

UNOFFICIAL COPY

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8825/0082 32 001 Page 1 of 18  
1999-11-04 14:08:05  
Cook County Recorder 55.50



09040133

AFTER RECORDING RETURN TO:  
COMMONWEALTH LAND  
TITLE INSURANCE COMPANY  
10 S. LA SALLE, SUITE 2800  
CHICAGO, IL 60603  
ATTN: MEM


00155233

1813/0028 51 001 Page 1 of 19  
2000-03-03 16:28:07  
Cook County Recorder 57.50

**RESTRICTIVE COVENANT**

WHEREAS, the Chicago Trust Company, as Trustee, Trust Numbers 31773, 43428, 43429 and 43430 (Beneficiary: LTV Steel Company, Inc.) and LTV Steel Company, Inc. ("Owner"), holds legal title to certain parcels of real property ("Abutting Property") which are located at 3235 to 3325 East 114<sup>th</sup> Street, 11101 to 11357 South Mackinaw Avenue in the County of Cook, State of Illinois, and which will be used for the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities; and

WHEREAS, on May 12, 1999, the City Council of the City of Chicago approved an ordinance (C.J. pp. 3152, 3153 - 3159), a copy of which is attached as Exhibit A and which is hereby incorporated ("Ordinance") which Ordinance provided for the vacation of that part of South Buffalo Avenue lying between the south line of East 110<sup>th</sup> Street and the north line of East 112<sup>th</sup> Street, together with that part of South Buffalo Avenue lying between the south line of East

 This document is being re-recorded  
to correct the Torrens chain  
of title.

1199

112<sup>th</sup> Street and the north line of East 114<sup>th</sup> Street, also South Mackinaw Avenue lying between the south line of East 112<sup>th</sup> Street and the north line of East 114<sup>th</sup> Street, also East 111<sup>th</sup> Street lying between the east line of South Burley Avenue and the west line of South Mackinaw Avenue, also East 113<sup>th</sup> Street and East 114<sup>th</sup> Street lying between the East line of South Burley Avenue and the west line of the north-south 14 foot public alley lying between South Mackinaw Avenue and South Green Bay Avenue, together with all of the public alleys in the area bounded by the south line of East 110<sup>th</sup> Street, the north line of East 114<sup>th</sup> Street, the east line of South ley Avenue and the west line of South Mackinaw Avenue (hereinafter referred to as "Subject Premises"), the Subject Premises being more particularly described in Exhibit A which is attached and incorporated; and

**WHEREAS,** the vacation provided in the Ordinance is conditioned upon the execution and recording by the Owner of a restrictive covenant running with the land that provides that the Subject Premises shall be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities;

**NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE PASSAGE AND APPROVAL OF THE VACATION ORDINANCE AND THE VESTING OF TITLE IN THE OWNER, WITHOUT THE REQUIREMENT THAT THE OWNER PAY COMPEN**

**SATION TO THE CITY, THE OWNER DOES HEREBY AGREE WITH AND  
COVENANT TO THE CITY OF CHICAGO AS FOLLOWS:**

1. **USE.** The Owner hereby covenants to the City of Chicago that the above-described Subject Premises shall not be used for any use or purpose other than those which are set forth in Exhibit B, which is attached and incorporated, and for those uses and purposes which are accessory to such activities, including, but not limited to, the location of necessary and appropriate offices and facilities, storage, employee and customer parking and other similar uses and facilities. The consideration for such covenant, which is deemed and agreed to be valuable and sufficient, is the vacation by the City of Chicago of the Subject Premises for the benefit of Owner without the requirement that the Owner pay compensation to the City.

2. **COVENANT TO RUN WITH THE LAND AND TERM THEREOF.** The burdens of the covenant herein contained shall run with the Subject Premises. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns. The covenant shall be binding on the Owner, its successors and assigns, and shall be enforceable by the City, its successors and assigns. The covenant may be released or abandoned only upon approval of the City Council of the City of Chicago which may condition its approval upon the payment of such additional compensation by the Owner or any persons claiming under the Owner, which said City Council of the City of Chicago deems to be equal to the benefits accruing because of the release or abandonment of the covenant.

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### 3. VIOLATION OF RESTRICTIONS.

