.12) acres thereof); said parts of said streets being further described as the east one hundred fifty-five and six-tenths (155.6) feet, more or less, of that part of West Forty-seventh place, West Forty-eighth street and West Forty-ninth place lying between the east line of South Oakley avenue and the west line of the right of way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company; also the west eighty-one (81) feet, more or less, of that part of West Forty-seventh place lying between the west line of South Hoyne avenue and the east line of the right of way of the said railroad; also the west one hundred and fifty-six (156) feet, more or less, of that part of West Forty-eighth street lying between the west line of South Hoyne avenue and the east line of the right of way of the said railroad; also the west one hundred and sixty-eight and four-tenths (168.4) feet, more or less, of that part of West Forty-eighth place lying between the west line of South Hoyne avenue and the east line of the right of way of the said railroad; also the west forty-one and four-tenths (41.4) feet, more or less, of that part of West Forty-ninth street lying between the west line of South Hoyne avenue and the east line of the

right of way of said railroad; also the west sixty-eight (68) feet, more or less, of that part of West Forty-ninth place lying between the west line of South Hoyne avenue and the east line of the right of way of the said railroad; also the east two hundred (200) feet, more or less, of that part of West Forty-ninth place lying between the east line of South Oakley avenue and the west line of the right of way of the said railroad; also the west ninety (90) feet, more or less, of that part of West Fifty-first place lying between the west line of South Hoyne avenue and the east line of the right of way of the said railroad; also the east sixty-eight (68) feet, more or less, of that part of West Fifty-first place lying between the east line of South Oakley avenue and the west line of the right of way of said railroad; also all that part of Warner street extending north from the north line of West Fifty-second street one hundred and twenty-five (125) feet, more or less, and south of the south line of West Fifty-second street a distance of one hundred and twenty-five (125) feet, more or less; also the west one hundred and five (105) feet, more or less, of that part of West Fifty-third place and West Fifty-fourth place lying between the west line of South Hoyne avenue and the east line of the right of way of said railroad; also all that part of South Leavitt street lying between the north line of West Garfield boulevard and the south line of West Fifty-fourth street extended; also the east ninety-nine and three-tenths (99.3) feet, more or less, of that part of West Fifty-fourth place lying between the east line of South Oakley avenue, and the west line of South Leavitt street; also that part of South Irving avenue lying between the north line of West Fifty-ninth street and the south line of West Fifty-seventh street extended; also all that part of West Fifty-eighth street extending east from the east line of South Irving avenue a distance of one hundred and eighty-two (182) feet, more or less, and west from the west line of South Irving avenue a distance of one hundred and forty-two (142) feet, more or less; also the east three hundred and forty (340) feet, more or less, of that part of West Sixty-first street and West Sixty-second street lying between the east line of South Oakley avenue and the west line of the right of way of said railroad; also all that part of West Sixty-first street lying between the west line of the north and south sixteen (16) foot public alley west of South Hoyne avenue, and the east line of the right of way of the said railroad; also all that part of West Sixty-second street lying between the west line of South Hamilton avenue and the east line of the right of way of the said railroad; also all that part of South Hamilton avenue lying between the south line of West Sixty-first street and the north line of West Sixty-second street; also all that part of South Leavitt street lying between the south line of West Sixty-third street and the north line of West Sixty-fifth street, and between the south line of West Sixty-fifth street and the north line of West Sixty-seventh street; also the west one hundred and twenty-two (122) feet, more or less, of that part of West Sixty-fourth street lying between the west line of South Hamilton avenue and the east line of South Leavitt street, and the east thirty-five (35) feet, more or less, of that part of West Sixty-fourth street and West Sixty-sixth street lying between the east line of South Irving avenue and the west line of South Leavitt street; also all that part of West Sixty-sixth street lying between the west line of South Hamilton avenue and the east line of South Leavitt street; also all that part of South Leavitt street lying between the south line of West Sixty-seventh street and the north line of West Sixty-eighth street, and between the south line of West Sixty-eighth street and the north line of West Sixty-ninth street, and between the south line of West Sixty-ninth street, and the north line of West Seventieth street, and also between the south line of West Seventieth street and the north line of West Seventy-first street; also the west two hundred and fifty (250) feet, more or less, of that part of West Sixty-seventh place and West Sixty-eighth place lying between the west line of South Hoyne avenue and the east line of South Leavitt street; also the west one hundred (100) feet, more or less, of that part of West Sixty-ninth place lying between the west line of South Hoyne avenue and the east line of South Leavitt street; also all that part of West Forty-ninth place and West Forty-ninth street lying within the right of way of the said railroad; said parts of said alleys being further described as the east one hundred and fifty-five and six-tenths (155.6) feet, more or less, of the east

and west public alleys in the three blocks bounded by West Forty-seventh street, West Forty-eighth place, the west line of the right of way of said railroad and South Oakley avenue; also the west eighty-one (81) feet, more or less, of the east and west public alley in the block bounded by West Forty-seventh street, West Forty-seventh place, South Hoyne avenue and the right of way of the said railroad; also the west one hundred and six (106) feet, more or less, of the east and west public alley in the block bounded by West Forty-seventh place, West Forty-eighth street, South Hoyne avenue and the right of way of the said railroad; also the west one hundred and ninety-two (192) feet, more or less, of the east and west public alley in the block bounded by West Forty-eighth street, West Forty-eighth place, South Hoyne avenue and the right of way of the said railroad; also the west ninety-six and four-tenths (96.4) feet, more or less, of the east and west public alley in the block bounded by West Forty-eighth place, West Forty-ninth street, South Hoyne avenue and the right of way of the said railroad; also the west forty-four and two-tenths (44.2) feet, more or less, of the east and west public alley in the block bounded by West Forty-ninth street, West Forty-ninth place, South Hoyne avenue and the right of way of the said railroad; also the east two hundred (200) feet, more or less, of the east and west public alleys in the four (4) blocks bounded by West Forty-ninth street, West Fifty-first street, the right of way of the said railroad and South Oakley avenue; also the west sixty-eight (68) feet, more or less, of the east and west public alleys in the three (3) blocks bounded by West Forty-ninth place, West Fifty-first street, South Hoyne avenue and the right of way of the said railroad; also the east one hundred and forty (140) feet, more or less, of the east and west public alley in the block bounded by West Fifty-first street, West Fifty-first place, the right of way of said railroad and South Oakley avenue; also the west ninety (90) feet, more or less, of the east and west public alley in the block bounded by West Fifty-first street, West Fifty-first place, South Hoyne avenue and the right of way of the said railroad; also the east two hundred and seventeen (217) feet, more or less, of the east and west public alley in the block bounded by West Fifty-second street, West Fifty-third street extended, Warner street extended and South Oakley avenue extended; also the west one hundred and five (105) feet, more or less, of the east and west public alleys in the two (2) blocks bounded by West Fifty-third place, West Fifty-fourth place, South Hoyne avenue and the right of way of the said railroad; also all of the north and south public alley and the west thirty-five feet, more or less, of the east and west public alley in the block bounded by West Fifty-fourth place, West Garfield boulevard, South Hoyne avenue and the right of way of the said railroad; also the east ninety-nine and three-tenths (99.3) feet, more or less, of the east and west public alleys in the two blocks bounded by West Fifty-fourth street extended, West Garfield boulevard, South Leavitt street extended, and Gage Park avenue extended; also all of the public alleys in the two blocks bounded by West Sixty-first street, West Sixty-third street, South Hamilton avenue and the right of way of the said railroad; also all of the public alley in the block bounded by West Sixty-third street, West Sixty-fourth street, South Leavitt street and South Irving avenue; also the west one hundred and twenty-two (122) feet, more or less, of the east and west public alley in the block bounded by West Sixty-third street, West Sixty-fourth street, South Hamilton avenue and South Leavitt street; also the west two hundred and fifty (250) feet, more or less, of the east and west public alleys in the four (4) blocks bounded by West Sixty-seventh street, West Sixty-ninth street, South Hoyne avenue and South Leavitt street; also all of the east and west thirty (30) foot public alleys in the four (4) blocks bounded by West Sixty-seventh street, West Seventy-first street, the right of way of the said railroad and South Irving avenue; also the west one hundred and twenty-five (125) feet, more or less, of the east and west public alley in the block bounded by West Sixty-ninth street, West Sixty-ninth place, South Hoyne avenue and South Leavitt street; also the west seventy-five (75) feet, more or less, of the east and west public alley in the block bounded by West Sixty-ninth place, West Seventieth street, South Hoyne avenue and South Leavitt street; also the west twenty-five (25) feet, more or less, of the east and west public alley in the block bounded by West Seventieth street, West

Seventieth place, South Hoyne avenue and South Leavitt street; as colored in red and indicated by the words "To be Vacated" on the plat hereto attached, which plat for greater certainty is hereby made a part of this ordinance.

The vacation of those portions of any east and west streets hereinbefore mentioned to be vacated, lying west of the present right of way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company and between West Forty-seventh street and West Forty-ninth street, or lying south of West Forty-ninth street and either east of the said present right of way of said Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company or west of the right of way of the Baltimore & Ohio Chicago Terminal Railroad Company, shall be conditional upon the acquisition and proper dedication by the said railroad or railway companies respectively to the public for use as a public street or alley of the strip or strips of land described as follows:

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Forty-seventh street and West Forty-seventh place with either West Forty-seventh street or West Forty-seventh place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Forty-seventh place and West Forty-eighth street with either West Forty-seventh place or West Forty-eighth street.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said alley to connect the east and west alley between West Forty-ninth street and West Forty-ninth place with West Forty-ninth place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said alley to connect the east and west alley between West Forty-ninth place and West Fiftieth street with either West Forty-ninth place or West Fiftieth street.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said alley to connect the east and west alley between West Fiftieth street and West Fiftieth place with either West Fiftieth street or West Fiftieth place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said alley to connect the east and west alley between West Fiftieth place and West Fifty-first street with either West Fiftieth place or West Fifty-first street.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said alley to connect the east and west alley between West Fifty-first street and West Fifty-first place with either West Fifty-first street or West Fifty-first place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said alley to connect the east and west alley south of West Fifty-second street with West Fifty-second street.

A North and South Street not less than 23.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said street to connect the alley north of West Fifty-fourth place with West Fifty-fourth place.

A North and South Street not less than 23.0 feet in width between Leavitt street and Oakley avenue, west of and adjoining the property of the Baltimore & Ohio Chicago Terminal Railroad Company, said street to extend from the south line of West Fifty-fourth place to the north line of West Fifty-fifth street.

An East and West Alley not less than 16.0 feet in width, south of and adjoining the north five (5) acres of the southwest quarter (S. W. ¼) of the northwest quarter (N. W. ¼) of Section eighteen (18), Township thirty-eight (38) North, range fourteen (14), East of the Third (3d) Principal Meridian; said alley to extend from the east line of Oakley avenue to the west line of the north and south alley east of Oakley avenue.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Forty-ninth place and West Fiftieth street with either West Forty-ninth place or West Fiftieth street.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Fiftieth street and West Fiftieth place with either West Fiftieth street or West Fiftieth place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Fiftieth place and West Fifty-first street with either West Fiftieth place or West Fifty-first street.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Fifty-first street and West Fifty-first place with either West Fifty-first street or West Fifty-first place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Fifty-third place and West Fifty-fourth street with either West Fifty-third place or West Fifty-fourth street.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to connect the east and west alley between West Fifty-fourth street and West Fifty-fourth place with either West Fifty-fourth street or West Fifty-fourth place.

A North and South Alley not less than 16.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said alley to extend from the south line of West Fifty-fourth place to the north line of the east and west alley between West Fifty-fourth place and West Fifty-fifth street.

A North and South Street not less than 23.0 feet in width between Leavitt street and Hoyne avenue, east of and adjoining the property of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, said street to extend from the south line of West Sixty-seventh street to the north line of West Seventy-first street.

All the dedications herein made and provided for shall be shown upon a plat or plats to be properly executed and acknowledged by said Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company, the Englewood Connecting Railway Company, the Baltimore & Ohio Chicago Terminal Railroad Company and the Union Stock Yard and Transit Company of Chicago respectively, and filed with the Recorder of Deeds of Cook County, Illinois, within six (6) months from the date of the acceptance of this ordinance, and such vacation of any part of any street or alley shall not be in force and effect until such railway and railroad companies respectively, have acquired by purchase or otherwise, all the property abutting on any such part, to be vacated, of said street or alley; provided that properly executed and acknowledged plats showing the vacations of the various streets and alleys, and parts of streets and alleys, herein provided for, shall be filed for record in the office of the Recorder of Deeds of Cook County, Illinois.

Provided, however, that in case of the railroad and railway companies men-

tioned in this ordinance shall fail to acquire the property required hereinbefore to be dedicated, within six (6) months after the acceptance of this ordinance, then the same shall be condemned by the City of Chicago for street purposes and the compensation or damage awarded in such proceedings, including court costs and all other expense of litigation that may be incurred in such condemnation proceedings, shall be paid by said railway and railroad companies, and said railway and railroad companies shall have the right to take part in said condemnation proceedings in behalf of the city by counsel especially employed by it, and shall have the right to have all witnesses that it may name called to testify in said condemnation proceedings. It shall be the duty of said railway and railroad companies mentioned in this ordinance to give notice in writing to the Corporation Counsel of the City of Chicago of all cases where said companies have failed to acquire the property herein required to be dedicated for street purposes, and said condemnation proceedings shall thereupon be started by the Corporation Counsel of the City of Chicago to condemn the property herein required for street purposes.

