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1410139056 Fee: \$42.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00 Karen A. Yarbrough

Cook County Recorder of Deeds

Date: 04/11/2014 10:15 AM Pg: 0

STATE OF ILLINOIS))SS. COUNTY OF COOK

I, SUSANA A. MENDOZA, 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 Authorizing Vacation of Portion of Public Alley in area bounded by N. Elston Ave., W. Fullerton Ave. and N. Wolcott Ave.

I DO FUNTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the fifth (5th) day of February, 2014.

I DO FURTHER CENTIFY 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:

Fas 49

Nays 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 fai ed 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 folegoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the sarie.

> IN WITNESS WHEREOF, I have ne eunto 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 fourteenth (14th) day of March, 2014.

[T.P.]

RECORDING FEE DATE 4-11-14 COPIES OK BY

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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 properties at 1900 -- 1938 West Fullerton Avenue and 2401 -- 2413 North Eistop Avenue are owned by Vienna Beef, Limited, an Illinois corporation; and

WHEREAS, Vienna Beef, Limited proposes to ultimately build over and incorporate the alley into their south property, in conjugation with the realignment of North Elston Avenue being done by the City of Chicago Department of Transportation; 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 part of public alley, described in the following ordinance; now therefore,

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

SECTION 1. That part of the southeast quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, more particularly described as follows: beginning at the nortneast corner of Lot 15 in Block 8 of Fullerton's Addition to Chicago recorded on May 7, 1879 as Cocument Number 221101; thence northerly on an assumed bearing of north 00 degrees, 24 minutes, 44 seconds west along the west line of North Wolcott Avenue 16.00 feet to the northerly line of the east/west 16 foot public alley, said alley adjoining the northerly line of Lots 15 through 31 in said Block 8; thence south 89 degrees, 59 minutes, 35 seconds west along said north line 337.00 feet to the southwest line of vacated Lot 1 in said Block 8, said ic vacated by Document Number 2339230 recorded January 27, 1896; thence north to degrees, 11 minutes, 32 seconds west along said line 17.86 feet to the southerly line on the lands vacated by Document Number 3112626 recorded June 10, 1901; thence scuii, 66 degrees, 34 minutes, 10 seconds west along said line 17.35 feet to the south est corner of vacated Lot 33 in said Block 8, said lot vacated by said Document Number 2535250; thence south 46 degrees, 11 minutes, 32 seconds east along the northeast line of Lot 31 and Lot 30 in said Block 8, a distance of 31.01 feet to the south line of said alley; then a north 89 degrees, 59 minutes, 35 seconds east along said line 343.55 feet to the point of beginning. Said part containing 0.134 acre (5,835 square feet), more or less, as shaded and legally described by the words "Hereby Vacated" on the drawing hereto attached as Exhibit A, which drawing for greater certainty 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 vacations.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T, their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the alley herein

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vacated, with the right of ingress and egress. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison and/or AT&T's facilities. No buildings, permanent structures or obstructions shall be placed over said facilities without written release of easement by Commonwealth Edison and/or AT&T. Any future vacation-beneficiary prompted relocation of said facilities lying within the area being vacated will be completed by the respective utility and done at the expense of beneficiary of the vacation.

SECTION 3. The vacation herein provided for is made under the compensation terms described in of the Real Estate Agreement, Section 3A, between the City of Chicago Department of Transportation and Vienna Beef, Limited, as authorized by an ordinance approved by Cir, Council on May 8, 2013 and published at pages 52861 -- 52881 in the Journal of the Proceedings of the City Council of the City of Chicago of such date; which in the judgment of this body will be equal to such benefits as accrued to the City in association with Realignment Project consisting of the reconfiguration of North Elston Avenue and other adjacent public way.

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, Vienna Beef, Limited, its successor or identified agent shall pay 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 and the attached plat approved by the Superintendent of Maps and Plats.

SECTION 5. This ordinance shall take effect and be in force from and after its passage, publication, and recordation.

Vaca ion Approved:
(Signed) Patrick Harney For
Gabo Klein,
Commissioner
Approved as to Form and Legality
(Signed) Richard Wendy
Deputy Corporation Counsel

(Signed) Honorable Alderman Waguespack

Alderman, 32nd Ward

[Exhibit "A" referred to in this ordinance printed on page 74721 of this *Journal*.]

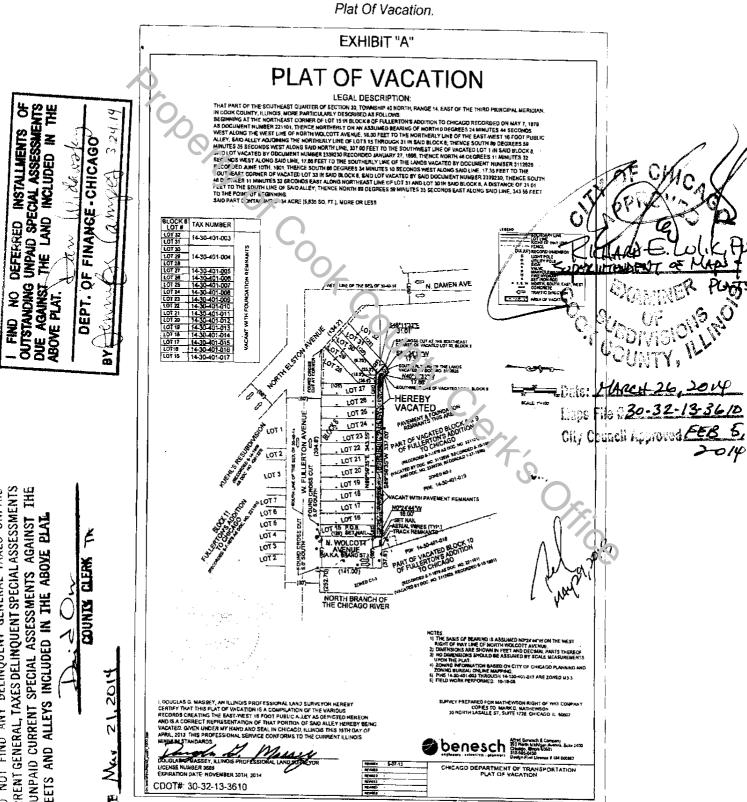
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74721

Exhibit "A".



OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE STREETS AND ALLEYS INCLUDED IN THE ABOYE PLAIL CURRENT GENERAL, TAXES DELINQUENT SPECIAL ASSESSMENTS NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID