

# UNOFFICIAL COPY

PARTIAL RELEASE OF  
RESTRICTIVE USE COVENANT



Doc# 1836006188 Fee \$110.00

PHSP FEE: \$9.00 RPRF FEE: \$1.00

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 12/26/2018 02:36 PM PG: 1 OF 37

(The Above Space For Recorder's Use Only)

**CITY OF CHICAGO**, an Illinois municipal corporation ("City"), pursuant to an ordinance passed by the City Council of the City on May 14, 2008 ("Vacation Ordinance"), and recorded on September 18, 2008, with the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder's Office") as Document Number 0826245111, a copy of which is attached hereto as **Exhibit 1**, provided for an industrial program street vacation of a portion of N. Sangamon Street between W. Carroll Street and vacated W. Wayman Street, as well as a portion of W. Carroll Street between N. Sangamon Street and N. Morgan Street (such vacated property, together, the "Subject Property").

The Vacation Ordinance provided that the vacation of the Subject Property was conditioned, in part, upon Nealey Family Limited Partnership, Pioneer Wholesale Meat Company, H. Carruth, L.L.L.P, Active Propane Company (n/k/a PVJ's Company) and Roberts Electric Company, each of which at the time of the Vacation Ordinance owned property abutting the Subject Property, recording a restrictive use covenant running with the land ("Restrictive Use Covenant"), that required the Subject Property 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".

The Restrictive Use Covenant was recorded on September 18, 2008, with the Recorder's Office as Document Number 0826245110, and a copy of such recorded Restrictive Use Covenant is attached hereto as **Exhibit 2**.

Section 5 of the Vacation Ordinance states, in part, that the Restrictive Use Covenant "may be released 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

RECORDING FEE \$ 110 -  
DATE 12/26/18 COPIES 6x  
OK BY RW/STO

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benefits accruing because of the vacation of the public ways with restriction on its use".

The City, upon due investigation and consideration, has determined that the public interest now warrants the release of the Restrictive Use Covenant solely with respect to the "Limited Area of Release" legally described in Exhibit 3 attached hereto, subject to the payment of such additional compensation which it deems to be equal to the benefits accruing to Active Propane Company (n/k/a PVJS Company), an Illinois corporation, because of such release.

The City hereby releases the Restrictive Use Covenant solely from the Limited Area of Release.

[Signature page follows]

Property of Cook County Clerk's Office

RECORDED  
COOK COUNTY  
ORDER OF DEEDS

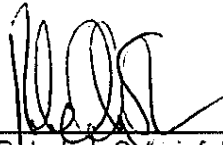
RECORDED  
COOK COUNTY  
ORDER OF DEEDS

RECORDED  
COOK COUNTY  
ORDER OF DEEDS

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IN WITNESS WHEREOF, the City of Chicago has caused this instrument to be duly executed in its name and behalf, by the Commissioner of the Department of Transportation, on or as of the 14<sup>th</sup> day of Dec, 2018

CITY OF CHICAGO,  
an Illinois municipal corporation

By:   
\_\_\_\_\_  
Rebekah Scheinfeld  
Commissioner  
Department of Transportation

THIS TRANSFER IS EXEMPT PURSUANT TO THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX ACT, 35 ILCS 200/31-45; AND SECTION 3-3 2-030B7(b) OF THE CHICAGO TRANSACTION TAX ORDINANCE.

Property of Cook County Clerk's Office

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STATE OF ILLINOIS        )  
                                          ) SS  
COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Rebekah Scheinfeld, 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 she signed, sealed and delivered as Commissioner, Department of Transportation, the said instrument as her free and voluntary act, and as the free and voluntary act of the City, for the uses and purposes therein set forth.

Given under my hand and official seal, this 14<sup>th</sup> day of Dec., 2018

Rachel Decorvo  
Notary Public.

THIS INSTRUMENT WAS PREPARED BY:  
Arthur Dolinsky  
Senior Counsel  
City of Chicago, Department of Law  
121 N. LaSalle Street, Room 600  
Chicago, Illinois 60601  
312/744-8731



AFTER RECORDING, PLEASE RETURN TO:

Michael Ezgur  
Acosta Ezgur Law  
1030 W. Chicago, 3<sup>rd</sup> Fl.  
Chgo Ill 60642

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**EXHIBIT 1**  
**OF THE PARTIAL RELEASE OF RESTRICTIVE USE COVENANT**

Recorded Vacation Ordinance  
(Attached)

Property of Cook County  
Recorder of Deeds

COCK COUNTY  
RECORDER OF DEEDS

COCK COUNTY  
Recorder of Deeds

COCK COUNTY  
RECORDER OF DEEDS

COCK COUNTY  
RECORDER OF DEEDS

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MIGUEL DEL VALLE, CITY CLERK  
CITY CLERK'S OFFICE-CITY OF CHICAGO

1836006188

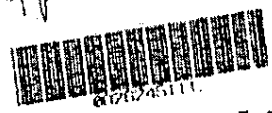
The following is said ordinance as passed:

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

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RECORDER OF DEEDS  
COOK COUNTY

CC Approved 5/14/08



Doc#: 0828245111 Fee: \$78.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 09/18/2008 12:27 PM Pg: 1 of 7

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28132

JOURNAL—CITY COUNCIL—CHICAGO

5/14/2008

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 338 to 354 North Sangamon Street, the properties at 339 to 353 North Sangamon Street, and the properties at 932 to 940 West Carroll Avenue are owned by Nealey Family Limited Partnership; and

WHEREAS, Nealey Family Limited Partnership employs eighty-six (86) full time employees in food processing; and

WHEREAS, Nealey Family Limited Partnership proposes to use the portion of the streets to be vacated herein for motor vehicle parking and tank storage; and

WHEREAS, The property at 321 to 329 North Sangamon Street is owned by Pioneer Wholesale Meat Company, and

WHEREAS, Pioneer Wholesale Meat Company employs twenty-four (24) full time employees in wholesale meat processing; and

WHEREAS, Pioneer Wholesale Meat Company proposes to use the portion of the streets to be vacated herein for fenced in parking; and

WHEREAS, The properties at 942 to 956 West Carroll Avenue and the properties at 339 to 357 North Morgan Street are owned by H. Camuth, L. L. P., and

WHEREAS, H. Camuth, L. L. P. leases a building structure with a parking lot to Pittsburgh Paint Company; and

WHEREAS, H. Camuth, L. L. P. proposes to use the portion of the streets to be vacated herein to expand parking; and

WHEREAS, The properties at 320 to 328 North Sangamon Street and the properties at 933 to 943 West Carroll Avenue are owned by Active Propane Company; and

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5/14/2008

REPORTS OF COMMITTEES

28133

WHEREAS, Active Propane Company employs ten (10) full time employees in propane processing; and

WHEREAS, Active Propane Company proposes to use the portion of the streets to be vacated herein for truck parking and empty tank storage; and

WHEREAS, The properties at 945 to 957 West Carroll Avenue and the properties at 321 to 329 North Morgan Street are owned by Roberts Electric Company; and

WHEREAS, Roberts Electric Company employs three (3) full time employees in a mail order house, selling hydraulic equipment; and

WHEREAS, Roberts Electric Company proposes to use the portion of the streets to be vacated herein for empty tank parking; 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 part of public streets 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 North Sangamon Street lying east of the east line of Lots 8, 11 and 12 in Block 4, lying east of the east line of Lot 1 in Block 15, lying east of a line drawn from the southeast corner of Lot 12 in Block 4 to the northeast corner of Lot 1 in Block 15, lying west of the west line of Lot 5 all in Carpenter's Addition to Chicago, being a subdivision of the southeast quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois, lying west of the west line of Lots 17, 18 and 19, in subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid, lying west of a line drawn from the southwest corner of Lot 18 in Subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid to the northwest corner of Lot 19 in subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid, lying south and southerly of a line 20 feet south, southerly of and parallel with a line drawn from a point on the west line of Lot 17 said point being 154.48 feet, more or less, north of the south line of Lot 19 in subdivision of Block 3 aforesaid (as measured in a southerly direction along the west line of Lots 17, 18 and 19 and along a line drawn from the southwest corner of Lot 18 to the northwest corner of Lot 19 all in subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid) to a point on the west line of Lot 8 said point being 160.76 feet, more or less, north of the south line of Lot 12 in Block 4 in Carpenter's Addition to Chicago aforesaid (as measured in a southerly direction along the east line of Lots 8, 11 and 12 in Block 4 in Carpenter's Addition to Chicago aforesaid) and lying north of the north line of the south 16 feet of Lot 5 (the south 16 feet of

P. I. N. : 17-08-404-007-006-003-0000

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28134

JOURNAL—CITY COUNCIL—CHICAGO

5/14/2008

said Lot 5 (taken for street) in Block 16 in Carpenter's Addition to Chicago aforesaid extended west to the east line of Lot 1 in Block 15 in Carpenter's Addition to Chicago aforesaid,

Also,

all that part of West Carroll Avenue lying south of the south line of Lots 12 to 16, both inclusive, in Block 4, lying north of the north line of Lots 1 to 5, both inclusive, in Block 15, lying west of a line drawn from the southeast corner of Lot 12 in Block 4 to the northeast corner of Lot 1 in Block 15 and lying east of a line drawn from the southwest corner of Lot 16 in Block 4 to the northwest corner of Lot 5 in Block 15 all in Carpenter's Addition to Chicago aforesaid; said part of public streets herein vacated being further described as that part of North Sangamon Street, lying south of a line 160.76 feet, more or less (as measured in a northerly direction along the west line of North Sangamon Street) north of the north line of West Carroll Avenue, lying north of the north line of West Wayman Street extended, also the vacation of West Carroll Avenue lying between the east line of North Morgan Street extended and the west line of North Sangamon Street extended, 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, 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 vacations herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Nealey Family Limited Partnership, H. Carruth, L. L. P., Active Propane Company and Roberts Electric Company shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrance to that part of the public street hereby vacated, similar to the sidewalk and curb along east side of North Morgan Street lying between the south line of West Kinzie Street and the north line West Wayman Street. The precise amount of the sum so deposited shall be ascertained by the Office of Emergency Management and Communications - Traffic Management Authority, Permits Division after such investigation as is requisite and deposited with the Chicago Department of Revenue.

SECTION 3. The City of Chicago hereby reserves that part of North Sangamon Street as herein vacated, as a right-of-way for an existing sewer and for the installation of any additional sewers or other municipally-owned service facilities now located or which in the future may be located in that part of North Sangamon Street as herein vacated, and for the maintenance, renewal and reconstruction of such facilities. It is further provided that no buildings or other structures shall be erected on said right-of-way herein reserved or other use made of said area, which in the judgment of the respective 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.

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5/14/2008

REPORTS OF COMMITTEES

28135

The vacations herein provided for are made upon the express condition that the Nealey Family Limited Partnership, H. Camuth, L. L. P., Active Propane Company, Roberts Electric Company and Pioneer Wholesale Meat Company shall agree to accept and maintain as private sewers all existing sewers and appurtenances thereto which are located in that part of West Carroll Avenue as herein vacated.

SECTION 4. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T/SBC, 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 electrical energy and telephonic and associated services under, over and along that part of West Carroll Avenue and North Sangamon Street as herein vacated, with the right of ingress and egress.

SECTION 5. 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 similar other 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 to 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 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 vacation of the public ways with restrictions on its use.

SECTION 6. The vacations herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Nealey Family Limited Partnership, Pioneer Wholesale Meat Company, H. Camuth, L. L. P., Active Propane Company and Roberts Electric Company 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 5 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 7. 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 28136 of this Journal.]

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CITY OF CHICAGO  
APPROVED

28136

*Lawrence T. Hesse*  
Superintendent of Maps  
Sept. 18, 2008  
EXAMINER

JOURNAL-CITY COUNCIL-CHICAGO

5/14/2008

COOR. SUBDIVISIONS OF  
COOK COUNTY - ILLINOIS

[Ordinance associated with this drawing and legal description printed on pages 28133 through 28135 of this Journal.]

I FIND NO DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.

