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REPORTS OF COMMITTEES

46789



Doc#: 0531834079 Fee: \$78.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 11/14/2005 01:10 PM Pg: 1 of 10

The following is said ordinance as passed:

WHEREAS, Block 37, L.L.C., a Delaware limited liability company (the "Beneficiary"), is the developer for the property commonly known as 108 North State Street (the "Property"); and

WHEREAS, The Beneficiary proposes to develop on the Property: (i) a four (4) to five (5) story retail building and office building above grade; (ii) if and when the market demands, one (1) or more towers on the retail building; and (iii) a transit station, a public pedway, retail uses, parking and loading facilities and other accessory and ancillary uses that are necessary and integral to the retail building and towers (collectively the "Improvements"); and

WHEREAS, Due to Property's site constraints, irregularities in platting of the Property and the demands of constructing the transit station, the Improvements must encroach into, above and below the public rights-of-way adjacent to the Property in order for the development project to be feasible; and

WHEREAS, The City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of air and subterranean rights encompassing such encroachments, all as described in the following ordinance; now, therefore,

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That part of West Randolph Street and that part of North State Street and that part of North Dearborn Street, all taken as a tract in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plan having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning and the northwest corner of Block 37 of Original Town of Chicago, in the east part of the southeast quarter of said Section 9; thence south 89 degrees, 08 minutes, 58 seconds east along the north line of Block 37, aforesaid, and the easterly extension thereof, 324.63 feet to west line of North State Street as established by an Act of the Legislature of the State of Illinois, approved March 3, 1845; thence south 89 degrees, 08 minutes, 58 seconds east along said easterly extension, 16.00 feet to a point on a line drawn 16.00 feet east of and parallel with the west line of North State Street, aforesaid; thence north

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00 degrees, 00 minutes, 00 seconds east along said parallel line, 16.31 feet to a point on a line drawn 16.31 feet north of and parallel with the north line of said Block 37; thence north 89 degrees, 08 minutes, 58 seconds west along the last mentioned parallel line, 356.92 feet to a point on a line drawn 16.29 feet west of and parallel with the west line of said Block 37; thence south 00 degrees, 01 minutes, 10 seconds west along the last mentioned parallel line, 16.31 feet to a point on the westerly extension of the north line of said Block 37; thence south 89 degrees, 08 minutes, 58 seconds east along said westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois,

containing 5,821 square feet, more or less,

Also,

that part of North State Street in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the point of intersection of the easterly extension of the north line of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9 with the west line of North State Street as established by an Act of the Legislature of the State of Illinois, approved March 3, 1845; thence south 89 degrees, 08 minutes, 58 seconds east along said easterly extension, 16.00 feet to a point on a line drawn 16.00 feet east of and parallel with the west line of North State Street, aforesaid; thence south 00 degrees, 00 minutes, 00 seconds west along said parallel line, 384.07 feet to the easterly extension of the south line of said Block 37; thence north 88 degrees, 54 minutes, 02 seconds west along the last mentioned easterly extension, 16.00 feet to the west line of North State Street, aforesaid; thence north 00 degrees, 00 minutes, 00 seconds east along the west line of North State Street, aforesaid, 384.00 feet to the point of beginning, in Cook County, Illinois,

containing 6,145 square feet, more or less,

Also,

that part of West Washington Street and that part of North State Street and that part of North Dearborn Street, all taken as a tract in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal

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Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the southwest corner of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9; thence south 84 degrees, 54 minutes, 02 seconds east along the south line of Block 37, aforesaid, and the easterly extension thereof, 324.79 feet to the west line of North State Street as established by an Act of the Legislature of the State of Illinois approved March 3, 1845; thence south 88 degrees, 54 minutes, 02 seconds east, 16.00 feet to a point on a line drawn 16.00 feet east of and parallel with the west line of North State Street, aforesaid; thence south 00 degrees, 00 minutes, 00 seconds west along said parallel line, 16.00 feet to a point on a line drawn 16.00 feet south of and parallel with the south line of said Block 37; thence north 88 degrees, 54 minutes, 02 seconds west along the last mentioned parallel line, 357.09 feet to a point on a line drawn 16.29 feet west of and parallel with the west line of said Block 37; thence north 00 degrees, 01 minutes, 10 seconds east along the last mentioned parallel line, 16.00 feet to a point on the westerly extension of the south line of said Block 37; thence south 88 degrees, 54 minutes, 02 seconds east, along said westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois,