(a) Reversion. In the event that the Owner causes or permits a violation of a restriction contained herein, the City of Chicago may serve the Owner with a written notice entitled NOTICE OF VIOLATION setting forth the violations. Such notice shall be sent to Owner at 200 Public Square, Cleveland, Ohio 44114, Attention: Corporate Secretary. Within thirty (30) days of receipt of said Notice of Violation, Owner shall cause the correction of or cure the violations set forth therein. In the event that Owner shall fail or refuse to cause the correction of or cure such violations within the period of thirty (30) days, the City of Chicago may then record with the Cook County Recorder of Deeds a copy of the Notice of Violation, proof of service of the Notice of Violation and a Notice of Reversion. Upon the recording of the aforementioned documents by the City of Chicago, the Subject Premises shall be deemed to be conveyed by Owner to the City of Chicago. In the event that the City does not exercise its right of reversion as stated in this Section 3(a) within twenty (20) years from the date of execution and recording of this Covenant, then the provisions of this Section 3(a) shall be deemed null and void.

(b) Enforcement. In addition to the foregoing, this Covenant shall be enforceable by all remedies available in law or in equity, including injunctive relief.

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IN WITNESS WHEREOF, the Owner has caused this Covenant to be duly executed and attested to this 20<sup>th</sup> day of OCTOBER, 1999.

CHICAGO TITLE LAND TRUST COMPANY  
AS SUCCESSOR TRUSTEE TO

CHICAGO TRUST COMPANY, as Trustee, Trust Numbers  
31773,43428,43429 and 43430

By: SEE ATTACHED EXCULPATORY  
Its: CLAUSE FOR SIGNATURE

ATTEST:

Its: \_\_\_\_\_

LTV STEEL COMPANY, INC.

By: JC Skumh

Its: VICE PRESIDENT & TREASURER

ATTEST:

Its: Secretary

ACCEPTED:

Shannon R. Waller  
Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

[Signature]  
Assistant Corporation Counsel

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EXCULPATORY CLAUSE FOR THE CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE  
 UNDER TRUST NO. 31773, 43428, 43429, 43430 ATTACHED TO THAT RESTRICTIVE COVENANT  
 DATED 10/28/99 43429, 43430

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against The Chicago Trust Company, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

The Chicago Title Land Trust Company,  
 Under Trust No. 31773, 43428, 43429 & 43430

By:

Coni L. Barrie  
 Assistant Vice President

Attest:

By:

Sheila Duenfert  
 Assistant Secretary



State of Illinois  
 County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President and Assistant Secretary of THE CHICAGO TITLE LAND TRUST CO. personally known to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that the said Assistant Secretary, as custodian of the corporate seal of said Company, caused the corporate seal of said Company to be affixed to said instrument as said Assistant Secretary's own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 10/29/99

\*\*\*\*\*  
 "OFFICIAL SEAL"  
 LYNDA S. BARRIE  
 Notary Public, State of Illinois  
 My Commission Expires 4/27/02  
 \*\*\*\*\*

Lynda S. Barrie  
 NOTARY PUBLIC

Excipatory Clause w/Notary

09040133

STATE OF OHIO )  
COUNTY OF CUYAHOGA )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY that \_\_\_\_\_, personally known to me to  
be the \_\_\_\_\_ of Chicago Trust Company, as Trustee, Trust Number  
31773, 43428, 43429 and 43430 who is personally known to me to be the same person whose  
name is subscribed to the foregoing instrument, appeared before me this day in person and  
acknowledged that as such \_\_\_\_\_ he/she signed and  
delivered the said instrument, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

Prepared by and when recorded, return to:

Andrea Yao

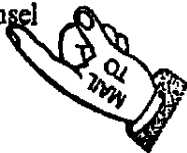
Assistant Corporation Counsel

30 North LaSalle Street

Room 1610, City Hall

Chicago, Illinois 60602

312/744-1826



09040133

STATE OF OHIO )  
COUNTY OF CUYAHOGA )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY that John C. Skrich, personally known to me to  
be the V.P. & Treasurer of LTV Steel Company, Inc., who is personally known  
to me to be the same person whose name is subscribed to the foregoing instrument, appeared  
before me this day in person and acknowledged that as such V.P. & Treasurer  
he he/she signed and delivered the said instrument, as V.P. & Treasurer as  
aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of October, 1999.