SECTION 18. This ordinance shall take effect from and after its passage, approval and publication; provided, however, that it shall be null and void as to the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company and the Englewood Connecting Railway Company unless said railway companies shall within sixty (60) days from and after the passage and approval by the Mayor of this ordinance, file through their duly authorized officers with the City Clerk of the City of Chicago, their respective agreement, or agreements, duly executed, whereby they shall undertake to do and perform all the matters and things required of them by this ordinance; and provided further, that this ordinance shall be null and void as to the Baltimore & Ohio Chicago Terminal Railroad Company unless said railroad company shall file within the same time and in the same manner its agreement duly executed, whereby it shall undertake to do and perform all the matters and things required of it by this ordinance.

The Union Stock Yard and Transit Company of Chicago has already undertaken to do and perform all the matters and things required of it by this ordinance, by its acceptance of the ordinance passed March 18, A. D. 1902, and published on pages 2654 to 2656, both inclusive, of the Council Proceedings of the City of Chicago for the year 1901-1902, and the ordinance passed December 16, A. D. 1907, and published on pages 3565 and 3566 of the Council Proceedings of the City of Chicago for the year 1907-1908. After the filing of such agreement or agreements by said companies, this ordinance shall not be materially modified or amended unless said company or companies shall be in default in the performance of the several matters and things required by this ordinance and undertaken to be done by such agreement.

The failure or default of any of said companies to file such agreement or agreements within the time herein limited shall not void or impair any of the rights hereunder of the several railroad and railway companies which shall have filed their agreement or agreements, as hereinbefore specified, so long as they shall perform the matters and things expressly required of them by this ordinance.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Nothing in this ordinance contained shall be a waiver or surrender of the police power of the City or be taken in any way to deprive the City of the right to properly exercise such power.

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## MISCELLANEOUS BUSINESS.

### UNFINISHED BUSINESS RECOMMITTED.

By unanimous consent, Ald. Richert presented the following resolution, which was, on motion, duly adopted:

*Resolved*, That all matters of unfinished business now pending before this Council be recommitted to the respective committees from whence they came, and that all ordinances submitted by the Board of Local Improvements and now pending before this Council be recommitted to the said Board.

### TIME FIXED FOR THE NEXT REGULAR MEETING.

Ald. Richert presented an ordinance providing that the next regular meeting of the Council to be held after the regular meeting held Monday, April 22,

Exhibit C

Legal Description of the 79th Street Parcel

THE 100 FEET WIDE NORTH-SOUTH RAILROAD RIGHT OF WAY RUNNING THROUGH THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH LIES EAST OF AND ADJOINING BLOCKS 13, 20, 45, AND 52 AND WHICH LIES WEST OF AND ADJOINING BLOCKS 12, 21, 44 AND 53 OF DEWEY AND VANCE SUBDIVISION IN THE SOUTH HALF OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPT THAT PART FALLING NORTHERLY OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 15 OF HARRY M. QUINN, INC. SECOND ADDITION ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1944 AS DOCUMENT NUMBER 13298779) ALL IN COOK COUNTY, ILLINOIS.
CONTAINING 5.917 ACRES, OR 257,742 SQUARE FEET, MORE OR LESS.

