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Doc# 2112019048 Fee \$88.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 04/30/2021 04:49 PM PG: 1 OF 30

Prepared by, and after recording,
please return to:

Arthur S. Dolinsky
Senior Corporation Counsel
121 North LaSalle Street
City Hall, Room 600
Chicago, Illinois 60602
(312) 744-8731

Property of Cook County Clerk's Office
RESTRICTIVE COVENANT

WHEREAS, NP Avenue C, LLC, a Missouri limited liability company (the "Owner"), holds legal title to those certain parcels of real property located at 11601-11659 S. Burley Avenue, 11705-11759 S. Burley Avenue, and 11801-12159 S. Burley Avenue, Chicago, Illinois; and

WHEREAS, on February 26, 2021, the City Council of the City of Chicago (the "City Council") approved an ordinance, a copy of which is attached hereto as Exhibit A and which is hereby incorporated herein (the "Ordinance"), which Ordinance provides for the vacation ("Vacation") of the property legally described in Exhibit B attached hereto (the "Subject Premises"), and was published in the Journal of the Proceedings of the City Council for such date at pages 28010 through 28032; and

WHEREAS, the Vacation provided for in the Ordinance is conditioned upon the execution and recording by the Owner of a restrictive covenant ("Restrictive Covenant") running with the land, as set forth in Section 4 of the Ordinance, that restricts the use and improvement of the public way vacated in the Ordinance to industrial uses, and for such other industrial uses and improvements that are accessory thereto, as that term is defined in the Chicago Zoning Ordinance. The restriction on use and improvement in this Restrictive Covenant shall be for a term of forty (40) years and upon breach of such Restrictive Covenant, the public way subject to the Vacation shall revert to the City and be subject to the terms and conditions of the dedication by which it has been heretofore held by the City;

NOW, THEREFORE, for and in consideration of the passage and approval of the Ordinance and the vesting of title in the Owner, without the requirement that the Owner pay compensation to the City of Chicago (the "City"), the Owner agrees with and covenants to the City of Chicago as follows:

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1. USE. The Owner hereby covenants to the City that the Subject Premises shall be used only for industrial purposes, and for such other industrial uses and improvements that are accessory thereto as that term is defined in the Chicago Zoning Ordinance as of the date hereof; provided, however, that if the Chicago Zoning Ordinance is modified after the date hereof and such modification results in the Owner's initial industrial use of the Subject Premises no longer complying with the Chicago Zoning Ordinance, the City shall allow continued use of the Subject Premises as a nonconforming use as that term is defined in the Chicago Zoning Ordinance as of the date hereof and the same shall not be a violation of the Restrictive Covenant.

The consideration for such covenant, which is deemed and agreed to be valuable and sufficient, is the vacation by the City of the Subject Premises for the benefit of the 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, 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 the 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 the 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 may serve the Owner with a written notice entitled "Notice of Violation" setting forth the violation. Such notice shall be sent to the Owner at 4825 NW 41st Street, Suite 500, Riverside, MO 64150. Within thirty (30) days of receipt of said Notice of Violation, the Owner shall cause the correction of or cure the violation set forth therein. In the event that the Owner fails or refuses to cause the correction of or cure such violation within the period of thirty (30) days, the City 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, the Subject Premises shall be deemed to be conveyed by the Owner to the City of Chicago.

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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IN WITNESS WHEREOF, the Owner has caused this Restrictive Covenant to be duly executed and attested to this 24th day of February, 2021.

NP Avenue O, LLC,
a Missouri limited liability company

By: NPD Management, LLC, its manager

By: [Signature]

Name: Nathanial Hagedorn

Title: Manager of NPD Management, LLC

ACCEPTED:

[Signature]

3/25/21

Gia Biagi
Commissioner
Chicago Department of Transportation

Approved as the Form and Legality:

next pg
Senior Corporation Counsel

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IN WITNESS WHEREOF, the Owner has caused this Restrictive Covenant to be duly executed and attested to this 24th day of February, 2021.

NP Avenue O, LLC,
a Missouri limited liability company

By: NPD Management, LLC, its manager

By: [Signature]

Name: Nathaniel Hagedorn

Title: Manager of NPD Management, LLC

ACCEPTED ON March 25, 2021

by: previous pg.

Gia Biagi
Commissioner
Chicago Department of Transportation

Approved as the Form and Legality:

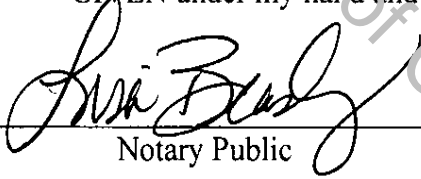
[Signature]
Senior Corporation Counsel

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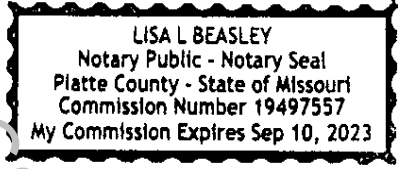
STATE OF MISSOURI)
) SS.
COUNTY OF PLATTE)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Nathaniel Hagedorn, personally known to me to be the manager of NPD Management, LLC, which is the manager of NP Avenue O, LLC, 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 manager, he signed and delivered the instrument, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 24th day of February, 2021.



Notary Public



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28010

JOURNAL--CITY COUNCIL--CHICAGO

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DEDICATION, OPENING AND VACATION OF PUBLIC WAYS IN AREA BOUNDED BY E. 116TH ST., S. AVENUE O, E. 122ND ST. AND SOUTH CHICAGO AND SOUTHERN RAILROAD.

[O2020-6017]

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

CHICAGO, February 24, 2021.

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 the proposed ordinance transmitted herewith for vacation for NP Avenue O LLC (O2020-6017). A dedication/extension of existing South Burley Avenue between approximately (pending) East 122nd Street and East 116th Street. A very small portion of the extension will be opened from a lot owned by the Department of Planning and Development. A portion of the public alley will also be vacated as a cleanup. This ordinance was referred to the committee on December 16, 2020.

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

Respectfully submitted,

(Signed) HOWARD BROOKINS, JR.,
Chairman.

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

Yeas -- Aldermen La Spata, Hopkins, Dowell, King, Hairston, Sawyer, Mitchel, Harris, Beale, Sadlowski Garza, Thompson, Cárdenas, Quinn, Burke, Lopez, Coleman, Moore, Curtis, O'Shea, Taylor, Brookins, Rodriguez, Tabares, Scott, Sigcho-Lopez, Burnett, Ervin, Taliaferro, Reboyras, Cardona, Waguespack, Rodriguez-Sanchez, Ramirez-Rosa, Villegas, Mitts, Sposato, Nugent, Vasquez, Napolitano, Reilly, Smith, Tunney, Gardiner, Cappleman, Martin, Osterman, Hadden, Silverstein -- 48.

Nays -- None.

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

The following is said ordinance as passed:

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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 can enhance public access, support industrial development, strengthen established industrial areas and expand the city's jobs base by encouraging the growth and modernization of existing industrial facilities through opening new rights-of-way, accepting the dedication of new rights-of-way, and vacating existing rights-of-way for reduced compensation; 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 properties at 11601 -- 11659 South Burley Avenue, 11705 -- 11759 South Burley Avenue, and 11801 -- 12159 South Burley Avenue, are owned by NP Avenue O LLC, a Missouri limited liability company (the "Developer"); and

WHEREAS, The Developer proposes to use the small portion of the alley to be vacated herein for inclusion in the overall Avenue O Industrial Park development; and

WHEREAS, Improved conductivity of the remaining public street grid, and an extended and widened South Burley Avenue, through the dedication and opening of new right-of-way, can also serve said industrial park 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 acceptance of a private dedication of new public way, the opening of a portion of City owned lots as new public way and the vacation of a portion of a public alley, all as described in this ordinance; now, therefore,

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

SECTION 1. The Commissioner of the Chicago Department of Transportation (the "Commissioner"), or any of her designees, is each hereby authorized and directed to approve a dedication of certain property owned by the Developer, for use as public way between approximately East 122nd Street (public) and East 116th Street (private), as shaded and identified by the words "Hereby Dedicated" on the plat hereto attached as Exhibit A, which plat for greater certainty is hereby made a part of this ordinance, and legally described below, as the same is intended for public use and the public interest will be subserved by such dedication:

South Burley Avenue Dedication -- South Of East 118th Street:

