

UNOFFICIAL COPY



1503619184

STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

Doc#: 1503619184 Fee: \$80.00
RHSP Fee:\$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/05/2015 04:21 PM Pg: 1 of 7

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 a Vacation of Public Way(s) for 3030 N. Broadway LLC.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the twenty-first (21st) day of January, 2015.

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 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 did approve and sign said ordinance on the twenty-sixth (26th) day of January, 2015.

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

IN WITNESS WHEREOF, I have hereunto 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 (27th) day of January, 2015.

[T.P.]


SUSANA A. MENDOZA, City Clerk

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COMMERCIAL 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 3013-3027 N. Waterloo Court and 3014-3038 N. Broadway are owned by 3030 North Broadway LLC, an Illinois limited liability Company; and

WHEREAS, 3030 North Broadway LLC proposes to use the portion of the alley to be vacated herein for construction of a Mariano's Grocery Store above, and an open public easement for ingress and egress below, the horizontal plane at 27.5 feet above City of Chicago Datum (CCD), for unimpeded vehicular and pedestrian traffic; 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 NORTH-SOUTH 20 FOOT WIDE PUBLIC ALLEY IN BLOCK 5 IN KNOKE AND GARDNER'S SUBDIVISION OF THE 20 ACRES NORTH OF AND ADJOINING THE SOUTH 30 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE FIRE, DESCRIBED AS FOLLOWS:

LYING SOUTH OF THE NORTH LINE OF SAID BLOCK 5; LYING WEST OF THE WEST LINE OF LOTS 1, 2 AND THAT PART OF LOT 3 LYING NORTH OF A LINE DRAWN 16.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 3 IN BLOCK 5 AFORESAID; LYING EAST OF THE EAST LINE OF LOTS 12, 11 AND THAT PART OF LOT 10 LYING NORTH OF A LINE DRAWN 16.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 10 IN BLOCK 5 AFORESAID; AND LYING NORTH OF A LINE DRAWN 16.00 FEET NORTH OF THE SOUTH LINE OF LOTS 3 AND 10 AFORESAID AND THEIR EXTENSIONS IN SAID BLOCK 5, IN COOK COUNTY, ILLINOIS, THIS LAND DESCRIBED HEREIN IS SUBJECT TO AN INGRESS/EGRESS EASEMENT BELOW THE HORIZONTAL PLANE AT 27.5 FEET CITY OF CHICAGO DATUM FOR UNIMPEDED VEHICULAR AND PEDESTRIAN PUBLIC TRAFFIC, THE TERMS OF WHICH ARE MORE FULLY DESCRIBED IN THE ORDINANCE AUTHORIZING SAID VACATION. A TOTAL AREA OF 2,519 SQUARE FEET OR 0.05783 ACRES MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit A, which drawing 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 (except for the ingress/egress) will be subserved by such vacation.

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SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, AT&T/SBC, RCN and Comcast and 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 vacated below a horizontal plane at 27.5 feet City of Chicago Datum. 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, AT&T/SBC, RCN and Comcast facilities. No buildings, permanent structures or obstructions shall be placed over Commonwealth Edison, AT&T/SBC, RCN and/or Comcast facilities without express written release of easement by the involved utility. Any future vacation-beneficiary prompted relocation of the above named utilities lying within the area being vacated, will be accomplished by the involved utility and Edison, AT&T/SBC and done at the expense of beneficiary of the vacation.

SECTION 3. The Commissioner of Transportation is hereby authorized to accept and approve a redevelopment agreement or similar instrument restricting the use and improvement of the public way vacated in Section 1 of this ordinance to a perpetual, non-exclusive dedicated drive with a nonexclusive, perpetual easement for the other Adjacent Owners, and a perpetual easement for continued, unimpeded open public pedestrian and vehicular access, and for such use and improvements that are accessory, as that term is defined in the Chicago Zoning Ordinance, subject to the approval of the Department of Transportation, and the Corporation Counsel as to form and legality.

