



City of Chicago



O2021-3973

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	9/14/2021
Sponsor(s):	Cardenas (12)
Type:	Ordinance
Title:	Dedication and vacation of public way(s) in area bounded by W Cermak Rd, S Troy St, W 23rd St and S Kedzie Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

INTERGOVERNMENTAL VACATION & DEDICATION ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6 (a) of the 1970 Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the properties at 2222-2258 S. Troy Street, 3134-3144 W. 23rd Street, 3148-3158 W. 23rd Street and 2223-2259 S. Kedzie Avenue, Chicago, Illinois; are owned by the Public Building Commission of Chicago, an Illinois municipal corporation ("Public Building Commission"); and

WHEREAS, the Public Building Commission proposes to assemble the aforementioned properties and the portions of the alley to be vacated pursuant to this ordinance, for the benefit of G. Delgado Kanoon Magnet Elementary Public School ("Kanoon Magnet School"); and

WHEREAS, Kanoon Magnet School already has constructed a student playlot and staff parking lot on the areas to be vacated; and

WHEREAS, Kanoon Magnet School already has built a new public alley on an adjacent lot belonging to the Public Building Commission to serve the block; and

WHEREAS the Public Building Commission now wishes to remedy and correct the ownership of the areas being vacated and dedicated; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation and dedication of the public alleys described in this ordinance; now, therefore,

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

SECTION 1. Legal Descriptions

Dedication of: THE NORTH 16 FEET OF LOT 47 IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION TO CHICAGO IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN. RECORDED AS DOCUMENT # 1158007 DATED SEPTEMBER 18, 1889 IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 2,016 SQUARE FEET OR 0.0463 ACRES MORE OR LESS, as shaded and legally described by the words "HEREBY

DEDICATED" on the plat hereto attached as **EXHIBIT A**, which plat for greater clarity is hereby made a part of this ordinance, be and the same is hereby opened to traffic, inasmuch as the same is required for public use and the public interest will be subserved by such dedication.

Vacation of: THAT PART OF THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 33 AND 34; LYING WEST OF AND ADJOINING THE WEST LINE OF LOTS 77 AND 78; LYING NORTH OF AND ADJOINING THE NORTH RIGHT OF WAY OF W. 23RD STREET AND LYING SOUTH OF AND ADJOINING THE SOUTHERN TERMINUS OF THAT PART OF SAID NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY PREVIOUSLY VACATED BY ORDINANCE PASSED JULY 7, 1978 AND RECORDED DECEMBER 13, 1978 AS DOCUMENT NUMBER 24761875; ALONG WITH THE ADJOINING WEST 50 FEET OF SAID LOTS 77 AND 78 AS OPENED ALLEY BY SAID ORDINANCE, ALL INCLUSIVE IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED ON SEPTEMBER 18, 1889 AS DOCUMENT NUMBER 1158007, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 3510 SQUARE FEET OR 0.081 ACRES, MORE OR LESS;

TOGETHER WITH THAT PART OF THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY EAST OF AND ADJOINING THE EAST LINE OF LOTS 42 THROUGH 46 AND THAT PART OF LOT 47; LYING WEST OF AND ADJOINING THE WEST LINE OF THAT PART OF LOT 64 AND LOTS 65 THROUGH 69; LYING SOUTH OF AND ADJOINING THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 16 FEET OF LOT 47 TO THE INTERSECTION WITH THE WEST LINE OF LOT 64 AND LYING NORTH OF AND ADJOINING THE NORTHERN TERMINUS OF THAT PART OF SAID NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY PREVIOUSLY VACATED BY ORDINANCE PASSED JULY 7, 1978 AND RECORDED DECEMBER 13, 1978 AS DOCUMENT NUMBER 24761875; ALONG WITH THE ADJOINING EAST 50 FEET OF SAID LOTS 42 AND 43 AS OPEN ALLEY BY SAID ORDINANCE, ALL INCLUSIVE IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED ON SEPTEMBER 18, 1889 AS DOCUMENT NUMBER 1158007, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 4644 SQUARE FEET OR 0.107 ACRES, MORE OR LESS, WITH THE TOTAL AREA IN SAID ABOVE PARCELS DESCRIBED BEING 8154 SQUARE FEET OR 0.188 ACRES, MORE OR LESS, as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as **EXHIBIT B, which plat for greater clarity is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.**