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That part of the southeast quarter of Section 19, Township 37 North, Range 15, East of the Third Principal Meridian, Cook County, Illinois, being bound and described as follows: commencing at the northeast corner of the southeast quarter of said Section 19; thence south 89 degrees, 47 minutes, 07 seconds west (basis of bearings-Illinois State Plane coordinates east zone (NAD83)) along the north line of the southeast quarter of said Section 19, a distance of 1,353.18 feet to a point on the northerly extension of the western line of the 80-foot wide formerly vacated South Burley Avenue and reservation of easement to the City of Chicago, the Metropolitan Sanitary District of Greater Chicago and Illinois Bell Telephone Company recorded May 2, 1968, as Document Number 20477960 in the Office of the Cook County Recorder; thence south 01 degree, 26 minutes, 12 seconds east along the northerly extension of said western line, 33.01 feet to the northwest corner of said vacated South Burley Avenue and said reservation of easement and being the point of beginning, said point lying 33 feet southerly of (measured perpendicular to) the north line of the southeast quarter of said Section 19; thence continuing south 01 degree, 26 minutes, 12 seconds east along said western line of vacated South Burley Avenue and reservation of easement, 2,231.63 feet to the northwestern corner of NorthPoint's Avenue O Industrial Park Subdivision Number 1 per CDO Number 19-10-19-3887 project legislated and awaiting recording at the Cook County Recorder of Deeds; thence north 88 degrees, 33 minutes, 48 seconds east along the northern line of said NorthPoint's Avenue O Industrial Park Subdivision Number 1, a distance of 80.00 feet to a corner of said NorthPoint's Avenue O Industrial Park Subdivision Number 1, said point on the east line of said vacated South Burley Avenue and said reservation of easement; thence north 01 degree, 26 minutes, 12 seconds west along the east line of said vacated South Burley Avenue and reservation of easement, a distance of 2,159.92 feet; thence north 44 degrees, 10 minutes, 28 seconds east, 97.93 feet to a point on the south right-of-way of East 118th Street, said point lying 33 feet south and parallel to said north line of the southeast quarter of said Section 19; thence south 89 degrees, 47 minutes, 07 seconds west along said parallel line, a distance of 150.02 feet to the point of beginning, above described parcel containing 180,912 square feet or 4.153 acres, more or less.

South Burley Avenue Dedication -- North Of East 118th Street:

Together with that part of Lots 25 through 33, inclusive, in Block 11 of Indian Ridge Subdivision of part of the northeast quarter of Section 19, Township 37 North, Range 15, East of the Third Principal Meridian, according to the plat thereof recorded September 23, 1869, as Document Number 26596, in Cook County, Illinois, being bound and described as follows: beginning at the southwestern corner of said Lot 25, said point being the intersection of the northern right-of-way line of East 118th Street and the eastern right-of-way line of South Burley Avenue; thence north 01 degree, 03 minutes, 23 seconds west (basis of bearings-Illinois State Plane coordinates east zone (NAD83)) along the western lines of said Lots 25 through 33, in Block 11, said line also being the eastern right-of-way line of South Burley Avenue, a distance of 222.00 feet to the southwestern corner of an east/west 16-foot wide public alley dedicated

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September 8, 1933, as Document Number 11279600, said point also being the northwestern corner of said Lot 33; thence north 89 degrees, 47 minutes, 07 seconds east along the southern line of said alley and along the northern line of said Lot 33, a distance of 42.60 feet; thence south 01 degree, 03 minutes, 23 seconds east parallel with the western lines of said Lots 25 through 33, in Block 11, a distance of 152.00 feet; thence south 45 degrees, 38 minutes, 08 seconds east, 99.72 feet to a point on the southern line of said Lot 25, said line also being the northern right-of-way line of East 118th Street; thence south 89 degrees, 47 minutes, 07 seconds west along the southern line of said Lot 25, said line also being the northern right-of-way line of East 118th Street, a distance of 112.60 feet to the point of beginning, above described parcel containing 11,907 square feet or 0.273 acre, more or less.

South Burley Avenue Dedication -- South Of East 117th Street:

Together with that part of Lots 34 through 47, inclusive, in Block 11 of Indian Ridge Subdivision of part of the northeast quarter of Section 19, Township 37 North, Range 15, East of the Third Principal Meridian, according to the plat thereof recorded September 23, 1869, as Document Number 26596, in Cook County, Illinois, being bound and described as follows: commencing at the northwestern corner of Lot 48 in Block 11 of said Indian Ridge Subdivision, said point is at the intersection of the southern right-of-way line of East 117th Street and the eastern right-of-way line of South Burley Avenue; thence south 01 degree, 03 minutes, 23 seconds east (basis of bearings-Illinois State Plane coordinates east zone (NAD83)) along the western lines of said Lot 48 and that part of Lot 47 in Block 11, said line also being the eastern right-of-way line of South Burley Avenue, a distance of 34.50 feet to the northwestern corner of the south half of said Lot 47, said point being the point of beginning; thence continuing south 01 degree, 03 minutes, 23 seconds east along the western lines of said Lots 47 through 34, in Block 11, said line also being the eastern right-of-way line of South Burley Avenue, a distance of 321.50 feet to the northwestern corner of an east/west 16-foot wide public alley dedicated September 8, 1933 as Document Number 11279600; thence north 89 degrees, 47 minutes, 07 seconds east along the northern line of said alley, 42.60 feet; thence north 01 degree, 03 minutes, 23 seconds west parallel with the western lines of said Lots 34 through 47, in Block 11, a distance of 321.50 feet to a point on the northern line of the southern half of said Lot 47; thence south 89 degrees, 47 minutes, 07 seconds west along the northern line of the southern half of said Lot 47, a distance of 42.60 feet to the point of beginning, above described parcel containing 13,696 square feet or 0.314 acre, more or less.

South Burley Avenue Dedication -- North Of East 117th Street:

Together with that part of Lots 13 through 24, inclusive, in Block 2 of Indian Ridge Subdivision of part of the northeast quarter of Section 19, Township 37 North, Range 15, East of the Third Principal Meridian, according to the plat thereof recorded September 23, 1869, as Document Number 26596, and that part of Lots 6 and 7 in the division of the north 102 acres of the northeast quarter of Section 19, Township 37 North,

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Range 15, East of the Third Principal Meridian, according to the plat thereof recorded June 26, 1872, as Document Number 39470, all in Cook County, Illinois, being bound and described as follows: beginning at the southwestern corner of said Lot 13 in Block 2, said point located at the intersection of the northern right-of-way line of East 117th Street and the eastern right-of-way line of South Burley Avenue; thence north 01 degree, 03 minutes, 23 seconds west (basis of bearings-Illinois State Plane coordinates east zone (NAD83)) along the western lines of said Lots 13 through 24, in said Block 2, said line also being the eastern right-of-way line of South Burley Avenue, a distance of 294.00 feet to the northwestern corner of said Lot 24; thence south 89 degrees, 47 minutes, 07 seconds west along the northern line of said Indian Ridge Subdivision, 57.42 feet to a point on the southerly projection of the easterly boundary line of property conveyed as Parcel "A" by Republic Steel Corporation to defense plant corporation by deed dated February 17, 1943 and recorded as Document Number 13047028 in the Office of the Cook County Recorder, said easterly boundary line projected southerly being common with the easterly boundary line of a parcel of land conveyed by defense plant corporation to south Chicago and Southern Railroad Company by deed dated June 2, 1945 and recorded as Document 13540700 in the Office of the Cook County Recorder; thence north 00 degrees, 40 minutes, 46 seconds west along said southerly projection line, 378.41 feet to a point on the southern line of a 66-foot wide ingress and egress easement recorded December 1, 1989, as Document 89572950 in the Office of the Cook County Recorder, said line lying 1,283.00 feet southerly of (measured perpendicular to) the north line of the northeast quarter of said Section 19; thence north 89 degrees, 39 minutes, 50 seconds east along said southern line of ingress and egress easement, a distance of 80.00 feet; thence south 00 degrees, 40 minutes, 46 seconds east parallel with and 80 feet easterly of said southerly projection line conveyed as Parcel "A", a distance of 374.61 feet to the intersection with a line lying 42.60 feet easterly of and parallel with the aforesaid western lines of Lots 13 through 24, in said Block 2; thence south 01 degree, 03 minutes, 23 seconds east along said easterly and parallel line, a distance of 297.98 feet to a point on the southern line of said Lot 13, said line also being the northern right-of-way line of East 117th Street; thence south 89 degrees, 47 minutes, 07 seconds west along the southern line of said Lot 13, a distance of 42.60 feet to the point of beginning, above described parcel containing 42,804 square feet or 0.983 acre, more or less, total area described on plat of dedication containing 249,319 square feet or 5.724 acres, more or less.

SECTION 2. That certain property owned by the City of Chicago, and administered by its Department of Planning and Development, at approximately the southeast corner of East 117th Street and South Burley Avenue, as shaded and identified by the words "Hereby Opened" on the plat hereto attached as Exhibit B and made a part of this ordinance, and legally described below, is hereby opened for public traffic, as the same is intended for public use and the public interest will be subserved by such opening: that part of Lot 48 and that part of the north half of Lot 47 in Block 11 of Indian Ridge Subdivision of part of the northeast quarter of Section 19, Township 37 North, Range 15, East of the Third Principal Meridian, according to the plat thereof recorded September 23, 1869, as Document Number 26596, in Cook County, Illinois, being bound and described as follows: beginning

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at the northwestern corner of Lot 48 in said Indian Ridge Subdivision, said point located at the intersection of the southern right-of-way line of East 117th Street and the eastern right-of-way line of South Burley Avenue; thence north 89 degrees, 47 minutes, 07 seconds east (basis of bearings-Illinois State Plane coordinates east zone (NAD83)) along the northern line of said Lot 48, said line also being the southern right-of-way line of East 117th Street, a distance of 42.60 feet; thence south 01 degree, 03 minutes, 23 seconds east parallel with the western line of said Lot 48, a distance of 34.50 feet to a point on the southern line of the north half of said Lot 47; thence south 89 degrees, 47 minutes, 07 seconds west along the southern line of the north half of said Lot 47, a distance of 42.60 feet to the west line of said Lot 47, said point being the southwestern corner of the north half of said Lot 47, said point lying on the eastern right-of-way line of South Burley Avenue; thence north 01 degree, 03 minutes, 23 seconds west along the west lines of said Lots 47 and 48, a distance of 34.50 feet to the point of beginning, in Cook County, Illinois, containing 1,470 square feet or 0.034 acre, more or less.

SECTION 3. That certain alley portion, as shaded and identified by the words "Hereby Vacated" on the plat hereto attached as Exhibit C and made a part of this ordinance, and legally described below, is hereby vacated and closed, as the same is no longer required for public use and the public interest will be subserved by such vacation: that part of the north/south 14-foot wide public alley within Block 11 as dedicated within Indian Ridge Subdivision of part of the northeast quarter of Section 19, Township 37 North, Range 15, East of the Third Principal Meridian, according to the plat thereof recorded September 23, 1869, as Document Number 26596, in Cook County, Illinois, being bound and described as follows: beginning at the southeastern corner of Lot 25 in Block 11 in said Indian Ridge Subdivision, also being on the north right-of-way of East 118th Street; thence north 01 degree, 03 minutes, 23 seconds west (basis of bearings-Illinois State Plane coordinates east zone (NAD83)) along the eastern lines of Lots 25 through 28, inclusive, in said Block 11, a distance of 97.00 feet to the northeastern corner of said Lot 28, also being and abutting the southern terminus of vacated alley per CDOT Number 19-10-20-3937 project legislated and awaiting recording at the Cook County Recorder of Deeds; thence north 89 degrees, 47 minutes, 07 seconds east along said southern terminus line, 14.00 feet to a point on the western line of Lot 5 of the resubdivision of Lots 20 to 24, and the south 8 feet of Lot 19 in Block 11 in Indian Ridge Subdivision according to the plat thereof recorded May 23, 1918, as Document Number 6328680; thence south 01 degree, 03 minutes, 23 seconds east along the western line of said Lot 5, a distance of 97.00 feet to the southwestern corner of said Lot 5, also on said north right-of-way of East 118th Street; thence south 89 degrees, 47 minutes, 07 seconds west along said north right-of-way, 14.00 feet to the point of beginning, all in Cook County, Illinois, said above described parcel containing 1,358 square feet or 0.031 acre, more or less.

SECTION 4. The Commissioner is hereby authorized to accept and approve a restrictive covenant or similar instrument restricting the use and improvement of the public way vacated in Section 3 of this ordinance to industrial uses and for such uses and improvements that are accessory as that term is defined in the Chicago Zoning Ordinance. The restriction on use and improvement in the restrictive covenant or similar instrument shall be for a term of 40 years and upon breach of such restriction the public way herein

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vacated shall revert to the City and be subject to the terms and conditions of the dedication by which it has been heretofore held by the City.

SECTION 5. The dedication herein provided for is accepted upon the express conditions that the Developer is responsible for the installation of any newly required water mains in South Burley Avenue, that such work is completed at the Developer's sole expense, that such work must be done in compliance with Chicago Department of Water Management-Water Section engineering standards, and that such work is subject to the express written approval of the Chicago Department of Water Management-Water Section prior to the initiation of work, as detailed further in the attached correspondence dated October 20, 2020, hereby attached and made a part of this ordinance as Exhibit E.

SECTION 6. The Developer acknowledges that any private sewers, appurtenances and connections within the area herein dedicated shall be sealed, removed or relocated to private property at the Developer's sole expense, in accordance with the standard procedures of the Department of Water Management-Sewer Section, or established as public pursuant to an ordinance passed by the City Council. In the event that any sewer is abandoned, the abandonment plans must be reviewed, approved and permitted by the Department of Water Management-Sewer Design Section prior to the initiation of work. The Developer also acknowledges its responsibility to provide proper drainage and lay new sewer main and associated structures, at its sole expense in the street herein dedicated, in accordance with plans reviewed, approved and permitted by the Department of Water Management-Sewer Design Section, prior to the initiation of work. Acceptance of new public sewers is contingent upon submittal of as-built drawings, and physical and videotape inspections provided by the Developer to the Department of Water Management, within 30 days of completion. All sewer work in both the public way and on private property must be performed by a licensed drainlayer, with the applicable permit, as secured through the Department of Buildings-Sewer Permit Section, all as detailed further in Exhibit E.

SECTION 7. The dedication, opening and vacation herein provided for are made under the express condition that the Developer, and its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said dedication, vacation and opening, as depicted in Exhibits A, B and C.

SECTION 8. The dedication of public way, opening for public way, and vacation of public way, each as set forth in this ordinance, are approved subject to the express condition that the Developer shall within 180 days after the passage of this ordinance, and prior to recording: 1) deposit in the City Treasury of the City of Chicago, a quoted sum as a security deposit to defray the cost of work for public paving, curbs, and related appurtenances associated with its project, in the event that it defaults on its obligation to construct the directed improvements in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices, and in accordance with the executed Duty to Build Agreement attached herein and made a part of this ordinance as Exhibit D; and 2) submit for field inspection and approval of its construction of said improvements, to the CDOT Division of Infrastructure Management, Construction Compliance Unit, Room 905, City Hall, prior to the return of the monies deposited there (minus service fee).

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SECTION 9. The actions herein provided for are made with the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall file, or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with the attached plat of dedication, plat of opening and plat of vacation, each as approved by the Department of Transportation's Superintendent of Maps and Plats, and the fully-executed restrictive covenant or similar instrument referred to in Section 3 as approved by the Department of Law as to form and legality.

SECTION 10. This ordinance shall take effect and be in force from and after its passage and approval. The dedication, opening and vacation shall take effect and be in force from and after the recording of the ordinance, the three (3) plats and the fully-executed restrictive covenant (or similar instrument).

Approved:

Dedication, Opening and Vacation
Approved:

(Signed) Gia Biagi
Commissioner

Approved as to Form and Legality:

(Signed) Arthur Dolinsky
Senior Counsel

Introduced By:

(Signed) Susan Sadlowski Garza
Alderman, 10th Ward

[Exhibits "A", "B" and "C" referred to in this ordinance printed on pages 28022 through 28032 of this *Journal*.]

Exhibits "D" and "E" referred to in this ordinance read as follows:

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28018

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Exhibit "D".

Duty To Build Agreement For Creation Of A New Street.

NP AVENUE O, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150

DUTY TO BUILD AGREEMENT FOR CREATION OF A NEW STREET

The signatory, an authorized agent of NP Avenue O LLC ("Developer") agrees to construct the section of S. Burley Avenue between approximately E. 116th Street (private) and E. 122nd Street; S. Burley Avenue being widened by dedication from the Developer in a pending application to the Department of Transportation. The Developer agrees to the below terms of the dedication:

Ref file #: 19-10-20-3945 (NP 3)

[Signature]

I am aware that I am responsible for the construction of all new public and private rights of way (streets, alleys, etc) described on the Plat of Subdivision/Dedication.

[Signature]

I further understand that all rights of way (both public and private) must be built to City specifications as detailed in CDOT's Regulation for Openings, Construction and Repair in the Public Way.

[Signature]

Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards.

NP Avenue O, LLC
By: *[Signature]* NP Management, LLC, its manager
By: _____
Nathaniel Hagedorn, Manager

Organization: NP Avenue O, LLC

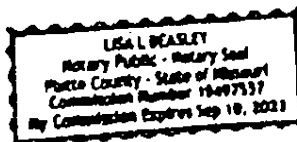
Address: 4825 NW 41st Street, Suite 500, Riverside, MO Zip: 64150

Phone/fax: 331-251-3111 / _____

Email: chubacek@northpointkc.com

Subscribed and sworn to before me this 8th day of July 2020.

[Signature]
Notary Public



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Exhibit "E".

Department Of Water Management Letter.
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CITY OF CHICAGO

DEPARTMENT OF WATER MANAGEMENT

October 20, 2020

City of Chicago
Department of Transportation
Division of Infrastructure Management
Office of Underground Coordination
30 North LaSalle Street, 3rd Floor
Chicago, Illinois 60602

Attn: Mr. Jai Kalayil
Coordinator of Street Permits

Re: Proposed Vacation Ordinance
10th Ward
For: NorthPoint Development

Dedication and Opening of S. Burley Avenue from E. 116th Street to E. 122nd Street
Vacation of alley east of S. Burley Avenue and north of E. 118th Street

OUC File No. VD-105120
M&P Project No. 19-10-20-3945
Water Atlas Page 707 & 719
Sewer Atlas Page 37-2-11 & 37-2-12

Dear Mr. Kalayil:

This letter is in response to your inquiry dated July 31, 2020 concerning the proposed dedication, opening and vacation. After reviewing our records, we have determined the following:

D) The Department of Water Management - Water Section

The following water mains and appurtenances are located within or adjacent to the proposed dedication and opening:

1. S. Burley Avenue ROW from E. 117th Street to approximately 300' to the north
An 8-inch cast iron water main installed in 1923.
2. S. Burley Avenue ROW from E. 117th Street to E. 118th Street
A 12-inch water main installed in 1899 and a 24-inch water main installed in 1933
3. S. Burley Avenue vacated ROW from E. 118th Street to E. 122nd Street
A 12-inch water main installed in 1899 and a 24-inch water main installed in 1933

These water mains and appurtenances must be retained. The Water Section approves of the proposed dedication, opening and vacation, subject to the following conditions:

- a. The proposed paving plans are currently under review under OUC EFP-10.0671. These proposed paving plans must be reviewed and approved by the Water Section prior to construction.

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Exhibit "E".

Department Of Water Management Letter.
(Page 2 of 3)

LOCAL FILE NO. 19-11731-04
October 20, 2020
Page 2 of 3

- b. All water services no longer in use must be permanently terminated as part of the proposed development by permit per DWM Standards.

For questions regarding water facilities, please contact Andrew McFarland at andrew.mcfarland@cityofchicago.org.

III) The Department of Water Management - Sewer Section

1. **Dedication of strips and into reaction clips, for widening of S Burley Ave between E 116th St and E 122nd St:** There are 24-inch to 27-inch City sewers on S Burley Ave from E 116th St to approx. 365' on south of south line of E 116th St and within the proposed area to be dedicated. The Sewer Section has no objection to the proposed dedication, provided the following are part of the dedication ordinance:
 - a. Private structures are not allowed in the public right of way without an ordinance established by the City Council. Existing private structures must be relocated into private property, abandoned or established through a City Council ordinance.
 - b. If and when the existing private drainage structures and associated drains are abandoned, the abandonment plans must meet the Department of Water Management, Sewer Design Section's requirements.
 - c. It is the development's responsibility to provide proper drainage in the areas to be dedicated. New sewer and drainage facilities will be constructed at the development's expense. When the final plans are available, the development's engineer's staff must discuss those plans with Sewer Design Section.
 - d. The maintenance of the public sewers and sewer structures will be accepted by the Department of Water Management only after physical and videotape inspection approved by the Department of Water Management.
 - e. Permits are required to be obtained by a Licensed Drainlayer from the Department of Buildings - Sewer Permit Section for all underground sewer work, in both the public way and on private property. As-built plans of the public sewer and combined public main sewers indicating the street location of the main sewer(s) and appurtenances must be submitted to the Department of Water Management for record purposes within 30 days of completion.
2. **Opening of a piece of S Burley Ave at the Southeast corner of Burley and 117th St:** Based on sewer records, there are no public sewer facilities within the limits of the area proposed for vacation. Therefore, the Sewer section has no objection to the proposed opening.
3. **Vacation of the north-south alley stub returning to 118th Street in the block bounded by S Burley Ave, E 117th St, S Buffalo Ave, and E 118th St:** Based on sewer records, there are no public sewer facilities within the limits of the area proposed for vacation. Therefore, the Sewer section has no objection to the proposed vacation.

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REPORTS OF COMMITTEES

28021

Exhibit "E".

*Department Of Water Management Letter.
(Page 3 of 3)*

OUC File No. VD-105120
October 20, 2020
Page 3 of 3

If there are any questions regarding the sewer facilities, contact Sid Osakada at Sid.Osakada@CityofChicago.org or Anupam Verma at Anupam.Verma@CityofChicago.org.

Very truly yours,


Randy Conner
Commissioner

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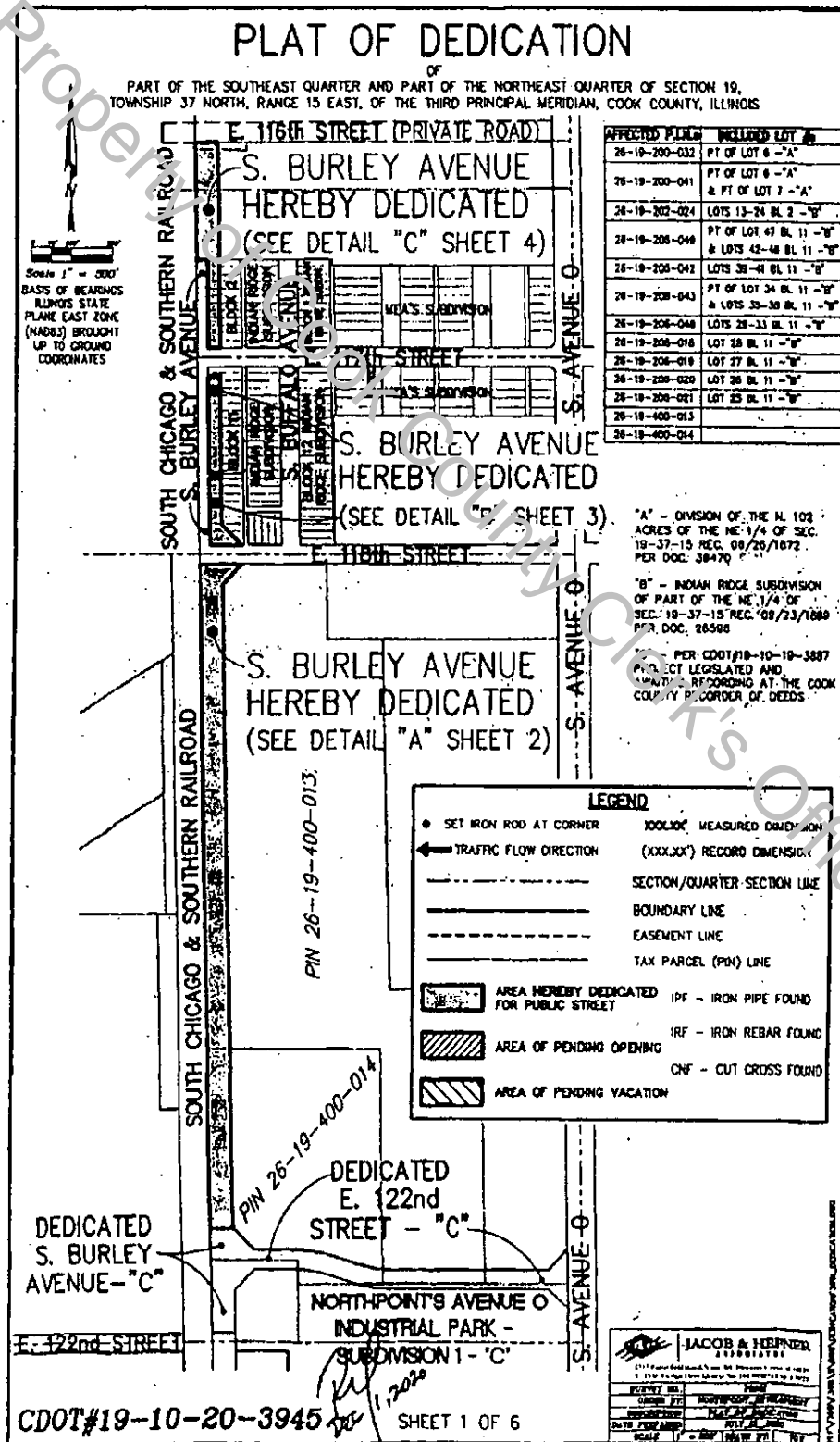
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Exhibit "A".

Plat Of Dedication.
(Page 1 of 6)



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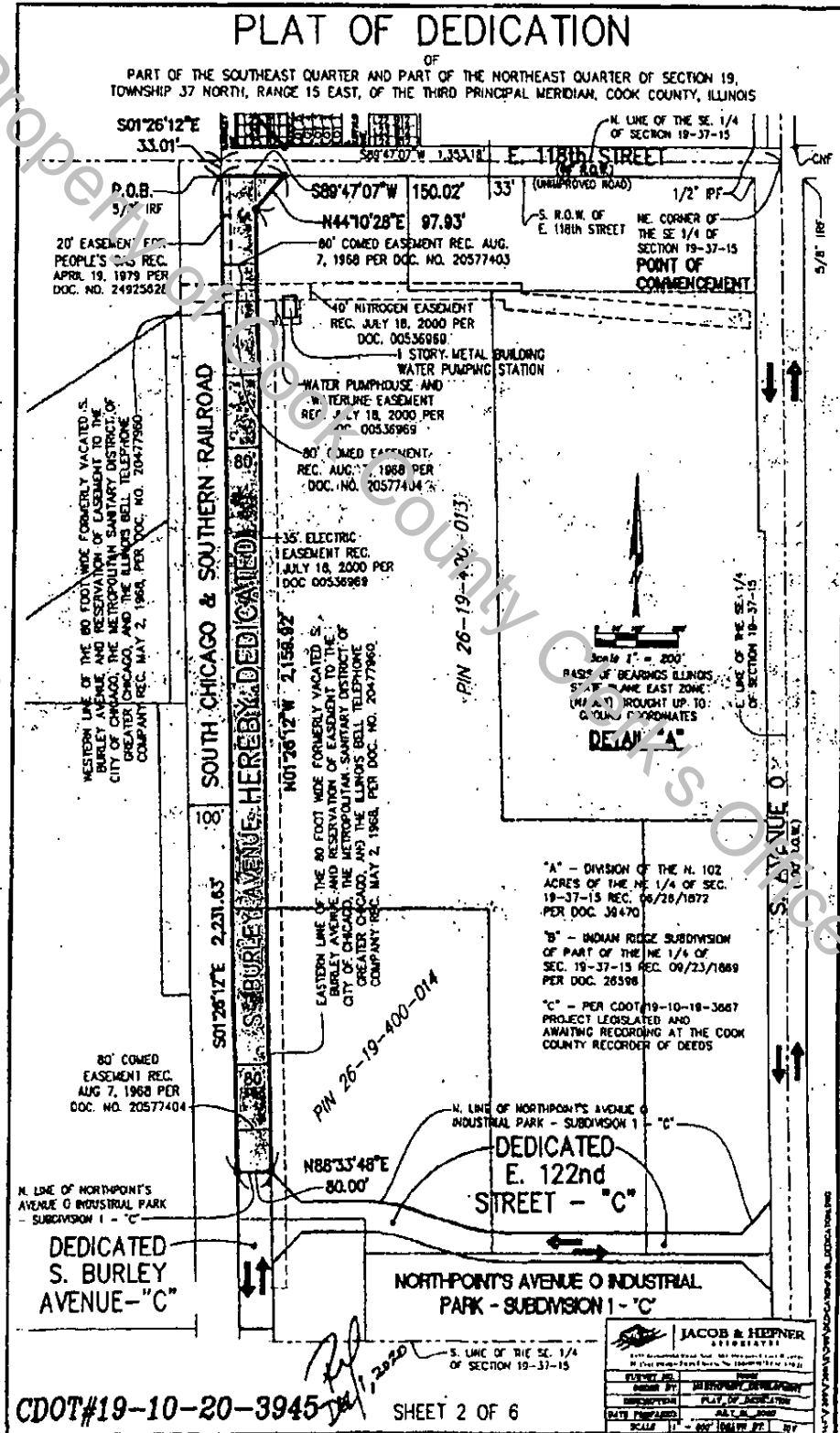
2/26/2021

REPORTS OF COMMITTEES

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Exhibit "A".

Plat Of Dedication.
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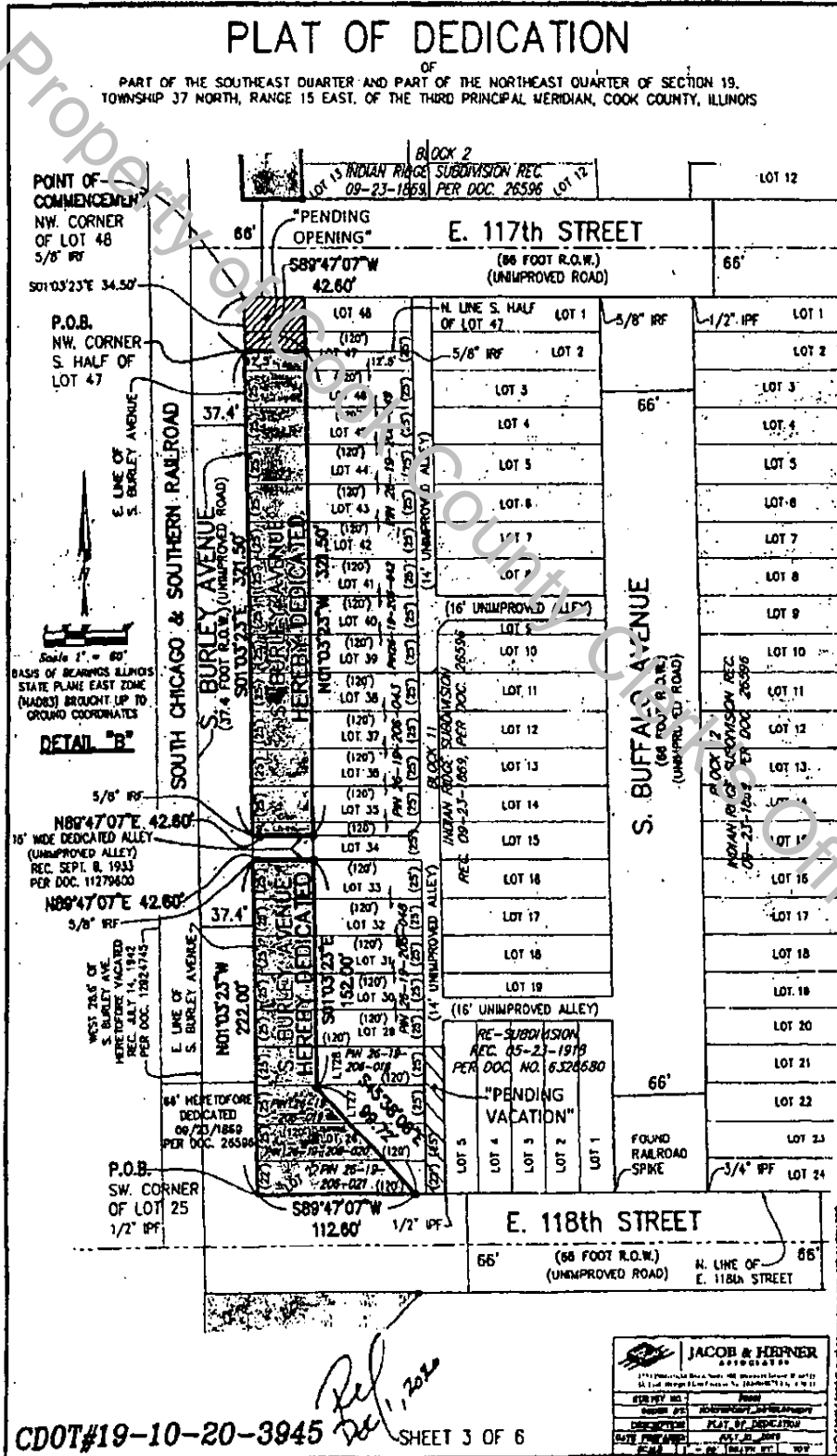
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Exhibit "A".

Plat Of Dedication.
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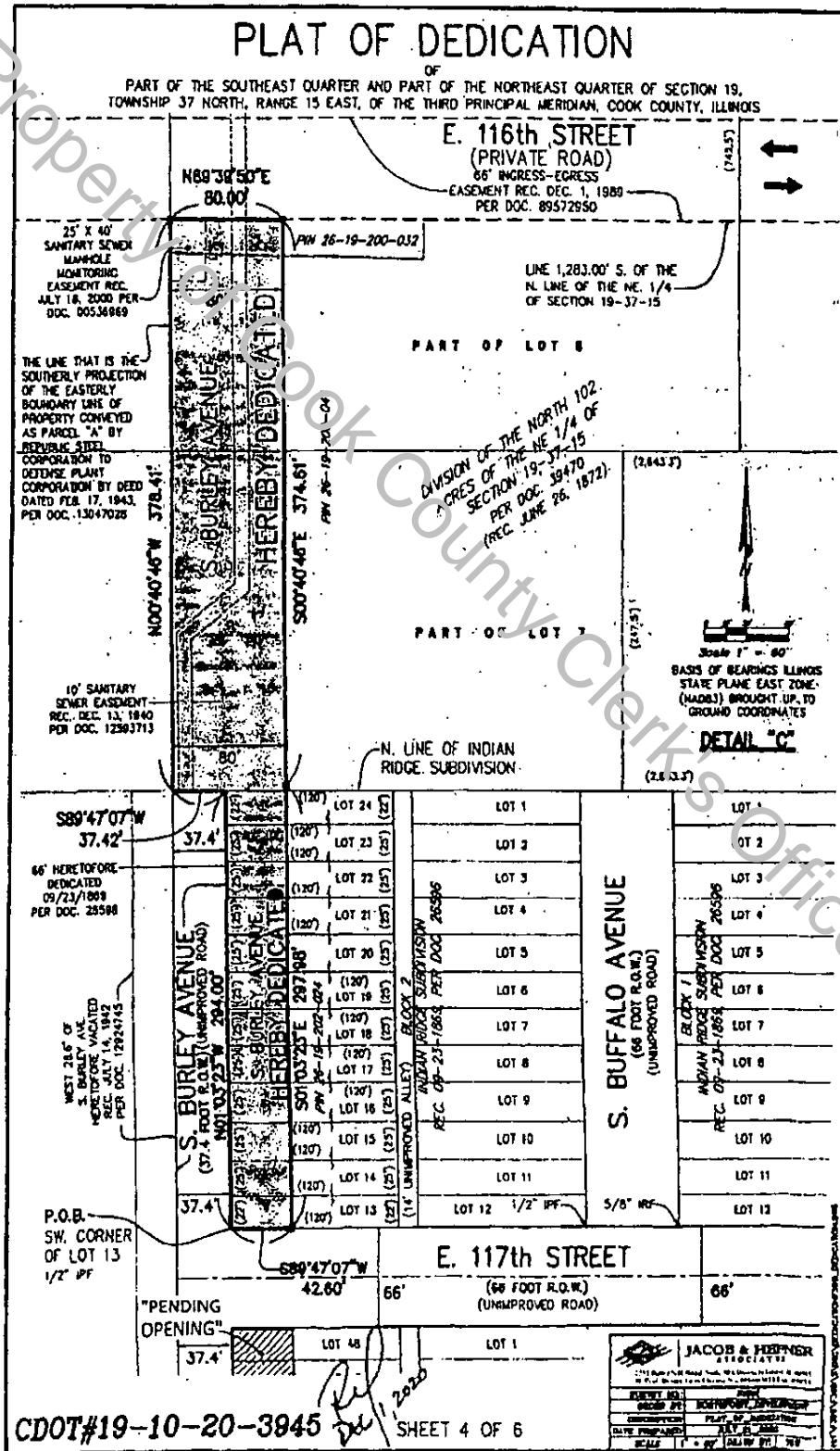
2/26/2021

REPORTS OF COMMITTEES

28025

Exhibit "A".

Plat Of Dedication.
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JOURNAL--CITY COUNCIL--CHICAGO

2/26/2021

Exhibit "A".

Plat Of Dedication.
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PLAT OF DEDICATION

OF
PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19,
TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

LEGAL DESCRIPTION

S. BURLEY AVENUE DEDICATION - SOUTH OF 118th STREET (AS DEPICTED ON SHEET 2)

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19, THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1,333.18 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WESTERN LINE OF THE 80 FOOT WIDE FORMERLY VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT TO THE CITY OF CHICAGO, THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO AND ILLINOIS BELL TELEPHONE COMPANY RECORDED MAY 2, 1981, AS DOCUMENT NUMBER 20477781; THENCE SOUTH 89 DEGREES 47 MINUTES 12 SECONDS EAST ALONG THE NORTHERLY EXTENSION OF SAID WESTERN LINE 33.01 FEET TO THE NORTHWEST CORNER OF SAID VACATED S. BURLEY AVENUE AND SAID RESERVATION OF EASEMENT AND BEING THE POINT OF BEGINNING, SAID POINT LYING 33.01 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE CONTINUING SOUTH 01 DEGREES 21 MINUTES 12 SECONDS EAST ALONG SAID WESTERN LINE OF VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT 2,231.83 FEET TO THE NORTHWEST CORNER OF NORTHPOINT'S AVENUE O INDUSTRIAL PARK - SUBDIVISION NO. 1 PER CDOT#19-10-19-3887 PROJECT LEGISLATED AND ALLOTTED APPROVING AT THE COOK COUNTY RECORDER OF DEEDS THENCE NORTH 88 DEGREES 33 MINUTES 48 SECONDS EAST ALONG THE NORTHERN LINE OF SAID NORTHPOINT AVENUE O INDUSTRIAL PARK - SUBDIVISION NO. 1, A DISTANCE OF 80.00 FEET TO A CORNER OF SAID NORTHPOINT AVENUE O INDUSTRIAL PARK - SUBDIVISION NO. 1; SAID POINT ON THE EAST LINE OF SAID VACATED S. BURLEY AVENUE AND SAID RESERVATION OF EASEMENT; THENCE NORTH 01 DEGREES 28 MINUTES 12 SECONDS EAST ALONG THE EAST LINE OF SAID VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT, A DISTANCE OF 2,136.32 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS EAST 87.83 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. 118th STREET, SAID POINT LYING 33 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 150.02 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 180,812 SQUARE FEET OR 4.153 ACRES, MORE OR LESS.

S. BURLEY AVENUE DEDICATION - NORTH OF 118th STREET (AS DEPICTED ON SHEET 3)

TOGETHER WITH THAT PART OF LOTS 25 THROUGH 33, INCLUSIVE, IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1984, AS DOCUMENT NUMBER 26594, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 25, SAID POINT BEING THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 43 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINE OF SAID LOTS 25 THROUGH 33 IN BLOCK 11, A DISTANCE OF 421.00 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE WESTERN LINE OF SAID LOTS 25 THROUGH 33 IN BLOCK 11, A DISTANCE OF 152.00 FEET; THENCE SOUTH 48 MINUTES 38 SECONDS EAST 98.72 FEET TO A POINT ON THE SOUTHERN LINE OF SAID LOT 25, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN LINE OF SAID LOT 25, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET; A DISTANCE OF 112.00 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 11,807 SQUARE FEET OR 0.273 ACRES, MORE OR LESS.

S. BURLEY AVENUE DEDICATION - SOUTH OF 117th STREET (AS DEPICTED ON SHEET 3)

TOGETHER WITH THAT PART OF LOTS 34 THROUGH 42, INCLUSIVE, IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1984, AS DOCUMENT NUMBER 26594, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 48 IN BLOCK 11 OF SAID INDIAN RIDGE SUBDIVISION, SAID POINT IS AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF E. 117th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE SOUTH 03 DEGREES 03 MINUTES 23 SECONDS EAST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOT 48 AND THAT PART OF LOT 4, IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 34.50 FEET TO THE NORTHWEST CORNER OF THE SOUTHERN HALF OF SAID LOT 47, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 03 DEGREES 03 MINUTES 23 SECONDS EAST ALONG THE WESTERN LINES OF SAID LOTS 47 THROUGH 34 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 321.50 FEET TO THE NORTHWEST CORNER OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY DEDICATED SEPTEMBER 8, 1933, AS DOCUMENT NUMBER 11278602; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE NORTHERN LINE OF SAID ALLEY 42.80 FEET; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST PARALLEL WITH THE WESTERN LINES OF SAID LOTS 34 THROUGH 47 IN BLOCK 11, A DISTANCE OF 375.00 FEET TO A POINT ON THE NORTHERN LINE OF THE SOUTHERN HALF OF SAID LOT 47; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE NORTHERN LINE OF THE SOUTHERN HALF OF SAID LOT 47 A DISTANCE OF 42.80 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 13,896 SQUARE FEET OR 0.314 ACRES, MORE OR LESS.