DEPT. OF REVENUE - CHICAGO

BY *David Morgan*

- 'A' Carpenter's Addition to Chicago, being a Subdivision of the S.E. 1/4 of Section 8-3C 14.
- 'B' Subdivision of Blk. 3 of Carpenter's Addition to Chicago etc. (See 'A').
- 'C' Dedication for Public Street as provided for in Ordinance Passed Feb. 6, 1899.  
Rec. April 9, 1899. Doc. # 2903546  
Rec. April 12, 1899. Doc. # 2905173
- 'D' Vacated by Ordinance Passed March 19, 1912.  
Rec. May 17, 1912. Doc. # 4969450
- 'E' Vacated by Ordinance Passed Oct. 25, 1909.  
Rec. Jan. 19, 1900. Doc. # 90031264
- 'F' Air Rights Easement 10 feet above established grade.  
Rec. Jan. 19, 1900. Doc. # 90031264

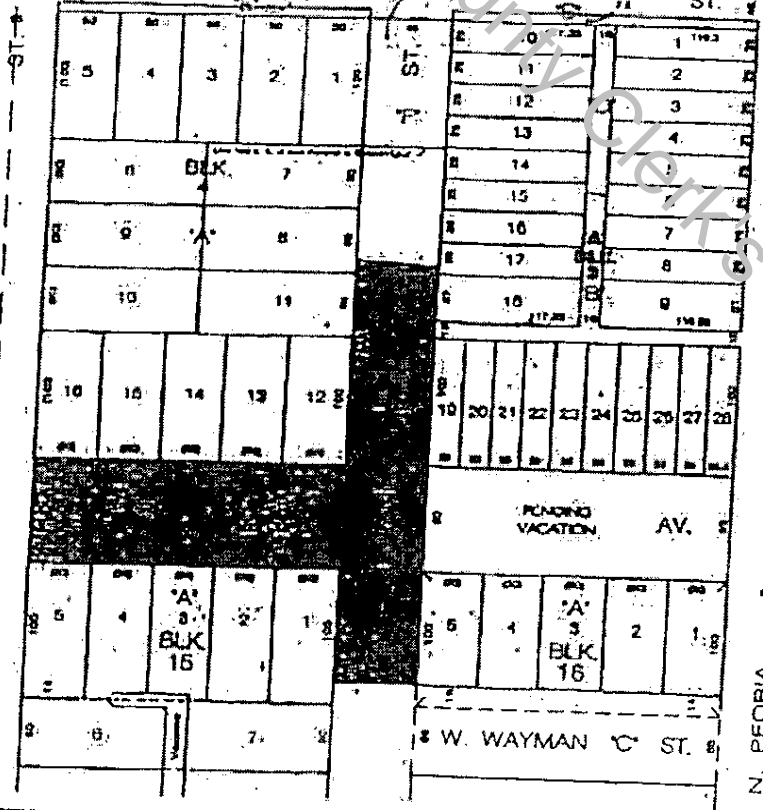
Dr. No. 08-27-07-30zb

Note: These Streets are being vacated under the Industrial Street and Alley Vacation Program.

NORTH

METRA (Milwaukee District / West Line)

W. KINZIE ST.



I hereby certify that this print is an exact copy of the original from which it was made.

*Lawrence T. Hesse*  
Superintendent of Maps  
Sept. 18, 2008  
City of Chicago

ON UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE LAND AND ALLEYS INCLUDED IN THE ABOVE PLAT.

*David Morgan*  
COUNTY CLERK  
8-6-08

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DATE 9/18/08  
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OK



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EXHIBIT 2  
OF THE PARTIAL RELEASE OF RESTRICTIVE USE COVENANT

Recorded Restrictive Use Covenant  
(Attached)

Property of Cook County Clerk's Office

COOK COUNTY  
RECORDER OF DEEDS

COOK COUNTY  
RECORDER OF DEEDS

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Doc#: 0826245110 Fee: \$76.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/18/2008 12:18 PM Pg: 1 of 21



## RESTRICTIVE COVENANT

WHEREAS, The Nealey Family Limited Partnership; Pioneer Wholesale Meat Company; H. Carruth, I, L.L.P.; Active Propane Company and Roberts Electric Company ("Owners"), hold legal title to certain parcels of real property ("Abutting Property") which are located at 338 to 354 and 339 to 352 North Sangamon Street also 932 to 940 West Carroll Avenue; 321 to 329 North Sangamon Street, 942 to 956 West Carroll Avenue, 339 to 357 North Morgan Street; 320 to 328 North Sangamon Street, 933 to 943 West Carroll Avenue; 945 to 957 West Carroll Avenue and 321 to 329 North Morgan Street, in the County of Cook, State of Illinois, and which are currently used for the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products or ly, 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 14, 2008, the City Council of the City of Chicago approved an ordinance, 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 North Sangamon Street,

RECORDING FEES 76  
DATE 9/18/08 COPIES 2  
OK [Signature]



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0826245110 Page: 2 of 21

lying south of a line 160.76 feet, more or less (as measured in a northerly direction along the west line of north of the north line of West Wayman Street extended, also the vacation of West Carroll Avenue lying between the east line of North Morgan Street extended and the west line of North Sangamon Street extended, (after 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 COMPENSATION TO THE CITY, THE Owner DOES HEREBY AGREE WITH AND COVENANT TO THE CITY OF CHICAGO AS FOLLOWS:

1. USE. The Owner hereby covenant 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

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0826245110 Page: 3 of 21

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.

**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 Nealey Family Limited Partnership, 900 West Fulton Market, Chicago, Illinois 60607; Pioneer Wholesale Meat Company, 1000 West Carroll Avenue, Chicago, Illinois 60607, H. Carruth Properties, LLC, 2708 Cheiftain Run, Duluth, Georgia, Active Propane, 600 North Broadway, Aurora, Illinois 60505, Roberts Electric, 311 North Morgan Street, Chicago, Illinois 60607. Within thirty (30) days of receipt of said Notice of Violation,



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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.

IN WITNESS WHEREOF, the Owner has caused this Covenant to be duly executed and attested to this 26th day of July, 2008.

NEALEY FAMILY LIMITED PARTNERSHIP

By: Douglas A. Nealey

Its: President

ATTEST:

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

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AZULAYSEIDEN LAW GROUP

0826245110 Page: 5 of 21

3128329212

P.006

ACCEPTED:

[Signature] yH

Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

[Signature]  
Assistant Corporation Counsel

PIONEER WHOLESALE MEAT COMPANY

By: [Signature]

Its: PRESIDENT

ATTEST:

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

ACCEPTED:

[Signature] AH  
Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

[Signature]  
Assistant Corporation Counsel

H. CARRUTH PROPERTIES, LLC

By: [Signature]

Its: [Signature]

ATTEST:

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

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0826245110 Page: 6 of 21

ACCEPTED:

*JM*  
Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

*W. McCormick*  
Assistant Corporation Counsel

PVJS Company  
formerly known as  
ACTIVE PROPANE

By: *Robert A. Acker*

Its: President

ATTEST:

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

ACCEPTED:

*JM*  
Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

*W. McCormick*  
Assistant Corporation Counsel

ROBERTS ELECTRIC

By: *Jeff Boos*

Its: President

ATTEST:

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

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0826245110 Page: 7 of 21

ACCEPTED:

*[Signature]*  
Commissioner of Transportation

*[Signature]*

APPROVED AS TO FORM AND LEGALITY:

*[Signature]*  
Assistant Corporation Counsel

COOK COUNTY  
RECORDER OF DEEDS

Property of Cook County Clerk's Office

COOK COUNTY  
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RECORDER OF DEEDS

COOK COUNTY  
RECORDER OF DEEDS

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0826245110 Page: 8 of 21

STATE OF ILLINOIS    )  
                                  )  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY that Douglas A. Nealey, personally known to me to  
be the President of The Nealey Family Partnership, 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 Douglas A. Nealey  
\_\_\_\_\_ he/s signed and delivered the said instrument, for the uses and purposes  
therein set forth.