SECTION 2. The area herein dedicated contains no public sewers or public water mains. The Public Building Commission acknowledges that any existing private sewers, water mains, appurtenances and connections within the area to be dedicated shall be sealed, removed or relocated to private property at the Public Building Commission's expense, in accordance with the standard procedures of the Department of Water Management, or established as public through City Council action. In the event of abandonment of private facilities, the plans must be

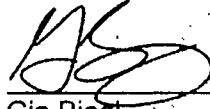
reviewed, approved and permitted by the Department of Water Management prior to work. The Public Building Commission understands its responsibility to provide proper drainage, and lay new sewer main and associated structures, at its expense in the alley herein dedicated, in accordance with plans reviewed, approved and permitted by the Department of Water Management, Sewer Design Section, prior to work. Acceptance of new sewers is contingent upon submittal of as-built drawings, and physical and videotape inspection provided by the Public Building Commission to the Department of Water Management within 30 days of completion. All sewer work in both the public way and on private property requires a permit for a Licensed Drainlayer as secured through the Department of Buildings, Sewer Permit Section.

SECTION 3. The vacation and dedication herein provided for are made upon the express condition that within 180 days after the passage of this ordinance, and prior to recording, the Public Building Commission shall 1) deposit in the City Treasury of the City of Chicago a quoted sum sufficient to defray the costs of work to public paving, curb, and related appurtenances, 2) construct the directed improvements in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices and as agreed to in the Duty to Build Agreement hereto attached as **EXHIBIT C**, and 3) submit for field inspection and approval of the construction to the CDOT Division of Infrastructure Management, Construction Compliance Unit, Room 905 City Hall.

SECTION 4. The vacation and dedication herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Public Building Commission, or its assign, shall file or cause to be filed for recordation with the Office of the Clerk of Cook County, Illinois, Recordings Division, a certified copy of this ordinance, together with the associated full-sized plats as approved by the Department of Transportation's Superintendent of Maps and Plats.

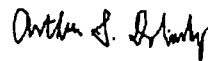
SECTION 5. This ordinance shall take effect and be in force from and after its passage and publication. The vacation and dedication shall take effect and be in force from and after the recording of this ordinance and the associated plats.

Dedication and Vacation Approved:



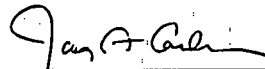
Gia Biagi
Commissioner
Department of Transportation

Approved as to Form and Legality



Arthur Dolinsky
Senior Counsel

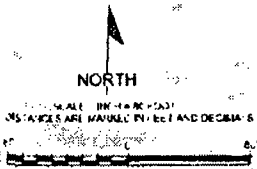
Introduced By:



Honorable George Cardenas
Alderman, 12th Ward

EXHIBIT 'A'

PLAT OF DEDICATION



THAT PART IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION TO CHICAGO IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25 TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT # 1156007 DATED SEPTEMBER 18, 1989 IN COOK COUNTY, ILLINOIS (SAID ABOVE DESCRIBED PARCEL CONTAINING 2 016 SQUARE FEET OR 0.0463 ACRES MORE OR LESS)

LEGAL DESCRIPTION:
THE NORTH 1/4 SECTION OF LOT 47 IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION TO CHICAGO IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT # 1156007 DATED SEPTEMBER 18, 1989 IN COOK COUNTY, ILLINOIS (SAID ABOVE DESCRIBED PARCEL CONTAINING 2 016 SQUARE FEET OR 0.0463 ACRES MORE OR LESS)

AFFECTED PIN NUMBERS:
18-25-100-01-10000 (LOT 47)

FIELD WORK DONE: 10-19-2020
ORDERED BY: EFKS ASSOCIATES INC.

- NOTICES:**
- DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF
 - NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON PLAT
 - THERE ARE NO BUILDING STRUCTURES OR APPARENT FEATURES OR PARTS THEREOF IN THE AREAS OF THE PUBLIC WAY THAT ARE BEING HEREBY DEDICATED
 - B3-2 (COMMERCIAL SHOPPING DISTRICT)
 - RT-4 (RESIDENTIAL TWO-FLAT TOWN-HOME & MULTI-UNIT DISTRICT)
 - NO MONUMENTS WERE FOUND IN CONJUNCTION WITH THIS SURVEY

LEGEND

- HEREBY DEDICATED
- PENDING VACATION
- LOT/ PARCEL LINE
- TRAFFIC ARROW
- RECORD DISTANCE
- MEASURED DISTANCE

PREPARED FOR:

BOARD OF DIRECTORS OF THE PUBLIC BUILDING COMMISSION
12 N. MADISON ST. 314F
CHICAGO, IL 60602

MAP TO:

SECTION 25, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN
CHICAGO, ILLINOIS

STATE OF ILLINOIS)
COUNTY OF COOK)

I, PUBLIC BUILDING COMMISSION, A MUNICIPAL CORPORATION AND BODY POLITICAL OF THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT IT IS THE TITLE OWNER OF THE LAND HEREIN DESCRIBED HEREON, AND THAT IT HAS CAUSED THE SAME TO BE SURVEYED FOR THE PURPOSE OF DEDICATING THE SAID PROPERTY FOR ALLEY PURPOSES AS SHOWN ON THE PLAT HEREOF DRAWN.

DATED THIS _____ DAY OF _____ A.D. 2021

PUBLIC BUILDING COMMISSION

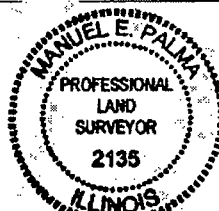
BY: _____ EXECUTIVE DIRECTOR

ATTEST: _____

STATE OF ILLINOIS)
COUNTY OF COOK)

I, _____ A NOTARY IN AND FOR THE COUNTY OF COOK, STATE OF ILLINOIS, DO HEREBY CERTIFY THAT _____ EXECUTIVE DIRECTOR, AND _____ SECRETARY OF THE PUBLIC BUILDING COMMISSION, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT OF THE EXECUTIVE DIRECTOR AND SECRETARY, RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT OF SAID MUNICIPAL CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D. 2021



STATE OF ILLINOIS)
COUNTY OF COOK)

I, Manuel Palma, do hereby certify that I have prepared the Plat hereon drawn from previous plats and records for purposes of vacating the same as shown on the plat hereon drawn.

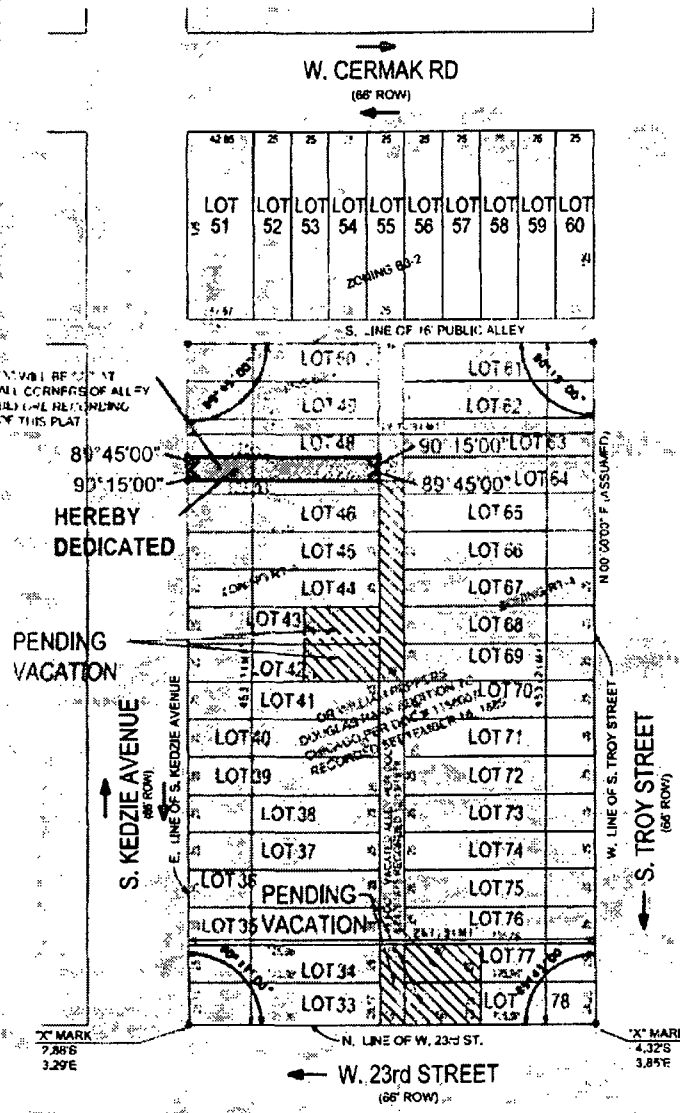
Given under my hand and seal in Chicago, Illinois.