S. BURLEY AVENUE DEDICATION - NORTH OF 117th STREET (AS DEPICTED ON SHEET 4)

TOGETHER WITH THAT PART OF LOTS 13 THROUGH 24, INCLUSIVE, IN BLOCK 2 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1984, AS DOCUMENT NUMBER 26594, AND THAT PART OF LOTS 6 AND 7 IN THE DIVISION OF THE NORTH 182 ACRES OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 26, 1872, AS DOCUMENT NUMBER 38476, ALL IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13 IN BLOCK 2, SAID POINT LOCATED AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF E. 117th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOTS 13 THROUGH 24 IN SAID BLOCK 2, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 294.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 24; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE NORTHERN LINE OF SAID INDIAN RIDGE SUBDIVISION 37.48 FEET TO A POINT ON THE SOUTHERLY PROJECTION OF THE EASTERN BOUNDARY LINE OF PROPERTY CONVEYED AS PARCEL "A" BY REPUBLIC STEEL CORPORATION TO DEFENSE PLANT CORPORATION BY DEED DATED FEBRUARY 17, 1943 AND RECORDED AS DOCUMENT NUMBER 15047028 IN THE OFFICE OF THE COOK COUNTY RECORDER, SAID EASTERN BOUNDARY LINE PROJECTED SOUTHERLY BEING COMMON WITH THE EASTERN BOUNDARY LINE OF A PARCEL OF LAND CONVEYED BY DEFENSE PLANT CORPORATION TO SOUTH CHICAGO AND SOUTHERN RAILROAD COMPANY BY DEED DATED JUNE 2, 1949 AND RECORDED AS DOCUMENT 13540700 IN THE OFFICE OF THE COOK COUNTY RECORDER; THENCE NORTH 89 DEGREES 40 MINUTES 40 SECONDS WEST ALONG SAID SOUTHERLY PROJECTION LINE 378.41 FEET TO A POINT ON THE SOUTHERN LINE OF A 68 FOOT WIDE IMPROVED CORNER EASTWARD DECEMBER 1, 1928, AS DOCUMENT 8532950 IN THE OFFICE OF THE COOK COUNTY RECORDER, SAID LINE LYING 1,283.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 38 MINUTES 40 SECONDS EAST ALONG SAID SOUTHERN LINE OF IMPROVED CORNER EASTWARD A DISTANCE OF 80.00 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 46 SECONDS WEST A LINE LYING 42.80 FEET EASTERLY OF AND PARALLEL WITH THE AFORESAID WESTERN LINES OF LOTS 13 THROUGH 24 IN SAID BLOCK 2; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG SAID EASTERLY AND PARALLEL LINE A DISTANCE OF 297.88 FEET TO A POINT ON THE SOUTHERN LINE OF SAID LOT 13, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 117th STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN LINE OF SAID LOT 13 A DISTANCE OF 42.80 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 42,804 SQUARE FEET OR 0.983 ACRES, MORE OR LESS. TOTAL AREA DESCRIBED ON PLAT OF DEDICATION CONTAINING 24,899 SQUARE FEET OR 0.574 ACRES, MORE OR LESS.

JACOB & HEPNER
ASSOCIATES
1211 Randolph Road Suite 100, Naperville, IL 60563
P.O. Box 1000, Naperville, IL 60563
TEL: 630.335.1100 FAX: 630.335.1101

PROJECT NO.	2021-001
SHEET NO.	5/5
DATE PREPARED	JULY 21, 2020
SCALE	AS SHOWN ON SHEET

CDOT#19-10-20-3945 SHEET 5 OF 6

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2/26/2021

REPORTS OF COMMITTEES

28027

Exhibit "A".

Plat Of Dedication.
(Page 6 of 6)

PLAT OF DEDICATION
OF
PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19,
TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

OWNER'S CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS

MP AVONUE Q, LLC, A MISSOURI LIMITED LIABILITY COMPANY, HEREBY CERTIFIES THAT THEY ARE THE OWNER OF THE AREAS SHOWN HEREON AS AREAS HEREBY DEDICATED FOR PUBLIC RIGHT OF WAY, AS DESCRIBED AND DEPICTED ON THE ATTACHED PLAT, AND THAT THEY HAVE CAUSED THE SURVEYOR TO SURVEY AND MAP THE AREAS AS PRESENTED ON THIS PLAT. IN WITNESS WHEREOF SAID OWNER HAS SIGNED, OR CAUSED TO BE SIGNED ON ITS BEHALF BY ITS DULY AUTHORIZED AGENT, THIS CERTIFICATE ON

THIS _____ DAY OF _____ 202__

MP AVONUE Q, LLC, A MISSOURI LIMITED LIABILITY COMPANY
c/o NORTHPOINT
4425 NW 43rd STREET
SUITE 500
INVERGROVE, MO 64150

BY _____ PRINTED: _____
OWNER

NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF _____ AND THE STATE OF _____ DO HEREBY

CERTIFY THAT _____ PERSONALLY KNOWN TO ME, TO BE THE SAME PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND DELIVERED SAID INSTRUMENT AND (SEVERALLY) ACKNOWLEDGED THAT HE (THEY) SIGNED, SEALED AS HIS (THEIR) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL
THIS _____ DAY OF _____, A.D. 202__

NOTARY PUBLIC COMMISSION EXPIRES _____

CHICAGO DEPARTMENT OF TRANSPORTATION
COOK COUNTY

CHICAGO DEPARTMENT OF FINANCE

SURVEYOR'S NOTES:

- 1) BASIS OF BEARINGS IS ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83) BROUGHT UP TO GROUND COORDINATES.
- 2) DATE OF COMPLETION OF FIELD WORK: MARCH 25, 2020.
- 3) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
- 4) THE HEREON DESCRIBED LAND AND ADJOINING LANDS ARE SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHICAGO, ILLINOIS, AND IS ZONED "PLANNED MANUFACTURING" FOR THE CITY OF CHICAGO ZONING AND LAND USE MAP AS OF NOVEMBER 20, 2020.
- 5) WITH THE EXCEPTION OF THE 1 STORY METAL WATER PUMPHOUSE BUILDING ON P14 28-19-400-013 (SEE SHEET 2), LAND USE ON THE SUBJECT PROPERTY (ALL OF THE PARCELS IDENTIFIED WITH A P.L.N. HEREON) & ADJOINING LAND AT THE TIME OF THE SURVEY WAS ALL VACANT LAND WITH NO BUILDINGS.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNERS, I HAVE PREPARED THIS PLAT FOR THE PURPOSE OF DELICATING RIGHT OF WAY FOR PUBLIC STREETS DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY
I HEREBY AUTHORIZE THE OWNER OR THEIR AGENT TO FILE THIS PLAT OF DEDICATION WITH THE COOK COUNTY RECORDER'S OFFICE.
GIVEN UNDER MY HAND AND SEAL THIS 23rd DAY OF NOVEMBER, A.D. 2020.

Timothy G. Wolfe
TIMOTHY G. WOLFE
JACOB & HEFNER ASSOCIATES, INC.
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-003533
MY LICENSE EXPIRES NOVEMBER 30, 2022

35-003533
PROFESSIONAL
LAND SURVEYOR
STATE OF ILLINOIS
DUNKER'S GROVE

PREPARED FOR:
NORTHPOINT DEVELOPMENT
3010 HIGHLAND PARKWAY, SUITE 440
DOWNERS GROVE, IL 60515

SEND TO:
DLA PIPER, LLP
444 WEST LAKE STREET, SUITE 600
CHICAGO, IL 60606-0089

JACOB & HEFNER ASSOCIATES	
<small>1711 West 101st Street, Suite 100, Downers Grove, IL 60515 2141 East 101st Street, Suite 100, Downers Grove, IL 60515</small>	
SURVEY NO.:	3945
OWNER:	NORTHPOINT DEVELOPMENT
DESCRIPTION:	PLAT OF DEDICATION
DATE PREPARED:	FEB 26, 2021
SCALE:	N/A (PLEASE BY) RE

