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2002-02-06 09:10:45

Cook County Recorder

31.00

NOTICE OF APPROVAL

An Ordinance vacating the dedicated, unimproved east/west public alley north of the property commonly known as 5444 Howard Street, Skokie, Illinois in an M-1 office assembly industry district was approved by the Board of Trustees of the Village of Skokie on January 22 2002. The approval granted is shown on the document attached hereto, marked Exhibit "1" and hereby made a part of this Notice of Approval.



IMPORTANT: THE ABOVE PROVISION IS CONDITIONED UPON THE CERTIFICATION AND THE PAYMENT OF FEES AND EXPENSES IN CONNECTION WITH THE RECORDING OF THIS NOTICE. ALL DEPARTMENTS HAVE BEEN INSTRUCTED TO TAKE NO ACTION ON THE GRANT UNTIL THIS HAS BEEN SATISFIED.

OWNER'S CERTIFICATION

The undersigned, being the owner or duly authorized representative of the owner, of the real estate commonly known as the east/west public alley north of the property commonly known as 5444 Howard Street, Skokie, Illinois and legally described in Exhibit "1" attached hereto and hereby made a part of this Notice of Approval certifies that such Notice is true and correct and accepts and approves all of the provisions and conditions set forth in Exhibit "1", attached hereto.

Dated this 22 day of January, 2002.

Beit Alter, L.L.C., a DE L.L.C.,
By: 18-Chat Corp., an IL corp., its
By: _____ Manager,

Signature

Lawrence M. Freedman, V.P.

Print name

5500 W. Howard Street

Address

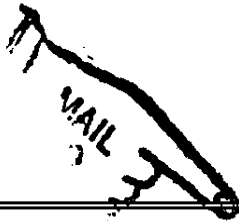
Skokie, IL 60077

City, State Zip

(847) 676-4300

Phone Number

**COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
SKOKIE OFFICE**



TO: RECORDER OF DEEDS or REGISTRAR OF TITLES

PLEASE RETURN TO WILL CALL BOX 429

Plan Commission Case Number 2001-18P
Special Use Permit Number
Village Ordinance Number 02-1-Z- 3059

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Property of Cook County Clerk's Office

YTHILO NUN

CTU

BMM: 1/22/01
PC: 2001-18P
Vacation

THIS ORDINANCE MAY BE CITED AS
VILLAGE ORDINANCE NUMBER
02-1-Z-3059

**AN ORDINANCE VACATING THE DEDICATED, UNIMPROVED
EAST/WEST PUBLIC ALLEY NORTH OF THE PROPERTY
COMMONLY KNOWN AS 5444 HOWARD STREET, SKOKIE,
ILLINOIS IN AN M-1 OFFICE ASSEMBLY INDUSTRY DISTRICT**

1 **WHEREAS**, the owner of the property commonly known as 5444 Howard Street, Skokie,
2 Illinois in an M-1 Office Assembly Industry District petitioned the Skokie Plan Commission for
3 the vacation of the east/west alley north of the aforementioned property; and

4 **WHEREAS**, the owners of all of the properties abutting the aforesaid alley were duly
5 notified of the Plan Commission proceedings and presented no objection to the proposed
6 vacation; and

7 **WHEREAS**, the Skokie Plan Commission, after public hearing duly held, recommended
8 to the Mayor and Board of Trustees that said property be vacated subject to various conditions;
9 and

10 **WHEREAS**, the Corporation Counsel and Village Manager for the Village of Skokie
11 reviewed the appraisal submitted by an independent MAI appraiser and recommended to the
12 Mayor and Board of Trustees that the petitioner pay compensation in the amount of \$11,000.00
13 for the vacation of the subject property; and

14 **WHEREAS**, the Mayor and Board of Trustees of the Village of Skokie, at a public
15 meeting duly held, adopted the recommendations of the Skokie Plan Commission and also
16 concurred in the aforesaid recommendation of the Corporation Counsel and Village Manger;

17 **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the
18 Village of Skokie, Cook County, Illinois:

19 **Section 1:** That the dedicated, unimproved public east/west alley north of the
20 property at 5444 Howard Street, Skokie, Illinois in an M-1 Office Assembly Industry District be
21 and the same is hereby vacated subject to all of the conditions set forth below:

- 22 1. The vacation shall be in substantial compliance with the Plat of Vacation dated
23 September 12, 2001.
- 24 2. The Petitioners shall acquire the subject property in "as is" condition and assumes
25 the risk that the subject property may contain waste or contaminants of a possible
26 hazardous nature and that adverse physical conditions, including the presence of
27 waste or contaminants, may not have been revealed by the Petitioners' investigation.
28 Upon vacation, all responsibility and liability related to disposal, spills, contamination
29 or releases of hazardous substances (as defined in or for the purposes of the
30 Comprehensive Environmental Response, Compensation and Liability Act of 1989,
31 as amended, 42 U.S.C. Section 9601 *et seq.*) or petroleum, and any and all other
32 hazardous substances or hazardous wastes will be transferred from the Village to
33 the Petitioners including, without limitation, costs or expenses of any cleanups or

remedial action required by any federal, state or other governmental agency or body having jurisdiction and Petitioners shall indemnify and hold the Village harmless therefrom.