GIVEN under my hand and notarial seal this 5th day of August, 2008

Christine Pugin  
\_\_\_\_\_  
Notary Public

My commission expires 7-15-09.

Prepared by and when recorded, return to:  
Ellen McCormack  
Assistant Corporation Counsel  
121 North LaSalle Street  
Room 600, City Hall  
Chicago, Illinois 60602  
312/744-6933



# UNOFFICIAL COPY

0826245110 Page: 9 of 21

STATE OF ILLINOIS     )  
                                          )  
COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY that William Mulligan personally known to me to  
be the President of the Pioneer Wholesale Meat Company, 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  
William Mulligan he/~~she~~ signed and delivered the said instrument, for  
the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 5th day of August, 2008

Christine Pugh  
Notary Public

My commission expires 7-15-09

Prepared by and when recorded, return to:  
Ellen McCormack  
Assistant Corporation Counsel  
121 North LaSalle Street  
Room 600, City Hall  
Chicago, Illinois 60602  
312/744-6933



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AUG-04-2008 10:09

AZULAYSEIDEN LAW GROUP

0826245110 Page: 10 of 21  
3128329212

P.007

STATE OF ILLINOIS     )  
                                          )  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY that HERMAN CARRUTH, personally known to me to  
be the PARTNER of the H. Carruth, L.L.P., 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, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4<sup>th</sup> day of August, 2008

Megan Egan  
Notary Public

My commission expires November 7, 2011

Prepared by and when recorded, return to:  
Ellen McCormack  
Assistant Corporation Counsel  
121 North LaSalle Street  
Room 600, City Hall  
Chicago, Illinois 60602  
312/744-6933

# UNOFFICIAL COPY

0826245110 Page: 11 of 21

STATE OF ILLINOIS     )  
                                          )  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO

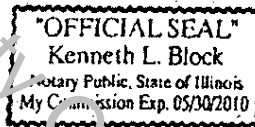
HEREBY CERTIFY that Patrick Arlis, personally known to me to  
be the President of PVJS Company, formerly known as  
of the Active Propane Company, who is personally  
known to me to be the same person whose name is subscribed to the foregoing instrument,  
appeared before me this day in person and acknowledged that as such \_\_\_\_\_  
\_\_\_\_\_ he/she signed and delivered the said instrument, for the uses and purposes  
therein set forth.

GIVEN under my hand and notarial seal this 15th day of July, 2008

[Signature]  
Notary Public

My commission expires 5/30/10

Prepared by and when recorded, return to:  
Ellen McCormack  
Assistant Corporation Counsel  
121 North LaSalle Street  
Room 600, City Hall  
Chicago, Illinois 60602  
312/744-6933





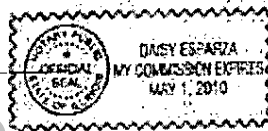
# UNOFFICIAL COPY

STATE OF ILLINOIS     )  
                                          )  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO  
HEREBY CERTIFY that Jeff Boos, personally known to me to  
be the President of the Roberts Electric Company, 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 Jeff Boos  
he/she signed and delivered the said instrument, for the uses and purposes  
therein set forth.

GIVEN under my hand and notarial seal this 25 day of July, 2008

Daisy Esparza  
Notary Public



My commission expires May 1, 2010

Prepared by and when recorded, return to:  
Ellen McCormack  
Assistant Corporation Counsel  
121 North LaSalle Street  
Room 600, City Hall  
Chicago, Illinois 60602  
312/744-6933

# UNOFFICIAL COPY

EXHIBIT A - VACATION ORDINANCE

COOK COUNTY  
RECORDER OF DEEDS

COOK COUNTY  
RECORDER OF DEEDS

Property of Cook County Clerk's Office

P. I. N. : 17-08-404-007-006-003-0000  
17-08-412-010-09-0000  
17-08-405-004-003-0000  
17-08-413-001-0000

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

COOK COUNTY  
RECORDER OF DEEDS

**UNOFFICIAL COPY**

0826245110 Page: 14 of 21

**EXHIBIT "A"**

5/14/2008

**REPORTS OF COMMITTEES**

28129

and similar other 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 to 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 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 vacation of the public way with restrictions on its use.

SECTION 6. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Nealey Family Limited Partnership and Pioneer Wholesale Meat Company 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 5 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 7. 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 28130 of this Journal.]

**VACATION OF PORTIONS OF NORTH SANGAMON  
STREET AND WEST CARROLL AVENUE.**

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

CHICAGO, May 12, 2008

*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 an ordinance for the vacation of that part

(Continued on page 28131)

## UNOFFICIAL COPY

0826245110 Page: 15 of 21

5/14/2008

## REPORTS OF COMMITTEES

28131

(Continued from page 28129)

of North Sangamon Street, lying south of a line 160.76 feet, more or less (as measured in a northerly direction along the west line of North Sangamon Street) north of the north line of West Carroll Avenue, lying north of the north line of West Wayman Street extended, also the vacation of West Carroll Avenue lying between the east line of North Morgan Street extended and the west line of North Sangamon Street extended. This ordinance was referred to the Committee on April 9, 2008.

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 ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Flores, Fioretti, Dowell, Preckwinkle, Hairston, Lyle, Harris, Beale, Pope, Balcer, Cárdenas, Olivo, Burke, Foulkes, Thompson, Thomas Lane, Rugai, Cochran, Brookins, Muñoz, Zalewski, Dixon, Solis, Ocasio, Bumett, E. Smith, Carothers, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Reilly, Daley, Tunney, Levar, Shiller, Schuller, Moore, Stone -- 48.

Nays -- None.

Alderman Carothers 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

**UNOFFICIAL COPY**

0826245110 Page: 16 of 21

28132

JOURNAL--CITY COUNCIL--CHICAGO

5/14/2008

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 338 to 354 North Sangamon Street, the properties at 339 to 353 North Sangamon Street, and the properties at 932 to 940 West Carroll Avenue are owned by Nealey Family Limited Partnership; and

WHEREAS, Nealey Family Limited Partnership employs eighty-six (86) full time employees in food processing; and

WHEREAS, Nealey Family Limited Partnership proposes to use the portion of the streets to be vacated herein for motor vehicle parking and tank storage; and

WHEREAS, The property at 321 to 329 North Sangamon Street is owned by Pioneer Wholesale Meat Company, and

WHEREAS, Pioneer Wholesale Meat Company employs twenty-four (24) full time employees in wholesale meat processing; and

WHEREAS, Pioneer Wholesale Meat Company proposes to use the portion of the streets to be vacated herein for fenced in parking; and

WHEREAS, The properties at 942 to 956 West Carroll Avenue and the properties at 339 to 357 North Morgan Street are owned by H. Carruth, L. L. L. P., and

WHEREAS, H. Carruth, L. L. L. P. leases a building structure with a parking lot to Pittsburgh Paint Company; and

WHEREAS, H. Carruth, L. L. L. P. proposes to use the portion of the streets to be vacated herein to expand parking; and

WHEREAS, The properties at 320 to 328 North Sangamon Street and the properties at 933 to 943 West Carroll Avenue are owned by Active Propane Company; and

## UNOFFICIAL COPY

0826245110 Page: 17 of 21

5/14/2008

## REPORTS OF COMMITTEES

28133

WHEREAS, Active Propane Company employs ten (10) full time employees in propane processing; and

WHEREAS, Active Propane Company proposes to use the portion of the streets to be vacated herein for truck parking and empty tank storage; and

WHEREAS, The properties at 945 to 957 West Carroll Avenue and the properties at 321 to 329 North Morgan Street are owned by Roberts Electric Company; and

WHEREAS, Roberts Electric Company employs three (3) full time employees in a mail order house, selling hydraulic equipment; and

WHEREAS, Roberts Electric Company proposes to use the portion of the streets to be vacated herein for employee parking; 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 part of public streets 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 North Sangamon Street lying east of the east line of Lots 8, 11 and 12 in Block 4, lying east of the east line of Lot 1 in Block 15, lying east of a line drawn from the southeast corner of Lot 12 in Block 4 to the northeast corner of Lot 1 in Block 15, lying west of the west line of Lot 5 all in Carpenter's Addition to Chicago, being a subdivision of the southeast quarter of Section 8, Township 35 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois, lying west of the west line of Lots 17, 18 and 19, in subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid, lying west of a line drawn from the southwest corner of Lot 18 in Subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid to the northwest corner of Lot 19 in subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid, lying south and southerly of a line 20 feet south, southerly of and parallel with a line drawn from a point on the west line of Lot 17 said point being 154.48 feet, more or less, north of the south line of Lot 19 in subdivision of Block 3 aforesaid (as measured in a southerly direction along the west line of Lots 17, 18 and 19 and along a line drawn from the southwest corner of Lot 18 to the northwest corner of Lot 19 all in subdivision of Block 3 of Carpenter's Addition to Chicago aforesaid) to a point on the west line of Lot 8 said point being 160.76 feet, more or less, north of the south line of Lot 12 in Block 4 in Carpenter's Addition to Chicago aforesaid (as measured in a southerly direction along the east line of Lots 8, 11 and 12 in Block 4 in Carpenter's Addition to Chicago aforesaid) and lying north of the north line of the south 16 feet of Lot 5 (the south 16 feet of



**UNOFFICIAL COPY**

0826245110 Page: 18 of 21

28134

JOURNAL--CITY COUNCIL--CHICAGO

5/14/2008

said Lot 5 (taken for street) in Block 16 in Carpenter's Addition to Chicago aforesaid extended west to the east line of Lot 1 in Block 15 in Carpenter's Addition to Chicago aforesaid,

Also,

all that part of West Carroll Avenue lying south of the south line of Lots 12 to 16, both inclusive, in Block 4, lying north of the north line of Lots 1 to 5, both inclusive, in Block 15, lying west a line drawn from the southeast corner of Lot 12 in Block 4 to the northeast corner of Lot 1 in Block 15 and lying east of a line drawn from the southwest corner of Lot 16 in Block 4 to the northwest corner of Lot 5 in Block 15 all in Carpenter's Addition to Chicago aforesaid, said part of public streets herein vacated being further described as that part of North Sangamon Street, lying south of a line 160.76 feet, more or less (as measured in a northerly direction along the west line of North Sangamon Street) north of the north line of West Carroll Avenue, lying north of the north line of West Wayman Street extended, also the vacation of West Carroll Avenue lying between the east line of North Morgan Street extended and the west line of North Sangamon Street extended, 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 vacations herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Nealey Family Limited Partnership, H. Carruth, L. L. P., Active Propane Company and Roberts Electric Company shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrance to that part of the public street hereby vacated, similar to the sidewalk and curb along east side of North Morgan Street lying between the south line of West Kinzie Street and the north line West Wayman Street. The precise amount of the sum so deposited shall be ascertained by the Office of Emergency Management and Communications -- Traffic Management Authority, Permits Division after such investigation as is requisite and deposited with the Chicago Department of Revenue.

SECTION 3. The City of Chicago hereby reserves that part of North Sangamon Street as herein vacated, as a right-of-way for an existing sewer and for the installation of any additional sewers or other municipally-owned service facilities now located or which in the future may be located in that part of North Sangamon Street as herein vacated, and for the maintenance, renewal and reconstruction of such facilities. It is further provided that no buildings or other structures shall be erected on said right-of-way herein reserved or other use made of said area, which in the judgment of the respective 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.

**UNOFFICIAL COPY**

0826245110 Page: 19 of 21

5/14/2008

**REPORTS OF COMMITTEES**

28135

The vacations herein provided for are made upon the express condition that the Nealey Family Limited Partnership, H. Carruth, L. L. P., Active Propane Company, Roberts Electric Company and Pioneer Wholesale Meat Company shall agree to accept and maintain as private sewers all existing sewers and appurtenances thereto which are located in that part of West Carroll Avenue as herein vacated.

SECTION 4. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T/SBC, 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 electrical energy and telephonic and associated services under, over and along that part of West Carroll Avenue and North Sangamon Street as herein vacated, with the right of ingress and egress.

SECTION 5. 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 similar other 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 to 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 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 vacation of the public way, with restrictions on its use.

SECTION 6. The vacations herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Nealey Family Limited Partnership, Pioneer Wholesale Meat Company, H. Carruth, L. L. P., Active Propane Company and Roberts Electric Company 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 5 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 7. 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 28136 of this Journal.]



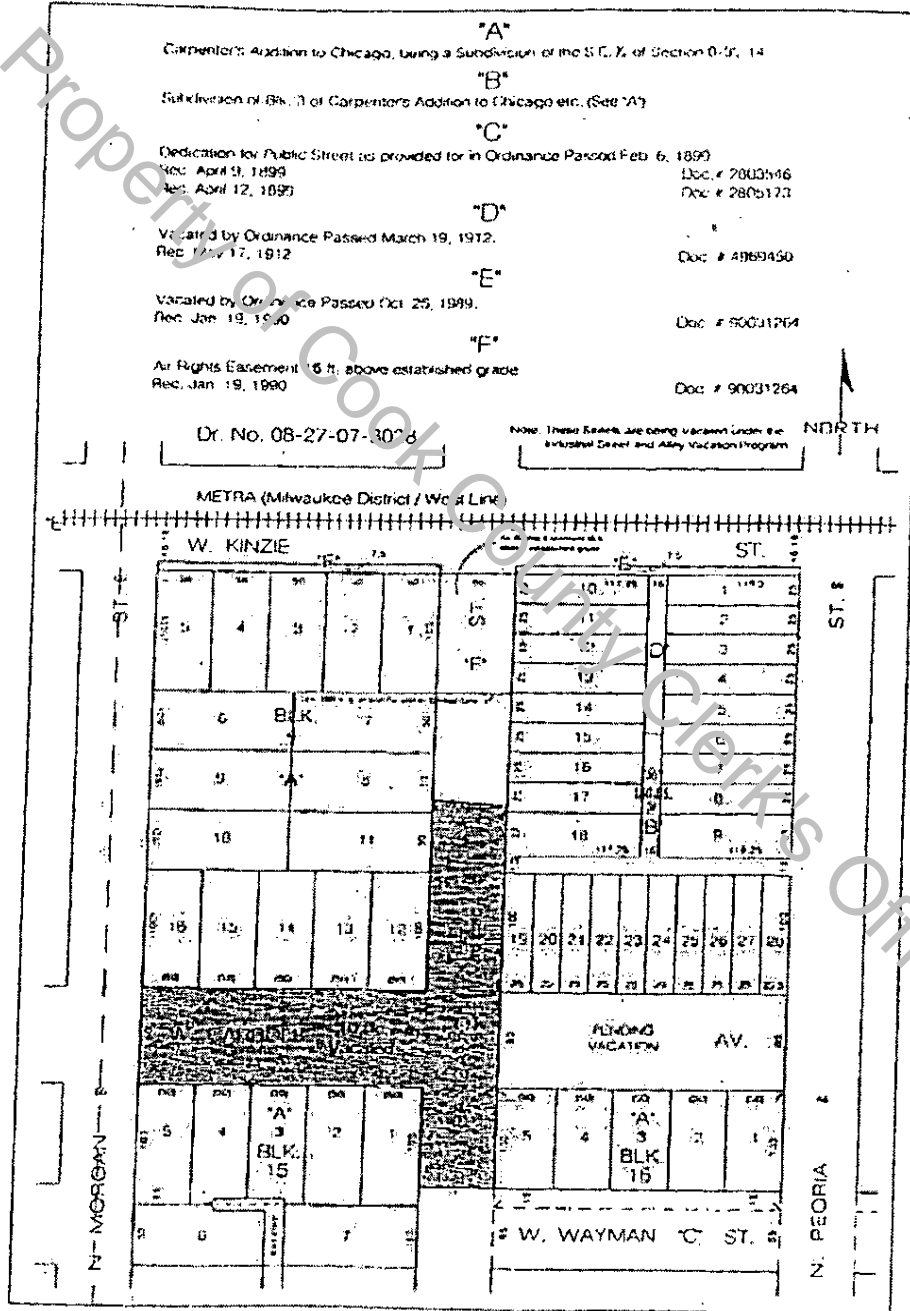
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28136

JOURNAL-CITY COUNCIL-CHICAGO

5/14/2008

[Ordinance associated with this drawing and legal description printed on pages 28133 through 28135 of this Journal.]



# UNOFFICIAL COPY

0826245110 Page: 21 of 21

## 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
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.

H:RestrictiveCovenantNealeyFamilyPartnershipCarruthEM

# UNOFFICIAL COPY

**EXHIBIT 3**  
**OF THE PARTIAL RELEASE OF RESTRICTIVE USE COVENANT**

**Legal Description**  
**Of**  
**Limited Area to be Released**

THAT PART OF VACATED W. CARROLL AVE. TOGETHER WITH THAT PART OF VACATED N. SANGAMON ST. TAKEN AS A TRACT BOTH VACATED PER DOCUMENT NUMBER 0826245111 ADJOINING LOTS 1, 2 AND 3 IN BLOCK 15 IN CARPENTERS ADDITION TO CHICAGO A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 31, 1836 BEING AN ANTE-FIRE DOCUMENT, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 17 MINUTES 37 SECONDS WEST ALONG THE EAST LINE THEREOF 84.11 FEET TO THE SOUTHERLY TERMINUS OF VACATED N. SANGAMON ST. AFORESAID; THENCE SOUTH 89 DEGREES 16 MINUTES 13 SECONDS EAST ALONG SAID SOUTHERLY TERMINUS 33.00 FEET TO THE EAST LINE OF THE WEST HALF OF VACATED N. SANGAMON ST. AFORESAID; THENCE NORTH 00 DEGREES 17 MINUTES 37 SECONDS EAST ALONG SAID EAST LINE OF THE WEST HALF OF VACATED N. SANGAMON ST. 117.25 FEET TO THE NORTH LINE OF THE SOUTH HALF OF VACATED W. CARROLL AVE. AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 14 SECONDS WEST ALONG SAID NORTH LINE OF THE SOUTH HALF OF VACATED W. CARROLL AVE. 158.77 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST HALF OF SAID LOT 3; THENCE SOUTH 00 DEGREES 20 MINUTES 05 SECONDS WEST ALONG SAID NORTHERLY EXTENSION 33.00 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 89 DEGREES 30 MINUTES 14 SECONDS EAST ALONG THE NORTH LINE OF SAID LOTS 1,2 AND 3 A DISTANCE OF 125.79 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 8,018 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