AND ALSO

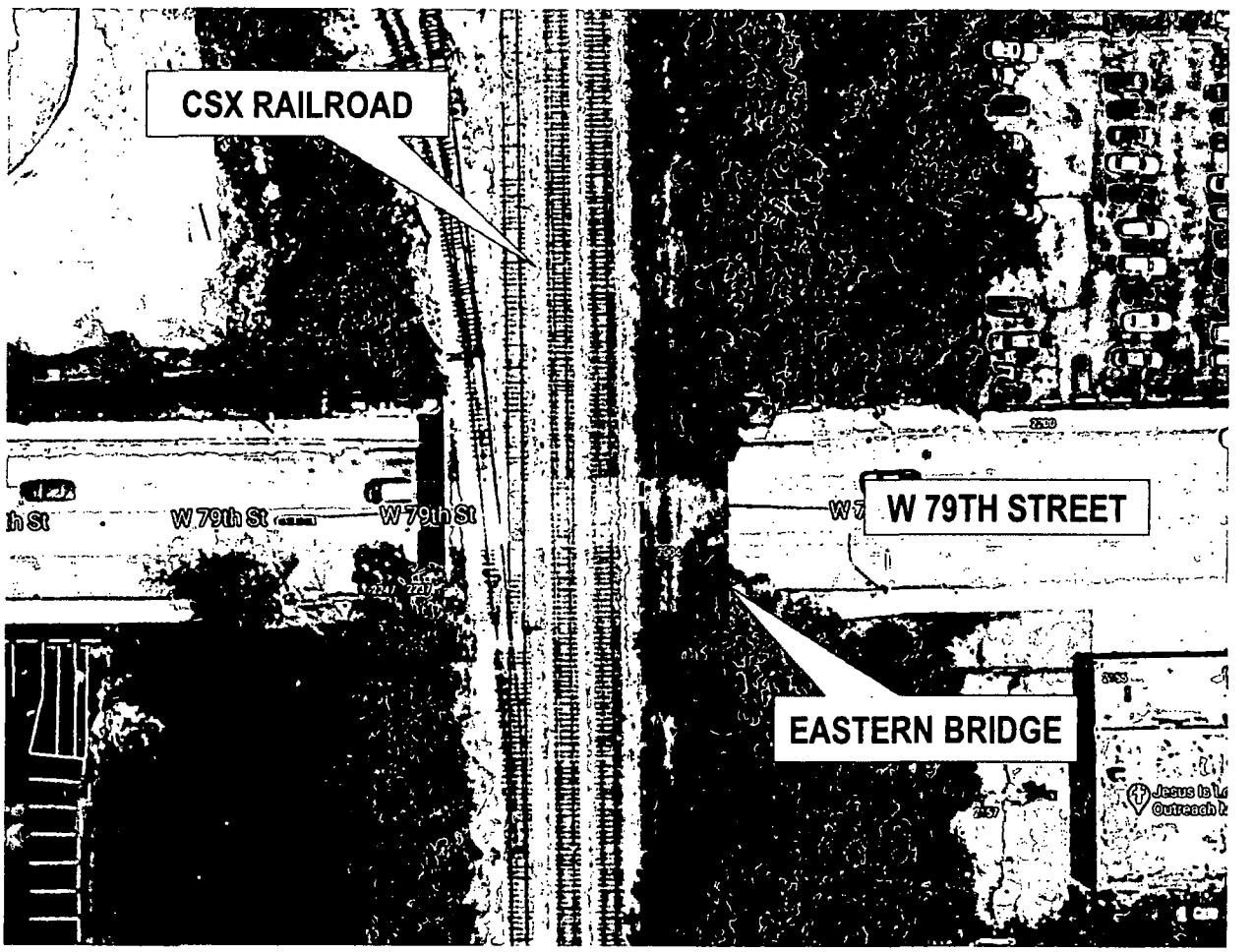
THE 100 FEET WIDE NORTH-SOUTH RAILROAD RIGHT OF WAY RUNNING ALONG THE CENTER LINE OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES NORTH OF THE NORTH LINE EXTENDED WEST OF BLOCK 7 IN HUNTER'S SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART THEREOF FALLING SOUTHERLY OF THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF 80TH PLACE IN C.H. BECKWITH'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED JULY 1, 1873 AS DOCUMENT NUMBER 112054), ALL IN COOK COUNTY, ILLINOIS.
CONTAINING 2.126 ACRES, OR 92,601 SQUARE FEET, MORE OR LESS.

AND EXCEPTING THEREFROM

THE SOUTH 33.00 FEET OF THAT PART OF THE 100 FEET WIDE NORTH-SOUTH RAILROAD RIGHT OF WAY RUNNING THROUGH THE SOUTHWEST QUARTER OF SECTION 30, AND THE NORTH 33.00 FEET OF THE 100 FEET WIDE NORTH-SOUTH RAILROAD RIGHT OF WAY RUNNING ALONG THE CENTER LINE OF THE NORTHWEST QUARTER OF SECTION 31, ALL IN TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

Exhibit D

Depiction of the Eastern Bridge



# CITY OF CHICAGO
# ECONOMIC DISCLOSURE STATEMENT
# AND AFFIDAVIT

## SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

CSX Transportation, Inc.

**Check ONE of the following three boxes:**

Indicate whether the Disclosing Party submitting this EDS is:

1. ☑ the Applicant

OR

2. ☐ a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name: _____

OR

3. ☐ a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1)) State the legal name of the entity in which the Disclosing Party holds a right of control:

_____

B. Business address of the Disclosing Party: 500 Water Street, J-150
Jacksonville, Florida 32202

C. Telephone: 904-359-1233 Fax: 904-359-7518 Email: kim_bongiovanni@csx.com

D. Name of contact person: Kim Rice Bongiovanni

E. Federal Employer Identification No. (if you have one): _____

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

Ordinance amendment and easement for property between 69th and 79th Streets and the mainline east of Bell Avenue.

G. Which City agency or department is requesting this EDS? Transportation

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # N/A and Contract # N/A

## SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- ☐ Person
- ☐ Publicly registered business corporation
- ☑ Privately held business corporation
- ☐ Sole proprietorship
- ☐ General partnership
- ☐ Limited partnership
- ☐ Trust
- ☐ Limited liability company
- ☐ Limited liability partnership
- ☐ Joint venture
- ☐ Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))?