- 3. The Petitioners hereby waive, release, acquit and forever discharge the Village, Village's employees, agents and any other person acting on behalf of the Village, of and from any and all losses, liabilities, claims, actions, causes of action, demands, rights, damages, costs, expenses or compensation (including attorneys' fees) whatsoever, whether direct or indirect, known or unknown, foreseen or unforeseen, which Petitioners now have or which may arise in the future on account of or in anyway growing out of or connected with the physical condition of the subject property or the presence of waste or contaminants on or below the surface of the subject property and any law or regulation applicable thereof.
- 4. Any and all easements shall be reserved for all Village and public utilities unless formally abandoned.
- 5. The Petitioners shall submit to the Planning Division electronic files of the Plat of Survey, Plat of Subdivision, Site Plan, and Landscape Plan in their approved and finalized form. The files shall be scaled CADD 2D drawing files on non-compressed, IBM formatted, 3.5-inch diskette(s), in .DWG AutoCad format (version 2000 preferred).
- 6. All Federal, State, and Village Codes, Ordinances, and Statutes shall be complied with.
- 7. In the event that any of the conditions provided in for in this Ordinance are violated, the subject property shall revert back to the Village of Skokie.

Section 2: That the aforesaid vacation shall be effective upon the recording of a Plat of Vacation to be furnished by the petitioners and recorded at the petitioners' expense in the Office of the Recorder of Deeds of Cook County.

Section 3: That said vacation is subject to the petitioners' payment of \$11,000.00 to the Village of Skokie. Said sum having been determined to be the fair and reasonable value of the subject vacated property, by a competent, independent appraiser.

Section 4: That a Notice of the enactment of this ordinance shall be approved and signed by all of the abutting owners and duly recorded in the Office of the Recorder of Deeds of Cook County at the petitioners' expense.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and recordation as provided by law.

ADOPTED this 22nd day of January, 2002.

Ayes: 7 (Piper, Bromberg, Perille, Gelder, Roberts, McCabe, Van Dusen)

Nays: 0

Absent: 0

Village Clerk

Approved by me this 22nd day of January, 2002.

Attested and filed in my office this 23rd day of January, 2002.

Mayor, Village of Skokie

Village Clerk

COOK COUNTY, ILLINOIS.
 24, 1971 AS DOCUMENT 21723729 WITH THE RECORDER OF DEEDS IN
 ILLINOIS, AS SHOWN ON THE PLAT OF VACATION RECORDED NOVEMBER
 OF THE CENTER LINE OF THE DRAINAGE DITCH, IN COOK COUNTY,
 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST AND EASTERLY
 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 41 NORTH, RANGE
 SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE SOUTHWEST
 EXTENDED NORTH, IN BLOCK 4 IN METROPOLITAN'S HOWARD-LONG
 AND SOUTH OF LOTS 24 AND 25 AND WEST OF THE EAST LINE OF LOT 20
 BEING A 16 FOOT EAST AND WEST ALLEY LYING NORTH OF LOTS 20 TO 23
 HOWARD STREET BETWEEN FRONTAGE ROAD AND LINDER AVENUE,
 COUNTY, ILLINOIS, AND THE VACATED EAST AND WEST ALLEY NORTH OF
 EAST OF THE SOUTHWEST CORNER OF SAID LOT 24, ALL IN COOK
 TO A POINT ON THE SOUTH LINE OF LOT 28, AFORESAID, 133.80 FEET
 MEASURED ON SAID WESTERLY LINE) AND EXTENDING SOUTHEASTERLY
 BEGINNING AT A POINT ON THE WESTERLY LINE OF LOT 24, AFORESAID,
 LINE OF THE DRAINAGE DITCH, LYING SOUTHWESTERLY OF A LINE
 PRINCIPAL MERIDIAN, LYING EAST OF AND EASTERLY OF THE CENTER
 1/4 OF SECTION 28 TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD
 SUBDIVISION OF THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST
 BLOCK 4 IN METROPOLITAN'S HOWARD-LONG SUBDIVISION, BEING A
 LOTS 20 TO 23, INCLUSIVE, ALSO THAT PART OF LOTS 24, 25 AND 26 IN