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

Chicago, Illinois, AUGUST 31st, A.D. 2021

By: _____
Illinois Professional Land Surveyor
Certificate No. 2135
Expiration date: 11-30-2022
PROFESSIONAL DESIGN FIRM
REGISTRATION NO: 184-001537
EXPIRATION DATE: 4-30-2022
PREPARED BY:
TECMA ASSOCIATES, INC.

REGISTERED SURVEYORS: 03/19/1970-11/30/2022
3019 N. CUMBERLAND AVENUE, SUITE 1010
CHICAGO, ILLINOIS 60638
PHONE: 773-783-6553
FAX: 773-783-6577



CHICAGO DEPARTMENT OF FINANCE

CHICAGO DEPARTMENT OF TRANSPORTATION
C.D.O.T. # 25-12-21-3979

COOK COUNTY

Manuel E. Palma
AUGUST 31, 2021

EXHIBIT 'B'
PLAT OF VACATION

THAT PART IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION TO CHICAGO IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT # 1156007 DATED SEPTEMBER 18, 1889 IN COOK COUNTY, ILLINOIS.

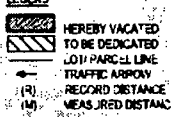
LEGAL DESCRIPTION:
 THAT PART OF THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 33 AND 34; LYING WEST OF AND ADJOINING THE WEST LINE OF LOTS 77 AND 78; LYING NORTH OF AND ADJOINING THE NORTH RIGHT OF WAY OF W. 23RD STREET AND LYING SOUTH OF AND ADJOINING THE SOUTHERN TERMINUS OF THAT PART OF SAID NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY PREVIOUSLY VACATED BY ORDINANCE PASSED JULY 7, 1978 AND RECORDED DECEMBER 13, 1978 AS DOCUMENT NUMBER 24761875; ALONG WITH THE ADJOINING WEST 50 FEET OF SAID LOTS 77 AND 78 AS OPENED ALLEY BY SAID ORDINANCE, ALL INCLUSIVE IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPLE MERIDIAN, ACCORDING TO THE PLAT RECORDED ON SEPTEMBER 18, 1889 AS DOCUMENT NUMBER 1156007, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 3610 SQUARE FEET OR 0.081 ACRES MORE OR LESS;

TOGETHER WITH THAT PART OF THE NORTH-SOUTH 18 FOOT WIDE PUBLIC ALLEY EAST OF AND ADJOINING THE EAST LINE OF LOTS 42 THROUGH 48 AND THAT PART OF LOT 47 LYING WEST OF AND ADJOINING THE WEST LINE OF THAT PART OF LOT 64 AND LOTS 65 THROUGH 69; LYING SOUTH OF AND ADJOINING THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 16 FEET OF LOT 47 TO THE INTERSECTION WITH THE WEST LINE OF LOT 84 AND LYING NORTH OF AND ADJOINING THE NORTHERN TERMINUS OF THAT PART OF SAID NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY PREVIOUSLY VACATED BY ORDINANCE PASSED JULY 7, 1978 AND RECORDED DECEMBER 13, 1978 AS DOCUMENT NUMBER 24761875; ALONG WITH THE ADJOINING EAST 50 FEET OF SAID LOTS 47 AND 43 AS OPEN ALLEY BY SAID ORDINANCE, ALL INCLUSIVE IN DR. WILLIAM PEPPER'S DOUGLAS PARK ADDITION IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPLE MERIDIAN, ACCORDING TO THE PLAT RECORDED ON SEPTEMBER 18, 1889 AS DOCUMENT NUMBER 1156007, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1614 SQUARE FEET OR 0.36 ACRES MORE OR LESS WITH THE TOTAL AREA IN SAID ABOVE PARCELS DESCRIBED BEING 6142 SQUARE FEET OR 0.14 ACRES MORE OR LESS.