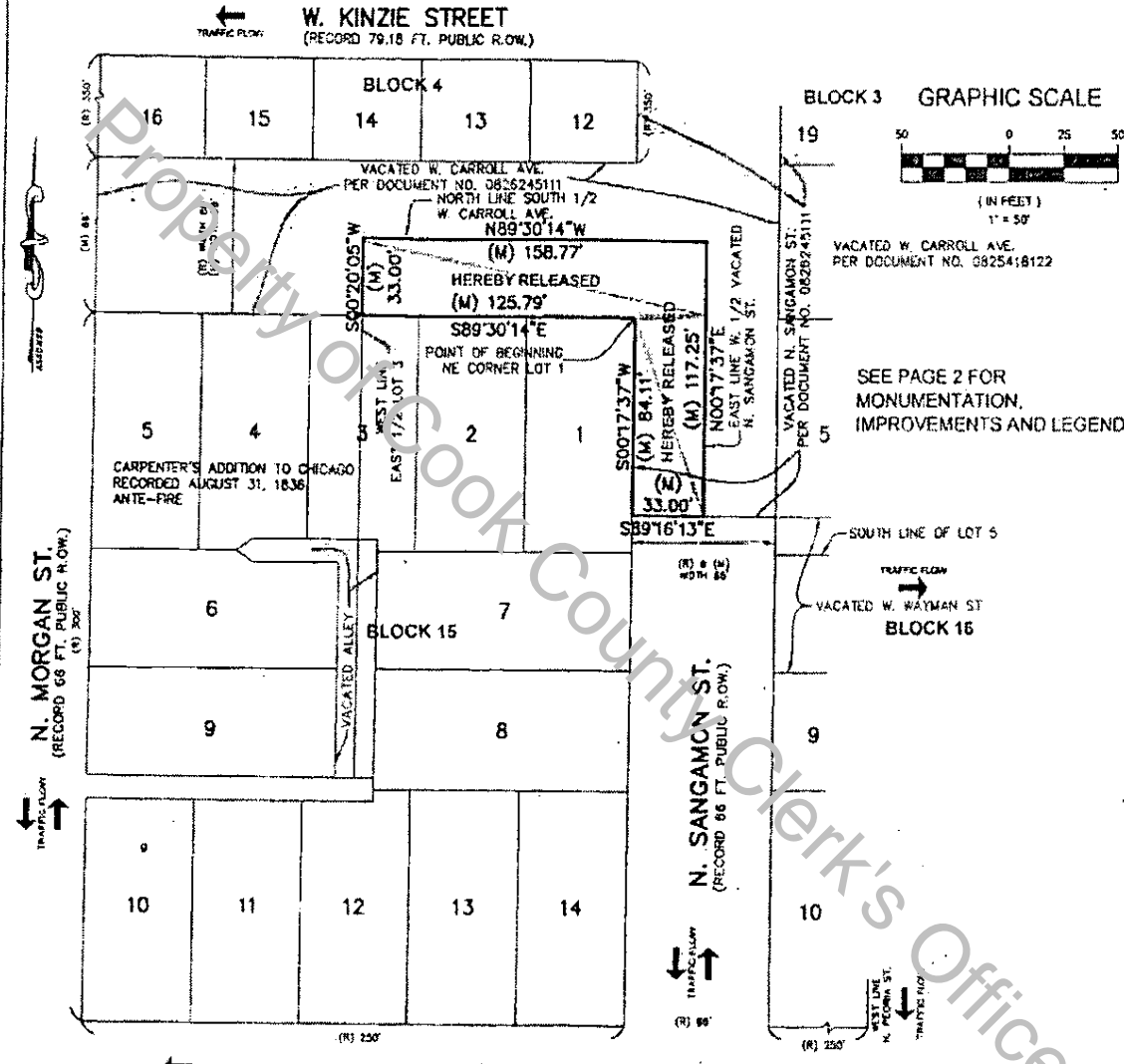
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EXHIBIT 3

## PLAT OF PARTIAL RELEASE

THAT PART OF VACATED W. CARROLL AVE. TOGETHER WITH THAT PART OF VACATED N. SANGAMON ST. TAKEN AS A TRACT BOTH VACATED PER DOCUMENT NUMBER 0826245111 ADJOINING LOTS 1, 2 AND 3 IN BLOCK 15 IN CARPENTERS ADDITION TO CHICAGO A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 31, 1936 BEING AN ANTE-FIRE DOCUMENT, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 17 MINUTES 37 SECONDS WEST ALONG THE EAST LINE THEREOF 64.11 FEET TO THE SOUTHERLY TERMINUS OF VACATED N. SANGAMON ST. AFORESAID; THENCE SOUTH 89 DEGREES 16 MINUTES 13 SECONDS EAST ALONG SAID SOUTHERLY TERMINUS 33.00 FEET TO THE EAST LINE OF THE WEST HALF OF VACATED N. SANGAMON ST. AFORESAID; THENCE NORTH 80 DEGREES 17 MINUTES 37 SECONDS EAST ALONG SAID EAST LINE OF THE WEST HALF OF VACATED N. SANGAMON ST. 117.25 FEET TO THE NORTH LINE OF THE SOUTH HALF OF VACATED W. CARROLL AVE. AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 14 SECONDS WEST ALONG SAID NORTH LINE OF THE SOUTH HALF OF VACATED W. CARROLL AVE. 153.77 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST HALF OF SAID LOT 3; THENCE SOUTH 80 DEGREES 20 MINUTES 05 SECONDS WEST ALONG SAID NORTHERLY EXTENSION 33.00 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 89 DEGREES 30 MINUTES 14 SECONDS EAST ALONG THE NORTH LINE OF SAID LOTS 1, 2 AND 3 A DISTANCE OF 125.79 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 8,018 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.



### SURVEYOR'S NOTES:

1. ZONING PER CITY WEB SITE: PWD 4, M2-3.
2. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
3. NOTE (R) & (M) DENOTES RECORD AND MEASURED DISTANCES RESPECTIVELY.
4. DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF.
5. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCES BEFORE DAMAGE IS DONE.
6. FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON SURVEY PLAT REFER TO YOUR ABSTRACT, DEED, CONTRACT, TITLE POLICY AND LOCAL BUILDING LINE REGULATIONS.
7. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENT UPON THIS PLAT.
8. MONUMENTATION OR WITNESS POINTS WERE NOT SET AT THE CLIENTS REQUEST.
9. UNLESS OTHERWISE NOTED HEREON THE BEARING BASIS, ELEVATION DATUM AND COORDINATE DATUM IF USED IS ASSUMED.

STATE OF ILLINOIS  
COUNTY OF COOK

WE, GREMLEY & BIEDERMANN, INC. HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY CORRECTED TO A TEMPERATURE OF 62° FAHRENHEIT.

FIELD MEASUREMENTS COMPLETED NOVEMBER 8, 2017.