containing 5,173 square feet, more or less,

Also,

that part of North Dearborn Street in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the southwest corner of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9; thence north 00 degrees, 01 minutes, 10 seconds east along the west line of Block 37, aforesaid, 131.13 feet to a point which is 51.16 feet south of the northwest corner of Lot 5 in Block 37, aforesaid, as measured along the west line of said Lot 5; thence north 89 degrees, 58 minutes, 46 seconds west, 16.29 feet to a line drawn 16.29 feet west of and parallel with the west line of said Block 37;

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thence south 00 degrees, 01 minutes, 10 seconds west, along said parallel line 130.82 feet to the westerly extension of the south line of said Block 37; thence south 88 degrees, 54 minutes, 02 seconds east along said westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois,

containing 2,134 square feet, more or less,

Also,

that part of North Dearborn Street in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the northwest corner of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9; thence south 00 degrees, 01 minutes, 10 seconds west along the west line of Block 37, aforesaid, 200.29 feet to the northwest corner of Lot 5 in Block 37, aforesaid; thence north 89 degrees, 01 minutes, 30 seconds west, 16.29 feet to a line drawn 16.29 feet west of and parallel with the west line of said Block 38; thence north 00 degrees, 01 minutes, 10 seconds east along said parallel line, 200.26 feet to the westerly extension of the north line of said Block 37; thence south 89 degrees, 08 minutes, 58 seconds east along said westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois,

containing 3,262 square feet, more or less,

Also,

that part of West Randolph Street and that part of North State Street, all taken as a tract in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +29.50 Chicago City Datum and lying above a horizontal plane having an elevation of +14.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

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beginning at the northwest corner of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9; thence south 89 degrees, 08 minutes, 58 seconds east along the north line of Block 37, aforesaid, and the easterly extension thereof, 324.63 feet to the west line of North State Street as established by an Act of the Legislature of the State of Illinois, approved March 3, 1845; thence south 89 degrees, 08 minutes, 58 seconds east along said easterly extension, 1.50 feet to a point on a line drawn 1.50 feet east of and parallel with the west line of North State Street, aforesaid; thence north 00 degrees, 00 minutes, 00 seconds east along said parallel line, 1.50 feet to a point on a line drawn 1.50 feet north of and parallel with the north line of said Block 37; thence north 89 degrees, 08 minutes, 58 seconds west along the last mentioned parallel line, 326.13 feet to the northerly extension of the west line of said Block 37; thence south 00 degrees, 01 minutes, 10 seconds west along said northerly extension, 1.50 feet to the point of beginning, in Cook County, Illinois,

containing 489 square feet, more or less,

Also,

that part of North State Street in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +29.50 Chicago City Datum and lying above a horizontal plane having an elevation of +14.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the point of intersection of the easterly extension of the north line of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9 with the west line of North State Street as established by an Act of the Legislature of the State of Illinois, approved March 3, 1845; thence south 89 degrees, 08 minutes, 58 seconds east along said easterly extension, 1.50 feet to a point on a line drawn 1.50 feet east of and parallel with the west line of North State Street, aforesaid; thence south 00 degrees, 00 minutes, 00 seconds west along said parallel line, 384.00 feet to the easterly extension of the south line of said Block 37; thence north 88 degrees, 54 minutes, 02 seconds west along the last mentioned easterly extension 1.50 feet to the west line of North State Street, aforesaid; thence north 00 degrees, 00 minutes, 00 seconds east along the west line of North State Street, aforesaid; 384.00 feet to the point of beginning, in Cook County, Illinois,

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containing 576 square feet, more or less,