AFFECTED PIN NUMBERS:

1625-00-024 (LOT 33)	1625-00-024 (LOT 33)	1625-00-024 (LOT 33)
1625-00-025 (LOT 34)	1625-00-025 (LOT 34)	1625-00-025 (LOT 34)
1625-00-026 (LOT 35)	1625-00-026 (LOT 35)	1625-00-026 (LOT 35)
1625-00-027 (LOT 36)	1625-00-027 (LOT 36)	1625-00-027 (LOT 36)
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1625-00-068 (LOT 77)	1625-00-068 (LOT 77)	1625-00-068 (LOT 77)
1625-00-069 (LOT 78)	1625-00-069 (LOT 78)	1625-00-069 (LOT 78)

FIELD WORK DONE: 12-14-2021
 ORDERED BY: ILEKIS ASSOCIATES, INC.
NOTES:
 - DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THERE OF
 - NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON PLAT
 - B-2 (COMMERCIAL SHOPPING DISTRICT)
 - RT-4 (RESIDENTIAL TWO-FLAT TOWN HOME & MULTIFAMILY UNIT DISTRICT)
 - NO MONUMENTS WERE FOUND IN CONJUNCTION WITH THIS SURVEY

LEGEND

 HEREBY VACATED TO BE DEDICATED
 LOT/ PARCEL LINE
 TRAFFIC ARROW
 RECORD DISTANCE
 MEASURED DISTANCE

PREPARED FOR:
 CHICAGO BOARD OF EDUCATION
 42 W. MADISON ST., 9TH FL.
 CHICAGO, IL 60602

MAIL TO:
 SCOTT R. BORSTEN, ESQ.
 NEAL AND LEROY, LLC
 20 S. CLARK ST., SUITE 2050
 CHICAGO, IL 60603



STATE OF ILLINOIS) s.s.
 COUNTY OF COOK)

I, Manuel Palma, do hereby certify that I have prepared the Plat hereon drawn from previous plats and records for purposes of vacating the same as shown on the plat hereon drawn.

Given under my hand and seal in Chicago, Illinois

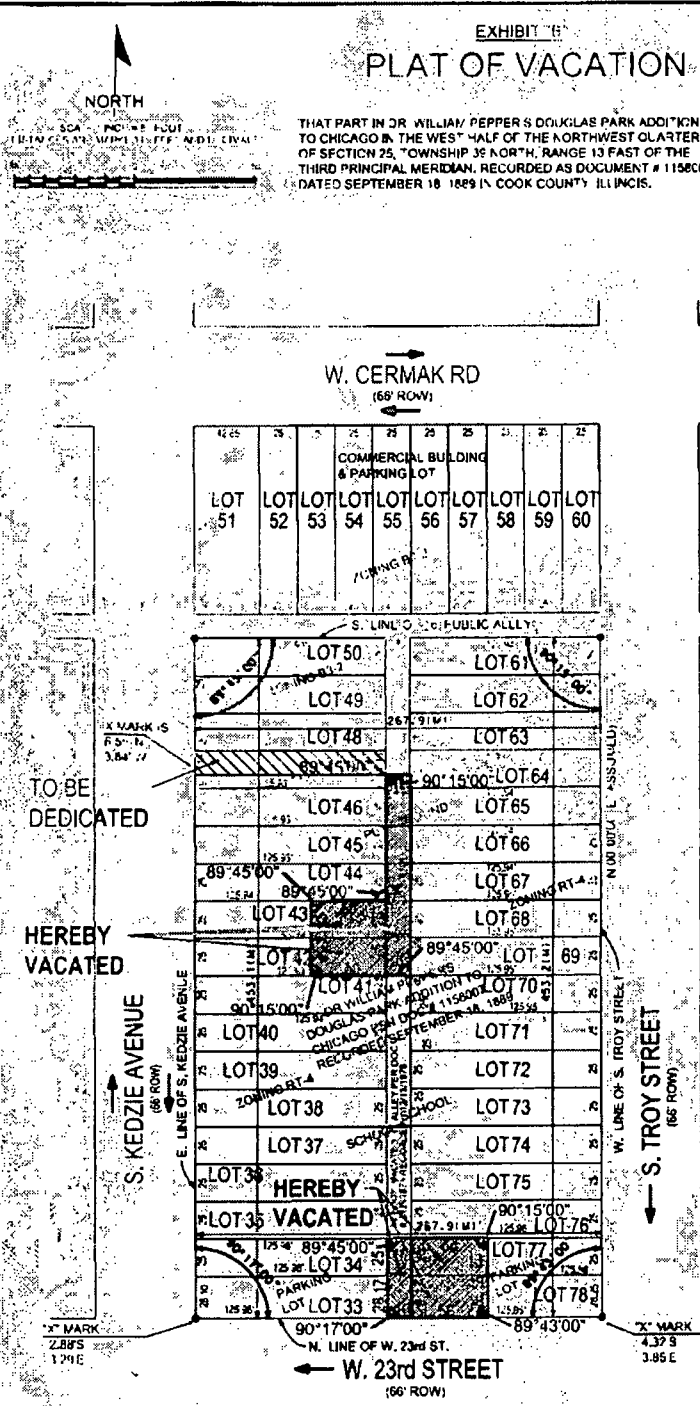
This professional service conforms to the current Illinois minimum standards for a boundary survey

Chicago, Illinois AUGUST 30th A.D. 2021

By: *Manuel E. Palma*
 Manuel E. Palma, Professional Land Surveyor
 Certificate No. 2135
 Expiration date: 11-30-2022

PROFESSIONAL DESIGN FIRM
 REGISTRATION NO. 184-001537
 EXPIRATION DATE: 4-30-2022

PREPARED BY:
 TECMA ASSOCIATES, INC.
 2519 N. CUMBERLAND AVENUE, SUITE 1013
 CHICAGO, ILLINOIS 60658
 PHONE: 773-553-6555
 FAX: 773-553-6577



CHICAGO DEPARTMENT OF FINANCE

CHICAGO DEPARTMENT OF TRANSPORTATION
C.D.O.T. # 25-12-21-3979

COOK COUNTY

Manuel E. Palma
 AUG 31, 2021



LOOP OFFICE
DEPARTMENT OF CAPITAL PLANNING & CONSTRUCTION
42 W Madison St., 2nd Floor - Chicago, Illinois 60602
Telephone: 773/553-2900 Fax: 773/553-2951

DUTY TO BUILD AGREEMENT FOR CREATION OF NEW STREET/ALLEY

In support of my current application with the Chicago Department of Transportation's Public Way unit, for a dedication of my private property for new public way, I hereby state that I am the applicant or the company agent for the applicant company involved in the project, and that I have the authority to agree to the below terms of the dedication.

PLEASE INITIAL AGREEMENT.

ES

I am aware that I am responsible for the construction of all public and private rights of way (streets, alleys, etc) described on the Plat of Subdivision/Dedication associated with unique

CDOT FILE: 25-12-21-3979 / Kanoon School

ES

I further understand that all rights of way (both public and private) must be built to City specifications as detailed in the most current version CDOT's Regulation for Openings, Construction and Repair in the Public Way.

ES

Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards.

Signature: Eben Smith

Date: 4/30/2021

Printed name: Eben C. Smith Title: Director of Planning and Design, CPS

Department: City of Chicago, in Trust for the use of Schools

Address: 42 W. Madison St. Zip: 60602

Phone/Fax: 773-553-1000

Email: esmith78@cps.edu



Verlane Franklin
4-30-21