SIGNED ON Oct 23 2018  
BY: [Signature]  
2802  
PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS

PROFESSIONAL ILLINOIS LAND SURVEYOR  
MY LICENSE EXPIRES NOVEMBER 30, 2018  
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

REVISED OCTOBER 22, 2018  
REVISED OCTOBER 18, 2018  
REVISED OCTOBER 17, 2018  
AS PER ORDER # 2018-26036  
REVISED FEBRUARY 20, 2018  
AS PER ORDER # 2018-25049

CREATED BY: NEW SOFTWARE & DIGITIZATION, INC.	REVIEWED BY: [Signature]
DATE: 10/23/18	DATE: 10/23/18
GREMLEY & BIEDERMANN	
PLCS CONSULTING	
1562 NORTH EAST WINDY AVENUE, SUITE 8, WENZHO, ILLINOIS 60181	
TEL: (773) 465-5200 FAX: (773) 250-1180 EMAIL: INFO@PLCS-SURVEY.COM	

ORDER NO. 2017-24868-001  
SCALE: 1" = 20' ±  
DATE: 10/23/18

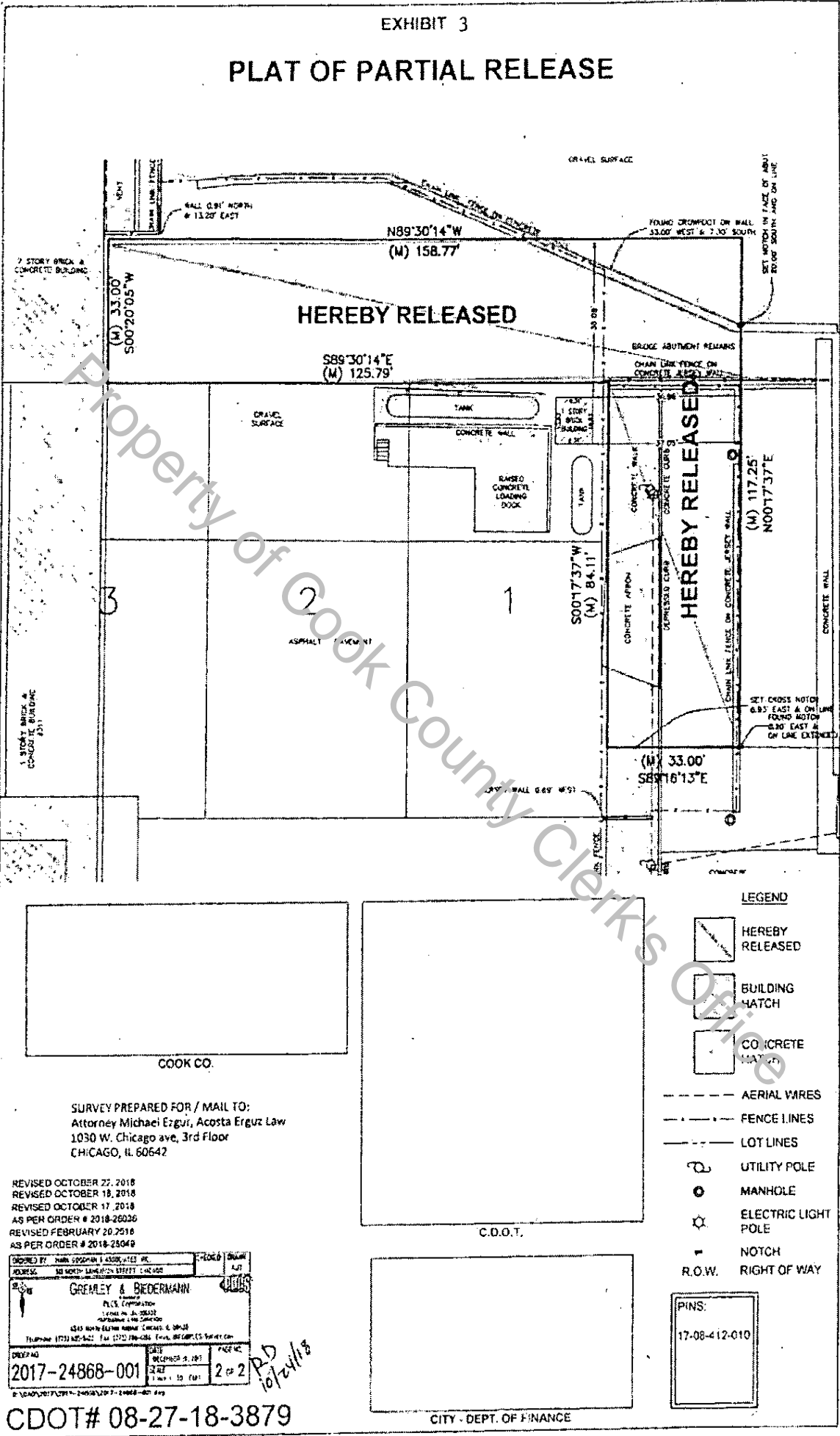
CDOT# 08-27-18-3879

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"ALL RIGHTS RESERVED"

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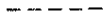
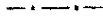
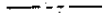




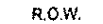
EXHIBIT 3

## PLAT OF PARTIAL RELEASE



Property of Cook County Clerk's Office

**LEGEND**

-  HEREBY RELEASED
-  BUILDING MATCH
-  CONCRETE MATCH
-  AERIAL WIRES
-  FENCE LINES
-  LOT LINES
-  UTILITY POLE
-  MANHOLE
-  ELECTRIC LIGHT POLE
-  NOTCH
-  R.O.W. RIGHT OF WAY

PINS:  
17-08-412-010

SURVEY PREPARED FOR / MAIL TO:  
Attorney Michael Erguz, Acosta Erguz Law  
1030 W. Chicago ave, 3rd Floor  
CHICAGO, IL 60642

REVISED OCTOBER 27, 2018  
REVISED OCTOBER 18, 2018  
REVISED OCTOBER 17, 2018  
AS PER ORDER # 2018-26036  
REVISED FEBRUARY 20, 2018  
AS PER ORDER # 2018-25048

DRAWN BY: JAMES COOPERMAN ASSOCIATED INC. ADDRESS: 50 NORTH LAKE STREET CHICAGO, IL 60602 PHONE: (773) 424-1100 FAX: (773) 424-1101	CHECKED BY: GREGORY & BIEDERMANN P.L.L.C. CORPORATION 1300 N. LAKE STREET CHICAGO, IL 60610 PHONE: (773) 424-1100 FAX: (773) 424-1101
SHEET NO: 2017-24868-001 DATE: NOVEMBER 9, 2017 SCALE: 1" = 10'	PAGE NO: 2 OF 2 P.D. 10/24/18

CDOT# 08-27-18-3879

CITY - DEPT. OF FINANCE