☐ Yes ☐ No

- ☐ Other (please specify)

_____

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Virginia

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

☑ Yes ☐ No ☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) **for not-for-profit corporations**, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) **for trusts, estates or other similar entities**, the trustee, executor, administrator, or similarly situated party; (iv) **for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures**, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

**NOTE**: Each legal entity listed below must submit an EDS on its own behalf.

| Name | Title |
|---|---|
| See "Attachment A." | |

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

**NOTE**: Each legal entity listed below may be required to submit an EDS on its own behalf.

| Name | Business Address | Percentage Interest in the Applicant |
|---|---|---|
| CSX Corporation | 500 Water Street, Jacksonville, FL 32202 | 100% |

There are no other entities other than CSX Corporation that own a beneficial interest in excess of 7.5% of the Applicant.

## SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? ☐ Yes ☑ No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? ☐ Yes ☑ No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party?

☐ Yes ☑ No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

## SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

| Name (indicate whether retained or anticipated to be retained) | Business Address | Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.) | Fees (indicate whether paid or estimated.) **NOTE:** "hourly rate" or "t.b.d." is not an acceptable response. |
|---|---|---|---|
| Barnes & Thornburg LLP | One North Wacker Drive, Chicago, IL 60606 | Attorney | $12,500 (estimated) |
| Mathewson Right of Way Company | 30 North LaSalle Street, Chicago, IL 60602 | Consultant | $100,000 (estimated) |

(Add sheets if necessary)

☐ Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

**SECTION V -- CERTIFICATIONS**

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under MCC Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

☐ Yes ☑ No ☐ No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;

d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and

e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).

5. Certifications (5), (6) and (7) concern:
   - the Disclosing Party;
   - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
   - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
   - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or

d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).

6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than $25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

☐ is ☑ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, explain here (attach additional pages if necessary):

_____

_____

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☑ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

3. If you checked "Yes" to Item D(1), provide the names and business addresses of the City officials or employees having such financial interest and identify the nature of the financial interest:

| Name | Business Address | Nature of Financial Interest |
|---|---|---|
| | | |
| | | |
| | | |

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

☐ 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

☑ 2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
see Attachment B

**SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS**

**NOTE: If the Matter is federally funded**, complete this Section VI. **If the Matter is not federally funded**, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
None

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?
☑ Yes ☐ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)
☑ Yes ☐ No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
☑ Yes ☐ No ☐ Reports not required

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
☑ Yes ☐ No

If you checked "No" to question (1) or (2) above, please provide an explanation:

## SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

**CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS, and all applicable Appendices, on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS, and all applicable Appendices, are true, accurate and complete as of the date furnished to the City.

CSX CORPORTATION

(Print or type exact legal name of Disclosing Party)

By: _____

(Sign here)

Michael Burns

(Print or type name of person signing)

Vice President and General Counsel

(Print or type title of person signing)

Signed and sworn to before me on (date) March 17, 2021,

at Duval County, Florida (state).

Tana Copeland

Notary Public

Commission expires: 12/20/22

TANA COPELAND
Commission # GG 286184
Expires December 20, 2022
Bonded Thru Budget Notary Services

**CITY OF CHICAGO**
**ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT**
**APPENDIX A**

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

**This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.**

Under MCC Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5% ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

☐ Yes ☑ No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

**CITY OF CHICAGO**
**ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT**
**APPENDIX B**

## BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1. Pursuant to MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

☐ Yes ☑ No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

☐ Yes ☐ No ☑ The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

**CITY OF CHICAGO**
**ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT**
**APPENDIX C**

## PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted (www.amlegal.com), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants' wage or salary history from current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

☐ Yes

☐ No

☑ N/A – I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

If you checked "no" to the above, please explain.

Attachment A

| Name | Title | Title Code |
|---|---|---|
| Boone, Kevin S. | Director | Director |
| Goldman, Nathan D. | Director | Director |
| Wallace, Mark K. | Director | Director |
| Adams, Arthur L. | Senior Vice President of Sales | Officer |
| Albright, William C. | Vice President - Asset Utilization | Officer |
| Armbrust, Steven C. | Assistant Corporate Secretary | Officer |
| Austin, Mark D. | Corporate Secretary | Officer |
| Barr, Brian | Senior Vice President - Operations North | Officer |
| Bezar, Farrukh A. | Senior Vice President - Marketing | Officer |
| Bittner, Deborah T. | Vice President of Network Systems | Officer |
| Boone, Kevin S. | Executive Vice President and Chief Financial Officer | Officer |
| Boychuk, Jamie | Executive Vice President-Operations | Officer |
| Burns, Michael S. | Vice President and General Counsel | Officer |
| Foote, James M. | President and Chief Executive Officer | Officer |
| Goldman, Nathan D. | Executive Vice President and Chief Legal Officer | Officer |
| Jaggernauth, Greg | Vice President - Operations | Officer |
| Johnson, Ricky E. | Vice President - Engineering | Officer |
| Kenney, Maryclare T. | Vice President - Intermodal & Automotive | Officer |
| Longson, Adam | Vice President of Energy | Officer |
| Mullen, Michelle | Vice President - Total Rewards | Officer |
| Noel, Stephanie W. | Vice President - Human Resources and Chief Diversity Officer | Officer |
| Pelkey, Sean R. | Vice President - Finance & Treasury | Officer |
| Schwichtenberg, James | Vice President and Chief Safety Officer | Officer |