ALSO

SECTION 28, AFORESAID), IN COOK COUNTY, ILLINOIS.
 FROM THE POINT OF INTERSECTION OF SAID SOUTHWESTERLY LINE AND
 CONSTITUTES THE SOUTHWESTERLY LINE OF SAID 300 FOOT STRIP,
 SOUTHEASTERLY, MEASURED ALONG THAT CERTAIN ARC WHICH
 DEED RECORDED AS DOCUMENT 13540110, WHICH POINT IS 450 FEET
 SAID 300 FOOT STRIP OF LAND CONVEYED TO THE COUNTY OF COOK BY
 MERIDIAN, TO A POINT IN THE AFORESAID SOUTHWESTERLY LINE OF
 TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
 NORTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 OF SECTION 29,
 CORNER OF LOT 2 IN CARL SCHNUR'S SUBDIVISION OF PART OF THE
 LINE IS DRAWN IN A NORTHEASTERLY DIRECTION FROM THE SOUTHEAST
 PART OF SAID LAND LYING NORTHWESTERLY OF A STRAIGHT LINE WHICH
 RECORDED JUNE 28, 1945 AS DOCUMENT 13540110) AND (EXCEPT THAT
 CONVEYED TO THE COUNTY OF COOK BY DEED DATED JUNE 15, 1945,
 SOUTHWESTERLY LINE OF A STRIP OF LAND 300 FEET IN WIDTH
 (EXCEPT THAT PART OF SAID LAND LYING NORTHEASTERLY OF THE
 (EXCEPT THE WEST 75 FEET OF THE SOUTH 175 FEET THEREOF) AND
 SOUTHWESTERLY ALONG SAID DITCH TO THE POINT OF BEGINNING
 THE CENTER OF THE NILES AND GROSS POINT DITCH; THENCE
 WEST LINE OF SAID NORTHWEST 1/4, 80 RODS; THENCE EAST 65 RODS TO
 NORTHWEST 1/4 OF SECTION 28, AFORESAID; THENCE NORTH ALONG THE
 649.34 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE
 SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28 A DISTANCE OF
 GROSS POINT DITCH; THENCE WEST ALONG THE SOUTH LINE OF SAID
 NORTHWEST 1/4 OF SECTION 28 AND THE CENTER LINE OF THE NILES AND
 INTERSECTION OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE
 MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF
 28, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL

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ALSO

THAT PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING A TRIANGULAR SHAPED PIECE OF LAND BOUNDED ON THE SOUTH BY THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 28, ON THE WEST BY THE CENTER LINE OF THE DRAINAGE DITCH AS SHOWN ON THE PLAT OF METROPOLITAN'S HOWARD-LONG SUBDIVISION OF PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED SEPTEMBER 25, 1928 AS DOCUMENT 10157472, AND ON THE EAST BY THE WEST LINE OF LOT 23 IN BLOCK 4 (AND ITS SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID QUARTER QUARTER SECTION) IN SAID METROPOLITAN'S HOWARD-LONG SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS, (EXCEPTING THEREFROM THAT PART TAKEN OR USED FOR HOWARD STREET).

ALSO

LOTS 18 AND 19 IN BLOCK 4 IN METROPOLITAN'S HOWARD-LONG SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE 16 FOOT WIDE EAST AND WEST ALLEY LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 18 AND 19, LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 25 AND 26, LYING EAST OF THE WEST LINE OF SAID LOT 19 EXTENDED NORTH TO THE SOUTH LINE OF SAID LOT 25, LYING WEST OF THE NORTHERLY EXTENTION OF THE EAST LINE OF SAID LOT 18 AND LYING WESTERLY OF A STRAIGHT LINE DRAWN FROM A POINT ON THE SOUTH LINE OF SAID LOT 26, SAID POINT BEING 133.80 FEET EAST OF THE SOUTHWEST CORNER OF LOT 24, TO A POINT ON THE NORTH LINE OF LOT 17, SAID POINT BEING 19.0 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 17, ALL IN BLOCK 4 IN METROPOLITAN'S HOWARD - LONG SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST AND EASTERLY OF THE CENTER LINE OF THE DRAINAGE DITCH, IN COOK COUNTY, ILLINOIS.

PIN: 10-28-115-008, 10-28-115-010, 10-28-129-022, 10-28-129-023, 10-28-129-050