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, 3030 North Broadway LLC shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of public alley hereby vacated the sum five hundred and four thousand dollars (\$ 504,000), which sum in the judgment of this body will be equal to such benefits.

SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, 3030 North Broadway LLC 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 plat as approved by the Superintendent of Maps and Plats.

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

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Vacation Approved:

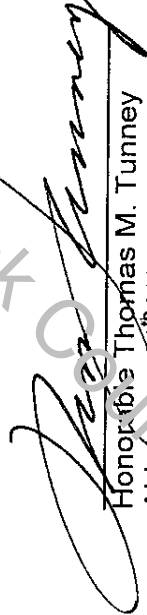


Rebekah Scheinfeld
Commissioner of Transportation

Approved as to Form and Legality



Richard Wendy
Deputy Corporation Counsel

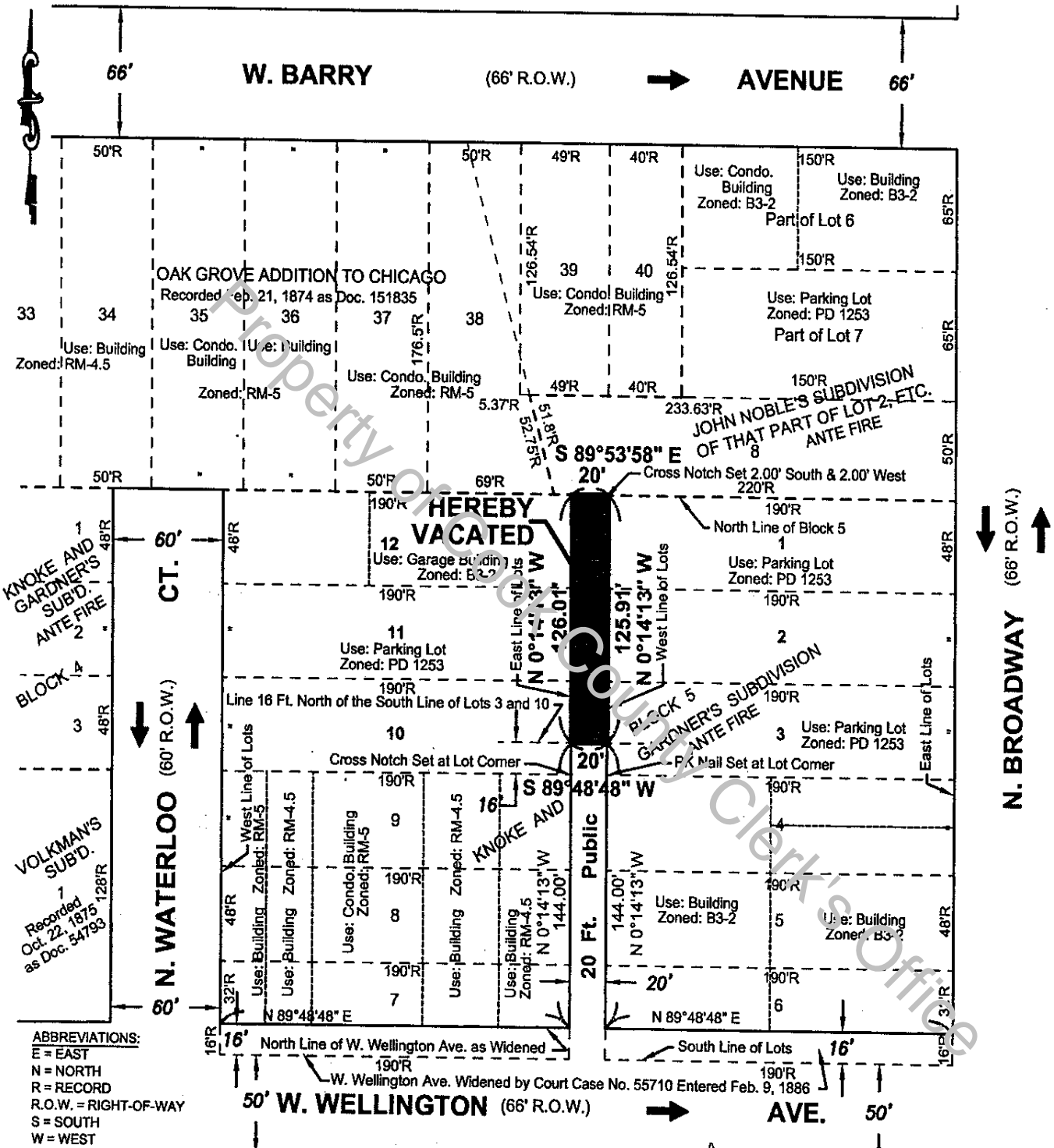


Honorable Thomas M. Tunney
Alderman, 44th Ward

Property of Cook County Clerk's Office

EXHIBIT "A" UNOFFICIAL COPY PLAT OF VACATION

of Part of 20 Foot Wide Public Alley



ABBREVIATIONS:
 E = EAST
 N = NORTH
 R = RECORD
 R.O.W. = RIGHT-OF-WAY
 S = SOUTH
 W = WEST

- NOTES:**
1. THE VACATED AREA AS SHOWN AND DEPICTED HEREIN IS SUBJECT TO AN INGRESS/EGRESS EASEMENT BELOW THE HORIZONTAL PLANE AT 27.5 FEET CITY OF CHICAGO DATUM FOR UNIMPEDED VEHICULAR AND PEDESTRIAN PUBLIC TRAFFIC, THE TERMS OF WHICH ARE MORE FULLY DESCRIBED IN THE ORDINANCE AUTHORIZING SAID VACATION.