| | | |
|---|---|---|
| Sorfleet, Diana B. | Executive Vice President and Chief Administrative Officer | Officer |
| Tucker, Bryan | Vice President - Corporate Communications | Officer |
| Vierling, Jack R. | Vice President - Asset Management | Officer |
| Wall, Jeffrey D. | Vice President - Labor Relations | Officer |
| Wallace, Mark K. | Executive Vice President - Sales & Marketing | Officer |
| Williams, Angela C | Vice President and Chief Accounting Officer | Officer |

ATTACHMENT B

CSX Corporation and CSX Transportation were formed in 1980. The CSX network does include rail lines built by historical railroad companies in states in which slavery was legal at the time those historical railroads operated. Given this and an on-line review of research on the matter, CSX believes that some of its predecessor railroads used slave labor for construction on the railroad. We deeply regret this history. The CSX network also includes rail lines built by historical railroad companies in states where slavery was opposed and illegal at the time those historical railroads were founded. CSX is committed to the timely sharing any records from historical railroads in our possession that are responsive to the provisions of Chicago's Economic Development Statement. This might have to occur in phases given the age and status of the records.

# CITY OF CHICAGO
# ECONOMIC DISCLOSURE STATEMENT
# AND AFFIDAVIT

## SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

CSX Corporation

**Check ONE of the following three boxes:**

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☑ a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name: CSX Transportation, Inc.

OR

3. ☐ a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1)) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 500 Water Street, J-150
Jacksonville, Florida 32202

C. Telephone: 904-359-1233 Fax: 904-359-7518 Email: kim_bongiovanni@csx.com

D. Name of contact person: Kim Rice Bongiovanni

E. Federal Employer Identification No. (if you have one):

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

Ordinance amendment and easement for property between 69th and 79th Streets and the mainline east of Bell Avenue.

G. Which City agency or department is requesting this EDS? Transportation

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # N/A and Contract # N/A

## SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- ☐ Person
- ☑ Publicly registered business corporation
- ☐ Privately held business corporation
- ☐ Sole proprietorship
- ☐ General partnership
- ☐ Limited partnership
- ☐ Trust
- ☐ Limited liability company
- ☐ Limited liability partnership
- ☐ Joint venture
- ☐ Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))?

☐ Yes ☐ No

- ☐ Other (please specify)

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Virginia

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

☑ Yes ☐ No ☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) **for not-for-profit corporations**, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) **for trusts, estates or other similar entities**, the trustee, executor, administrator, or similarly situated party; (iv) **for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures**, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

**NOTE**: Each legal entity listed below must submit an EDS on its own behalf.

| Name | Title |
|---|---|
| See "Attachment A." | |

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

**NOTE**: Each legal entity listed below may be required to submit an EDS on its own behalf.

| Name | Business Address | Percentage Interest in the Applicant |
|---|---|---|
| None | | |
| | | |
| | | |

## SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? ☐ Yes ☑ No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? ☐ Yes ☑ No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party?
☐ Yes ☑ No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

## SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

| Name (indicate whether retained or anticipated to be retained) | Business Address | Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.) | Fees (indicate whether paid or estimated.) **NOTE:** "hourly rate" or "t.b.d." is not an acceptable response. |
|---|---|---|---|
| None | | | |
| | | | |
| | | | |

(Add sheets if necessary)

☑ Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

**SECTION V -- CERTIFICATIONS**

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under MCC Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

☐ Yes ☐ No ☑ No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;

d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and

e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).

5. Certifications (5), (6) and (7) concern:
   - the Disclosing Party;
   - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
   - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
   - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or

d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).

6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than $25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

☐ is ☑ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, explain here (attach additional pages if necessary):

_____

_____

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☑ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

3. If you checked "Yes" to Item D(1), provide the names and business addresses of the City officials or employees having such financial interest and identify the nature of the financial interest:

| Name | Business Address | Nature of Financial Interest |
|---|---|---|
| | | |
| | | |
| | | |

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

☐ 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

☑ 2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:
see Attachment B

**SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS**

**NOTE: If the Matter is federally funded**, complete this Section VI. **If the Matter is not federally funded**, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):
None

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

☐ Yes ☑ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

☐ Yes ☐ No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

☐ Yes ☐ No ☐ Reports not required

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

☐ Yes ☐ No

If you checked "No" to question (1) or (2) above, please provide an explanation:

## SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

**CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS, and all applicable Appendices, on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS, and all applicable Appendices, are true, accurate and complete as of the date furnished to the City.