Carol A. Blaze

Notary Public

CAROL A. BLAZE, Notary Public  
State of Ohio, Cuyahoga County  
My commission expires Nov. 16, 1999

My commission expires 11-16-99

Prepared by and when recorded, return to:  
Andrea Yao  
Assistant Corporation Counsel  
30 North LaSalle Street  
Room 1610, City Hall  
Chicago, Illinois 60602  
312/744-1826



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EXHIBIT A - VACATION ORDINANCE

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Property of Cook County Clerk's Office

No. P.I.N. applicable - document  
affects newly vacated public way

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JOURNAL--CITY COUNCIL--CHICAGO

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5/12/99

VACATION OF SOUTH BUFFALO AVENUE, SOUTH MACKINAW AVENUE, EAST 113<sup>TH</sup> STREET AND EAST 114<sup>TH</sup> STREET AND PUBLIC ALLEYS BOUNDED BY EAST 110<sup>TH</sup> STREET, EAST 111<sup>TH</sup> STREET, SOUTH BURLEY AVENUE AND SOUTH MACKINAW AVENUE.

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, May 7, 1999.

To the President and Members of the City Council:

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body Pass a substitute ordinance for the vacation of all of South Buffalo Avenue and East 11<sup>th</sup> Street, also all of the north/south public alleys in the area bounded by East 110<sup>th</sup> Street, East 111<sup>th</sup> Street, South Burley Avenue and South Mackinaw Avenue also vacating all of South Buffalo Avenue, South Mackinaw Avenue, East 113<sup>th</sup> Street and East 114<sup>th</sup> Street, also all of the north/south 16 foot public alleys in the area bounded by South Burley Avenue, East 113<sup>th</sup> Street, East 114<sup>th</sup> Street and the west line of the first 16 foot alley west of South Greenway Avenue. This ordinance was referred to the committee on April 21, 1999.

This recommendation was concurred in unanimously by a viva voce vote of the members of the committee, with no dissenting vote.

Respectfully submitted,

(Signed) THOMAS R. ALLEN,  
Chairman.

On motion of Alderman Allen, the said proposed substitute ordinance transmitted with the foregoing committee report was Passed by yeas and nays as follows:

## REPORTS OF COMMITTEES

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5/12/99

Yeas -- Aldermen Granato, Haithcock, Preckwinkle, Hairston, Lyle, Beavers, Dixon, Beale, Pope, Balcer, Frias, Olivo, Burke, Coleman, Peterson, Murphy, Rugai, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Wojcik, Suarez, Matlak, Mell, Austin, Colom, Banks, Giles, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Hansen, Levar, Shiller, Schuller, M. Smith, Moore, Stone -- 48.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

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 City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, Many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas or other industrial uses; and

WHEREAS, The City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping, vandalism and other criminal activity; and by expanding the City's property tax base; and

WHEREAS, The City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, The properties at 3235 to 3325 East 110<sup>th</sup> Street, 3234 to 3344 East 114<sup>th</sup> Street, 11001 to 11357 South Burley Avenue, also 11000 to 11056 and 11101 to 11357 South Mackinaw Avenue are owned by the Chicago Trust Company, as Trustee, Trust Numbers 31773, 43428, 43429 and 43430 (Beneficiary LTV Steel Company, Incorporated); and LTV Steel Company, Incorporated; and

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JOURNAL--CITY COUNCIL--CHICAGO

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WHEREAS, The Chicago Trust Company, as Trustee, Trust Numbers 31773, 43428, 43429 and 43430 (Beneficiary Republic Steel Corporation, now renamed LTV Steel Company, Incorporated) and LTV Steel Company, Inc. proposes to assemble the parcels adjacent to the streets and alleys to be vacated herein for industrial development; and

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

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

SECTION 1. All that part of South Buffalo Avenue lying east of the east line of Lots 1 to 24, both inclusive, in Blocks 4 and 17, lying east of a line drawn from the southeast corner Lot 24 in Block 4 to the northeast corner of Lot 1 in Block 17, lying west of the west line of Lots 25 to 48, both inclusive, in Blocks 3 and 18, lying west of a line drawn from the southwest corner of Lot 25 in Block 3 to the northwest corner of Lot 48 in Block 18, lying south of a line drawn from the northwest corner of Lot 48 in Block 3 to the northeast corner of Lot 1 in Block 4 and lying north of a line drawn from the southeast corner of Lot 24 in Block 17 to the southwest corner of Lot 25 in Block 18, and all that part of South Buffalo Avenue lying east of the east line of Lots 1 to 24, both inclusive, in Blocks 24 and 34, lying east of a line drawn from the southeast corner of Lot 24 to the northeast corner of Lot 1 in Block 34, lying west of the west line of Lots 25 to 48, both inclusive, in Blocks 23 and 35, lying west of a line drawn from the southwest corner of Lot 25 in Block 23 to the northwest corner of Lot 48 in Block 35, lying south of a line drawn from the northwest corner of Lot 48 in Block 23 to the northeast corner of Lot 1 in Block 24 and lying north of a line drawn from the southeast corner of Lot 24 in Block 34 to the southwest corner of Lot 25 in Block 35,

Also

all that part of South Mackinaw Avenue lying east of the east line of Lots 1 to 24, both inclusive, in Blocks 23 and 35, lying east of a line drawn from the southeast corner of Lot 24 of Block 23 to the northeast corner of Lot 1 in Block 35, lying west of the west line of Lots 25 to 48, both inclusive, in Blocks 22 and 36, lying west of a line drawn from the southwest corner of Lot 25 in Block 22 to the northwest corner of Lot 48 in Block 36, lying south of a line drawn from the northeast corner of Lot 1 in Block 23 to the northwest corner of Lot 48 in

12/99

5/12/99

## REPORTS OF COMMITTEES

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Block 22 and lying north of a line drawn from the southeast corner of Lot 24 in Block 35 to the southwest corner of Lot 25 in Block 36,

Also

all that part of East 111<sup>th</sup> Street lying south of the south line of Lots 24 and 25 in Block 3, lying south of a line drawn from the southwest corner of Lot 24 in Block 3 to the southeast corner of Lot 25 in Block 3, lying north of the north line of Lots 1 and 48 in Block 18, lying north of a line drawn from the northwest corner of Lot 1 in Block 18 to the northeast corner of Lot 48 in Block 18, lying west of a line drawn from the southeast corner of Lot 24 in Block 3 in the northeast corner of Lot 1 in Block 18 and lying east of a line drawn from the southwest corner of Lot 25 in Block 3 to the northwest corner of Lot 48 in Block 18,

Also

all that part of East 111<sup>th</sup> Street lying south of the south line of Lots 24 and 25 in Block 4, lying south of a line drawn from the southwest corner of Lot 24 in Block 4 to the southeast corner of Lot 25 in Block 4, lying north of the north line of Lots 1 and 48 in Block 17, lying north of a line drawn from the northwest corner of Lot 1 in Block 17 to the northeast corner of Lot 48 in Block 17, lying west of a line drawn from the southeast corner of Lot 24 in Block 4 to the northeast corner of Lot 1 in Block 17 and lying east of a line drawn from the southwest corner of Lot 25 in Block 4 to the northwest corner of Lot 48 in Block 17,

Also

all that part of East 113<sup>th</sup> Street lying south of the south line of Lots 24 and 25 in Block 24, lying south of a line drawn from the southwest corner of Lot 24 in Block 24 to the southeast corner of Lot 25 in Block 24, lying north of the north line of Lots 1 and 48 in Block 34, lying north of a line drawn from the northwest corner of Lot 1 in Block 34 to the northeast corner of Lot 48 in Block 34, lying west of a line drawn from the southeast corner of Lot 24 in Block 24 to the northeast corner of Lot 1 in Block 34 and lying east of a line drawn from the southwest corner of Lot 25 in Block 24 to the northwest corner of Lot 48 in Block 34,

Also

all that part of East 113<sup>th</sup> Street lying south of the south line of Lots 24 and 25 in Block 23, lying south of a line drawn from the southwest corner of Lot 24 in Block 23 to the southeast corner of Lot 25 in Block 23, lying north of the north line of Lots 1 and 48 in Block 35, lying north of a line drawn from the northwest corner of Lot 1 in Block 35 to the northeast corner of Lot 48 in Block 35, lying west of a line drawn from the southeast corner of Lot 24 in Block 23 to the northeast corner of Lot 1 in Block 35 and lying east of a line drawn from the southwest corner of Lot 25 in Block 23 to the northwest corner of Lot 48 in Block 35.