 2. ALL DISTANCES AND BEARINGS SHOWN HEREON ARE MEASURED UNLESS SHOWN OTHERWISE.
 3. THE BASIS OF BEARINGS IS ASSUMED.

- LINE TYPES USED:**
- LOT LINES - - - - -
 - STREETS AND ALLEYS ———
 - LIMITS OF VACATION ████████
 - TRAFFIC FLOW DIRECTION →
 - DEED LINE ———

Handwritten signature and date:
 [Signature] 12/2014

IMPORTANT
 NO DIMENSIONS SHOULD BE OBTAINED BY SCALE MEASUREMENTS UPON THE PLAT. DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF, THUS 4.57 MEANS 4 FEET AND 108/100 FEET, OR IN FEET AND INCHES, THUS 4'-6 1/2"

REVISED NOV. 28, 2014
 REVISED NOV. 14, 2014
 SURVEY NO. N-129440 VACATION DATE: JULY 28, 2014
 THIS INSTRUMENT PREPARED BY:

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CDOT# 28-44-14-3673

1" = 80'
 PAGE 1 OF 2

NATIONAL SURVEY SERVICE, INC.
 PROFESSIONAL LAND SURVEYORS
 30 S. MICHIGAN AVENUE, SUITE 200 CHICAGO, ILLINOIS 60603
 TEL: 312-630-9480 FAX: 312-630-9484

EXHIBIT "A" UNOFFICIAL COPY PLAT OF VACATION

of Part of 20 Foot Wide Public Alley

THAT PART OF THE NORTH-SOUTH 20 FOOT WIDE PUBLIC ALLEY IN BLOCK 5 IN KNOKE AND GARDNER'S SUBDIVISION OF THE 20 ACRES NORTH OF AND ADJOINING THE SOUTH 30 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ANTE FIRE, DESCRIBED AS FOLLOWS:

LYING SOUTH OF THE NORTH LINE OF SAID BLOCK 5; LYING WEST OF THE WEST LINE OF LOTS 1, 2 AND THAT PART OF LOT 3 LYING NORTH OF A LINE DRAWN 16.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 3 IN BLOCK 5 AFORESAID; LYING EAST OF THE EAST LINE OF LOTS 12, 11 AND THAT PART OF LOT 10 LYING NORTH OF A LINE DRAWN 16.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 10 IN BLOCK 5 AFORESAID; AND LYING NORTH OF A LINE DRAWN 16.00 FEET NORTH OF THE SOUTH LINE OF LOTS 3 AND 10 AFORESAID AND THEIR EXTENSIONS IN SAID BLOCK 5, IN COOK COUNTY, ILLINOIS, THIS LAND DESCRIBED HEREIN IS SUBJECT TO AN INGRESS/EGRESS EASEMENT BELOW THE HORIZONTAL PLANE AT 27.5 FEET CITY OF CHICAGO DATUM FOR UNIMPEDED VEHICULAR AND PEDESTRIAN PUBLIC TRAFFIC, THE TERMS OF WHICH ARE MORE FULLY DESCRIBED IN THE ORDINANCE AUTHORIZING SAID VACATION.

AREA = 2,519 SQUARE FEET OR 0.05783 ACRES, MORE OR LESS

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, ROBERT M. RAIMONDI, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON FOR THE PURPOSE OF VACATING THE SAME AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION THEREOF. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 62° FAHRENHEIT. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

THE FIELD WORK WAS COMPLETED ON JULY 28, 2014

CHICAGO, ILLINOIS, NOVEMBER 14, 2014 A.D.

BY Robert M. Raimondi
ROBERT M. RAIMONDI
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3579



MY LICENSE EXPIRES 11/30/2016

SURVEY PREPARED FOR:
MR. EUGENE J. PORTO
GREAT LAKES PRINCIPALS
221 W. ILLINOIS STREET
WHEATON, IL 60187
PH: 630-221-7000

REVISED NOV. 26, 2014
REVISED NOV. 14, 2014
DATE: JULY 28, 2014

SURVEY NO. N-129440 VACATION
THIS INSTRUMENT PREPARED BY:

NATIONAL SURVEY SERVICE, INC.
DESIGN FIRM LICENSE NUMBER: 184.002780
30 S. MICHIGAN AVENUE, SUITE 200 CHICAGO, ILLINOIS 60603
TEL: 312-630-9480 FAX: 312-630-9484

PIN's AFFECTED AND CORRESPONDING LOTS:

14-28-107-027 = THE EAST 150 FT. OF LOT 7 AND ALL OF LOT 8 IN JOHN NOBLE'S SUBDIVISION

14-28-107-052 = LOTS 10 AND 11 IN BLOCK 5 IN KNOKE AND GARDNER'S SUBDIVISION

14-28-107-059 = THE NORTH 1/2 OF LOT 4 (EXCEPT THE WEST 90 FT. THEREOF) AND ALL OF LOTS 1, 2 AND 3 IN BLOCK 5 IN KNOKE AND GARDNER'S SUBDIVISION

14-28-107-078 = LOTS 37 AND 38 IN OAK GROVE ADDITION TO CHICAGO SUB. AND THE EAST 110.5 FT. OF LOT 12 IN BLOCK 5 IN KNOKE AND GARDNER'S SUBDIVISION

Handwritten signature and date: [Signature] 1/2014

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID CURRENT GENERAL TAXES DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE STREETS AND ALLEYS INCLUDED IN THE ABOVE PLAT.
David D. O'M (PO)
COUNTY CLERK
DATE Jan. 30, 15

COOK COUNTY

I FIND NO DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.
Jan Widawsky
DEPT. OF FINANCE - CHICAGO
BY Jan 1/30/15

DEPT. OF FINANCE

CITY OF CHICAGO APPROVED
RICHARD E. [Signature] PLS SUPERINTENDENT OF MAPS & PLATS
EXAMINER OF COOK SUBDIVISIONS, ILLINOIS
Date: FEB 5, 2015
Map File # 28-44-14-3673
City Council Approved JAN 21, 2015

C.D.O.T.

CDOT# 28-44-14-3673

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Property of Cook County Clerk's Office

APPROVED
Richard E. Emanuel
Mayor
1/26/15

APPROVED
Joseph R. Patton
CORPORATION COUNSEL