CSX TRANSPORTATION, INC.

(Print or type exact legal name of Disclosing Party)

By: _____

(Sign here)

Michael Burns

(Print or type name of person signing)

Vice President and General Counsel

(Print or type title of person signing)

Signed and sworn to before me on (date) March 17, 2021,

at Duval County, Florida (state).

Tana Copeland

Notary Public

Commission expires: 12/20/22

TANA COPELAND
Commission # GG 286184
Expires December 20, 2022
Bonded Thru Budget Notary Services

# CITY OF CHICAGO
# ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
# APPENDIX A

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

**This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.**

Under MCC Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5% ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

☐ Yes ☑ No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

**CITY OF CHICAGO**
**ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT**
**APPENDIX B**

## BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1. Pursuant to MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

☐ Yes ☑ No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

☐ Yes ☐ No ☑ The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

**CITY OF CHICAGO**
**ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT**
**APPENDIX C**

## PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted (www.amlegal.com), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants' wage or salary history from current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

☐ Yes

☐ No

☑ N/A – I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

If you checked "no" to the above, please explain.

_____

_____

_____

# Attachment A

| Name | Title | Title Role |
|---|---|---|
| Alvarado, Donna M. | Director | Director |
| Bostick, Thomas P. | Director | Director |
| Foote, James M. | Director | Director |
| Halverson, Steven T. | Director | Director |
| Hilal, Paul C. | Director | Director |
| McPherson, John D. | Director | Director |
| Moffett, David M | Director | Director |
| Riefler, Linda H. | Director | Director |
| Vautrinot, Suzanne M. | Director | Director |
| Wainscott, James L. | Director | Director |
| Whisler, J. Steven | Director | Director |
| Zillmer, John J. | Director | Director |
| Austin, Mark D. | Assistant Corporate Secretary | Officer |
| Boone, Kevin S. | Executive Vice President and Chief Financial Officer | Officer |
| Butler, Tammy D. | Vice President - Internal Audit and Compliance | Officer |
| Foote, James M. | President and Chief Executive Officer | Officer |
| Goldman, Nathan D. | Executive Vice President - Chief Legal Officer and Corporate Secretary | Officer |
| Pelkey, Sean R. | Vice President - Finance & Treasury | Officer |
| Sorfleet, Diana B. | Executive Vice President and Chief Administrative Officer | Officer |
| Wallace, Mark K. | Executive Vice President - Sales & Marketing | Officer |
| Williams, Angela C | Vice President and Chief Accounting Officer | Officer |

ATTACHMENT B

CSX Corporation and CSX Transportation were formed in 1980. The CSX network does include rail lines built by historical railroad companies in states in which slavery was legal at the time those historical railroads operated. Given this and an on-line review of research on the matter, CSX believes that some of its predecessor railroads used slave labor for construction on the railroad. We deeply regret this history. The CSX network also includes rail lines built by historical railroad companies in states where slavery was opposed and illegal at the time those historical railroads were founded. CSX is committed to the timely sharing any records from historical railroads in our possession that are responsive to the provisions of Chicago's Economic Development Statement. This might have to occur in phases given the age and status of the records.

STATE OF ILLINOIS

COUNTY OF COOK

The undersigned being first duly sworn upon oath deposes and says that:

1. The undersigned is the Head of State Government and Community Affairs for CSX Transportation, Inc. ("CSXT").
2. This affidavit is being provided to the City of Chicago with reference to Section V.E. of the economic disclosure statements being submitted to the City by CSXT and its parent, CSX Corporation (collectively with CSXT, "CSX").
3. On information and belief, CSX retained a law firm to search its available records in 2002 and possibly in 2001 to determine whether CSX's predecessor railroads had investments in or profits from slavery or slaveholder insurance during the slavery era.
4. On information and belief, such search did not yield any specific records, provided CSX believes that slavery was involved in certain predecessor railroads that were in operation before 1865.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Thomas E. Livingston

STATE OF ILLINOIS )
) SS:
COUNTY OF COOK )

Before me, a Notary Public in and for said County and State, personally appeared Thomas E. Livingston, personally known to me, and acknowledged the execution of the foregoing.

Witness my hand and Notarial Seal, this 15th day of April, 2021.

MARGARET HARTIGAN
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
May 14, 2022

Notary Public - Signature

MARGARET HARTIGAN

Notary Public - Printed

My Commission Expires: MAY 14, 2022 My County of Residence: Cook