Also

all that part of East 113<sup>th</sup> Street lying south of the south line of Lot 25 in Block 22, lying north of the north line of Lot 48 in Block 36, lying west of a line drawn from the southeast corner of Lot 25 in Block 22 to the northeast corner of Lot 48 in Block 36 and lying east of a line drawn from the southwest corner of Lot 25 in Block 22 to the northwest corner of Lot 48 in Block 36,

Also

all that part of East 114<sup>th</sup> Street lying south of the south line of Lots 24 and 25 in Blocks 34 and 35, lying south of the south line of Lot 25 in Block 36, lying south of a line drawn from the southeast corner of Lot 25 in Block 34 to the southwest corner of Lot 24 in Block 34, lying south of a line drawn from the southeast corner of Lot 24 in Block 34 to the southwest corner of Lot 25 in Block 35, lying south of a line drawn from the southeast corner of Lot 25 in Block 35 to the southwest corner of Lot 24 in Block 35, lying south of a line drawn from the southeast corner of Lot 24 in Block 35 to the southwest corner of Lot 25 in Block 36, lying north of a line 33 feet south of and parallel with the south line of Lots 24 and 25 in Blocks 34 and 35 and the south line of Lot 25 in Block 36, lying north of a line 33 feet south of and parallel with a line drawn from the southeast corner of Lot 25 in Block 34 to the southwest corner of Lot 24 in Block 34, lying north of a line 33 feet south of and parallel with a line drawn from the southeast corner of Lot 24 in Block 34 to the southwest corner of Lot 25 in Block 35, lying north of a line 33 feet south of and parallel with a line drawn from the southeast corner of Lot 25 in Block 35 to the southwest corner of Lot 24 in Block 35, lying north of a line 33 feet south



of and parallel with a line drawn from the southeast corner of Lot 24 in Block 35 to the southwest corner of Lot 25 in Block 36, lying east of the southerly extension of the west line of Lot 24 in Block 34, and lying west of the southerly extension of the east line of Lot 25 in Block 36.

Also

all of the north/south 14 foot public alleys lying west of the west line of Lots 1 to 24, both inclusive, lying east of the east line of Lots 25 to 48, both inclusive, lying south of a line drawn from the northwest corner of Lot 1 to the northeast corner of Lot 48, lying north of a line drawn from the southwest corner of Lot 24 to the southeast corner Lot 25 in Blocks 3,4,17,18,23, 24, 34 and 35 all in Russell's Subdivision of the south half, east of the river, in Section 18, Township 37 North, Range 15, East of the Third Principal Meridian, in Cook County, Illinois, said public streets, part of public streets and public alleys as herein vacated being further described as that part of South Buffalo Avenue lying between the south line of East 110<sup>th</sup> Street and the north line of East 112<sup>th</sup> Street, together with that part of South Buffalo Avenue lying between the south line of East 112<sup>th</sup> Street and the north line of East 114<sup>th</sup> Street, also South Mackinaw Avenue lying between the south line of East 112<sup>th</sup> Street and the north line of East 114<sup>th</sup> Street, also East 111<sup>th</sup> Street lying between the east line of South Burley Avenue and the west of line of South Mackinaw Avenue, also East 113<sup>th</sup> Street and East 114<sup>th</sup> Street lying between the east line of South Burley Avenue and the west line of the north/south 14 foot public alley lying between South Mackinaw Avenue and South Green Bay Avenue, together with all of the public alleys in the area bounded by the south line of East 110<sup>th</sup> Street, the north line of East 114<sup>th</sup> Street, the east line of South Burley Avenue and the west line of South Mackinaw Avenue 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 all of East 114<sup>th</sup> Street as herein vacated, as a right-of-way for an existing water main and appurtenances thereto, and for the installation of any additional water mains or other municipally-owned service facilities now located or which in the future may be located in all of East 114<sup>th</sup> Street as herein vacated, and for the maintenance, renewal, and reconstruction of such facilities, with the right of ingress and egress at all times upon reasonable notice. It is further provided that no buildings or other structures shall be erected on the said right-of-way herein reserved or other use made of said area, which is the judgment of the municipal officials having control of the aforesaid service facilities would interfere with the

use, maintenance, renewal or reconstruction of said facilities or the construction of additional municipally-owned service facilities.

**SECTION 3.** The City of Chicago hereby reserves for the benefit of Ameritech Illinois, their successors or assigns, an easement to operate, maintain, construct, replace and renew overhead poles, wires and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of telephonic and associated service under, over, and along East 114<sup>th</sup> Street as herein vacated, with the right of ingress and egress.

**SECTION 4.** The Commissioner of Transportation is hereby authorized to accept subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the City upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross of the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

**SECTION 5.** The vacations herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Chicago Trust Company, as Trustee, Trust Numbers 31773, 43428, 43429, 43430, and LTV Steel Company, Incorporated 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 a restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and 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 referred to in this ordinance printed on page 3159 of this Journal.]