Also,

that part of West Randolph Street and that part of North State Street, all taken as a tract in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +689.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the northwest corner of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9; thence south 89 degrees, 08 minutes, 58 seconds east along the north line of Block 37 aforesaid, and the easterly extension thereof, 324.63 feet to the west line of North State Street as established by an Act of the Legislature of the State of Illinois, approved March 3, 1845; thence south 89 degrees, 08 minutes, 58 seconds east along said easterly extension, 5.00 feet to a point on a line drawn 5.00 feet east of and parallel with the west line of North State Street aforesaid; thence north 00 degrees, 00 minutes, 00 seconds east along said parallel line, 5.00 feet to a point on a line drawn 5.00 feet north of and parallel with the north line of said Block 37; thence north 89 degrees, 08 minutes, 58 seconds west along the last mentioned parallel line, 329.63 feet to the northerly extension of the west line of said Block 37; thence south 00 degrees, 01 minute, 10 seconds west along said northerly extension, 5.00 feet to the point of beginning, in Cook County, Illinois,

containing 1,648 square feet, more or less,

Also,

that part of North State Street in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +689.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

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beginning at the point of intersection of the easterly extension of the north line of Block 37 of Original Town of Chicago in the east part of the southeast quarter of said Section 9 with the west line of North State Street as established by an Act of the Legislature of the State of Illinois approved March 3, 1845; thence south 89 degrees, 08 minutes, 58 seconds east along said easterly extension, 5.00 feet to a point on a line drawn 5.00 feet east of and parallel with the west line of North State Street aforesaid; thence south 00 degrees, 00 minutes, 00 seconds west along said parallel line, 384.02 feet to the easterly extension of the south line of said Block 37; thence north 88 degrees, 54 minutes, 02 seconds west along the last mentioned easterly extension, 5.00 feet to the west line of North State Street aforesaid; thence north 00 degrees, 00 minutes, 00 seconds east along the west line of North State Street, aforesaid, 384.00 feet to the point of beginning, in Cook County, Illinois,

containing 1,920 square feet, more or less,

Also,

that part of West Washington Street and that part of North State Street, all taken as a tract in the east part of the southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +68.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows:

beginning at the southwest corner of Block 37 of Original Town of Chicago in the east part of the southwest quarter of said Section 9; thence south 88 degrees, 54 minutes, 02 seconds east along the south line of Block 37 aforesaid, and the easterly extension thereof, 324.79 feet to the west line of North State Street as established by an Act of the Legislature of the State of Illinois, approved March 3, 1845; thence south 88 degrees, 54 minutes, 02 seconds east, 5.00 feet to a point on a line drawn 5.00 feet east of and parallel with the west line of North State Street aforesaid; thence south 00 degrees, 00 minutes, 00 seconds west along said parallel line, 4.00 feet to a point on a line drawn 4.00 feet south of and parallel with the south line of said Block 37; thence north 88 degrees, 54 minutes, 02 seconds west along the last mentioned parallel line, 329.79 feet to the southerly extension of the west line of said Block 37; thence north 00 degrees, 01 minutes, 10 seconds east along said Block 37; thence north 00 degrees, 01 minute, 10 seconds east along said southerly extension, 4.00 feet to the point of beginning, in Cook County, Illinois,

containing 1,319 square feet, more or less,

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as shaded and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty is hereby made a part of this ordinance, be and the same are hereby vacated and closed, inasmuch as the same are no longer required for public use and the public interest will be subserved by such vacations.

SECTION 2. The City of Chicago hereby reserves for the benefit of all public and private entities with facilities that services, such as but not limited to, cable, fiber optic, telephone and telegraph, data transmission, sewer, water electric, gas to the general public, together with their successors or assigns, an easement to operate, maintain, construct, replace and renew any and all facilities as may exist in the areas herein vacated on the date hereof until such time as such facilities, as applicable, are relocated.

SECTION 3. Compensation due for the benefits which will accrue to the Beneficiary as a result of the vacations set forth herein has been established as part of the purchase price for the Property in that certain redevelopment agreement between the Beneficiary and the City of Chicago. The redevelopment agreement sets forth the sole compensation which shall be due from the Beneficiary, and no additional compensation shall be due by virtue of the passage of this ordinance.

SECTION 4. In the event that the Improvements are intentionally removed or demolished by the Beneficiary or its successors or assigns, then the rights hereby vacated will revert back to the City of Chicago; provided, however, that if the Beneficiary or its successors or assigns seek to redevelop the Property with a comparable development or a development approved by the Department of Planning and Development which incorporates the rights hereby vacated within three (3) years of the removal or demolition of the Improvements (or such longer period as may be agreed to by the Department of Planning and Development), then the reversion referenced herein shall have no force or effect.

SECTION 5. The vacations herein provided for are made upon the express condition that within three hundred sixty-five (365) days after the passage of this ordinance, the Beneficiary shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with an attached drawing approved by the Superintendent of Maps.

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

[Drawing and legal description referred to in this ordinance  
printed on page 46797 of this *Journal*.]



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Ordinance associated with this drawing and legal description printed on pages 46789 through 46796 of this Journal.

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID OR CURRENT GENERAL TAXES DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE STREETS AND ALLEYS INCLUDED IN THE ABOVE PLAT.

*[Signature]*  
COUNTY CLERK  
DATE 10-24-2005

"A"

Assessor's Division of Lots 1, 2, 7 & 8 Bl. 37 Original Town of Chicago.  
Ante-Fire  
For alley see Corp. Council Opinion No. 468

"B"

Original Town of Chicago IN S.E. ¼ Sec. 9-39-14. Platted by Canal Commissioners Aug. 4, 1830.  
Rec. May 29, 1837  
Ante-Fire

"C"

Assessor's Division of Lots 3, 4 & 5 Bl. 37 of Original Town of Chicago.  
Rec. Oct. 6, 1839.  
Ante-Fire

"D"

Vacated by Ordinance Passed Dec. 20, 1989  
Rec. Dec. 29, 1990 (89-1340) Doc. 89-621866

RIGHT OF WAY WIDTHS SHOWN HEREON ARE RECORD WIDTHS PRIOR TO THIS PROPOSED VACATION.

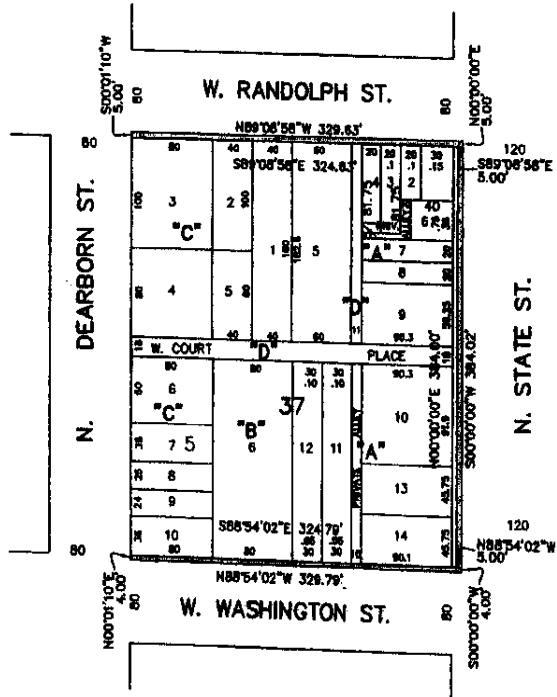
Dr. No. 9-42-05-2853



To be Vacated between elevation +29.50 C.C.D. TO +68.50 C.C.D.



1700 NO DEF... OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT  
*[Signature]*  
DEPT. REVENUE - CHICAGO  
BY *[Signature]* 10/25/05



CITY OF CHICAGO  
APPROVED  
*[Signature]*  
Superintendent of Maps  
November 9, 2005  
EXAMINER  
OF  
COOK SUBDIVISIONS  
COUNTY - ILLINOIS

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STATE OF ILLINOIS,  
County of Cook ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office of a vacation of air and subterranean rights on portions of North State Street, West Randolph Street and West Washington Street.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the eleventh (11<sup>th</sup>) day of May, 2005 and deposited in my office on the eleventh (11<sup>th</sup>) day of May, 2005.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit:

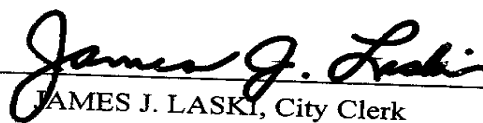
Yeas 48, Nay 0.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor failed to return the said ordinance to the said City Council with his written objections thereto at the next regular meeting of the said City Council occurring not less than five (5) days after the passage of the said ordinance.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this twenty-seventh (27<sup>th</sup>) day of June, 2005.

[L.S.]

  
\_\_\_\_\_  
JAMES J. LASKI, City Clerk