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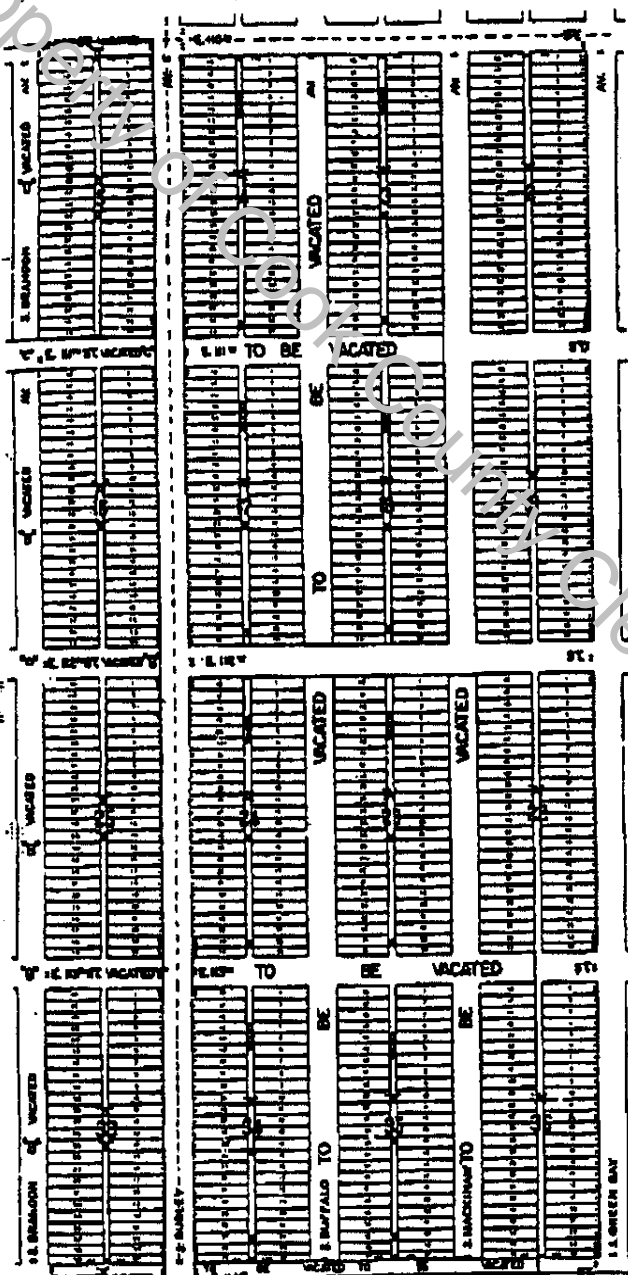
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Ordinance associated with this drawing printed on  
pages 3154 through 3158 of this Journal.

### Street and Alley Vacation Program-Industrial



\*A\*  
 member's statements of the Gov. I was in  
 the Army in Europe.

\*B\*  
 reported to committee yesterday June 24, 1955  
 Gov. John W. Davis      Gov. John W. Davis  
 Rep. John W. Davis      Rep. John W. Davis  
 (Governor Davis)

\*C\*  
 Member of committee yesterday June 24, 1955  
 Rep. John W. Davis      Rep. John W. Davis

\*D\*  
 reported to committee yesterday June 24, 1955  
 Rep. John W. Davis      Rep. John W. Davis

\*E\*  
 Rep. John W. Davis      Rep. John W. Davis

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**EXHIBIT B - PERMITTED USES**

1. Manufacturing, production, processing, assembly, fabricating, cleaning, servicing and repair of materials, goods or products, including but not limited to the following:

- a. Food and Kindred Products
- b. Tobacco Products
- c. Apparel and Other Textile Products
- d. Lumber and Wood Products
- e. Furniture and Fixtures
- f. Paper and Allied Products
- g. Printed and Published Products
- h. Chemicals and Allied Products
- i. Petroleum and Coal Products
- j. Rubber and Miscellaneous Plastics
- k. Leather and Leather Products
- l. Stone, Clay and Glass Products
- m. Primary Metals
- n. Fabricated Metal Products
- o. Industrial Machinery and Equipment
- p. Electronic and Electric Equipment
- q. Transportation Equipment
- r. Instruments and Related Products
- s. Scrap Metals

**09040133**

2. Transportation and wholesale trade, as distinguished from retail trade, of the materials, goods or products listed above.
3. Research and development of prototypes and processes related to the activities listed above.

S:covenant:070.ltvsteel