CDOT#19-10-20-3945 SHEET 6 OF 6

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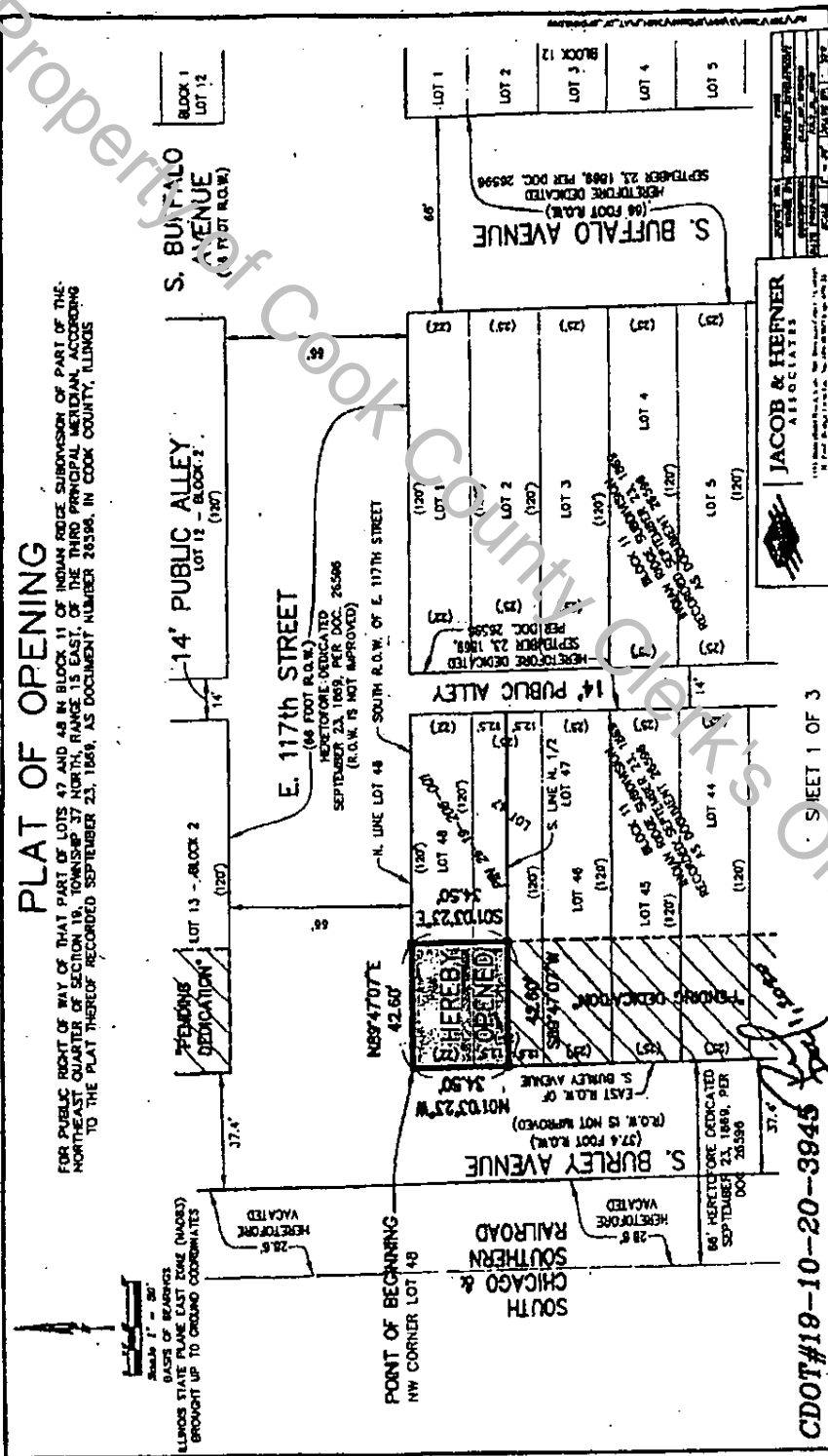
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JOURNAL--CITY COUNCIL--CHICAGO

2/26/2021

Exhibit "B".

Plat Of Opening.
(Page 1 of 3)



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2/26/2021

REPORTS OF COMMITTEES

28029

Exhibit "B".

Plat Of Opening.
(Page 2 of 3)

Property of

Clerk's Office

PLAT OF OPENING

FOR PUBLIC RIGHT OF WAY OF THAT PART OF LOTS 47 AND 48 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE
NORTH-EAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING
TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1889, AS DOCUMENT NUMBER 28594, IN COOK COUNTY, ILLINOIS

<p>DEPARTMENT OF PLANNING AND DEVELOPMENT CERTIFICATE</p> <p>STATE OF ILLINOIS) COUNTY OF COOK) SS</p> <p>_____ COMMISSIONER OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT FOR THE CITY OF CHICAGO, DO HEREBY CERTIFY THAT I AM THE AUTHORIZED AGENT FOR THE TITLE HELD BY THE CITY OF CHICAGO, A MUNICIPAL CORPORATION, OF THE PROPERTY DESCRIBED HEREON AND THAT I HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND OPENED FOR PUBLIC WAY AS SHOWN HEREON.</p> <p>THIS _____ DAY OF _____ 2021.</p> <p>BT: _____</p> <p>PRINTED: _____</p> <p>COMMISSIONER DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO</p>	<p>LEGAL DESCRIPTION</p> <p>THAT PART OF LOT 48 AND THAT PART OF THE NORTH HALF OF LOT 47 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTH-EAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1889, AS DOCUMENT NUMBER 28594, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:</p> <p>BEGINNING AT THE NORTHWEST CORNER OF LOT 48 IN SAID INDIAN RIDGE SUBDIVISION, SAID POINT LOCATED AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF E. 17TH STREET, AND THE EASTERN RIGHT OF WAY LINE OF S. MARKET AVENUE; THENCE NORTH 89 DEGREES 17 MINUTES 07 SECONDS EAST (MAGNET) 77.62 FEET - ELLIOTT STRIKE PLANE CONSERVATES EAST POLE (MAGNET) ALONG THE NORTHERN LINE OF SAID LOT 48, SAID LINE ALSO BEING THE SOUTH BOUNDARY OF SAID LOT 48, 177.81 FEET, A DISTANCE OF 412.60 FEET WITH THE EASTERN LINE OF SAID LOT 48, A DISTANCE OF 412.60 FEET TO A POINT ON THE SOUTHERN LINE OF THE NORTH HALF OF SAID LOT 47; THENCE SOUTH 89 DEGREES 17 MINUTES 07 SECONDS WEST ALONG S. SOUTHERN LINE OF THE NORTH HALF OF SAID LOT 47, A DISTANCE OF 412.60 FEET TO THE WEST LINE OF SAID LOT 47, SAID POINT LOCATED AT THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID LOT 47, S. D. WALK, LIVING ON THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, THENCE NORTH 03 DEGREES 03 MINUTES 23 SECONDS WEST ALONG THE WEST LINE OF SAID LOTS 47 AND 48, A DISTANCE OF 343.50 FEET TO A POINT ON THE WEST LINE OF SAID LOTS 47 AND 48, A DISTANCE OF 343.50 FOUR FEET OR 0.034 ACRES, MORE OR LESS.</p>
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CDOT#19-10-20-3945

SHEET 2 OF 3

JACOB & HEBFNER ASSOCIATES

1112 North Dearborn Street, Suite 200
Chicago, Illinois 60610
Phone: (773) 525-1200
Fax: (773) 525-1201
www.jacobandhefner.com

[Signature]

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28030

JOURNAL-CITY COUNCIL-CHICAGO

2/26/2021

Exhibit "B".

Plat Of Opening.
(Page 3 of 3)

AFFECTED P.L.N.#
28-19-208-001

PLAT OF OPENING

FOR PUBLIC RIGHT OF WAY OF THAT PART OF LOTS 47 AND 48 IN BLOCK 11 OF INDIAN HEDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1868, AS DOCUMENT NUMBER 26594, IN COOK COUNTY, ILLINOIS

SHEET 3 OF 3

LEGEND

- MEASURED DIMENSION (XXXXX)
- RECORD DIMENSION (XXXXX)
- TRAFFIC FLOW DIRECTION
- SECTION/QUARTER SECTION LINE
- BOUNDARY LINE
- EASEMENT LINE
- TAX PARCEL (P/M) LINE
- SETBACK ROD WITH CAP AT CORNER
- AREA, CREEPY OPENED
- AREA OF PENDING DEDICATION

CHICAGO DEPARTMENT OF TRANSPORTATION

CHICAGO DEPARTMENT OF FINANCE

COOK COUNTY

SURVEYOR'S NOTICE:

- 1) BASIS OF BEARINGS IS ILLINOIS STATE PLANE EAST ZONE (NAD83) BROUGHT UP TO GROUND COORDINATES.
- 2) DATE OF COMPLETION OF FIELD WORK, MARCH 20, 2020.
- 3) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
- 4) THE HEREON DESCRIBED LAND AND ADJOINING LANDS ARE SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHICAGO, ILLINOIS, AND IS ZONED "PLANNED MANUFACTURING" FOR THE CITY OF CHICAGO ZONING AND THE MAP AS OF NOVEMBER 20, 2020.
- 5) LAND USE ON THE SUBJECT PROPERTY (ALL OF THE PARCELS IDENTIFIED WITH A P.L.N. HEREON) AND ADJOINING LAND AT THE TIME OF THE SURVEY WAS ALL VACANT LAND WITH NO BUILDINGS.

PREPARED FOR:
NORTHPOINT DEVELOPMENT
3010 HIGHLAND PARKWAY, SUITE 440
DOWNERS GROVE, IL 60555

SEND TO:
DLA PIPER, LLP
444 WEST LAKE STREET, SUITE 900
CHICAGO, IL 60608-0088

CDOT#19-10-20-3945

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, **Dorothy D. DeLoe**, SURVEYOR, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER I HAVE PREPARED THIS PLAT FOR THE PURPOSE OF OPENING LAND FOR A PUBLIC STREET. DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. I HEREBY AUTHORIZE THE OWNER OR THEIR AGENT TO FILE THIS PLAT OF OPENING FOR PUBLIC STREET WITH THE COOK COUNTY RECORDER'S OFFICE. GIVEN UNDER MY HAND AND SEAL THIS 20TH DAY OF NOVEMBER, A.D. 2020.

Dorothy D. DeLoe
DOROTHY G. DELOE
JACOB & HEFNER ASSOCIATES, INC.
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 36-003533
BY LICENSE EXPIRES NOVEMBER 30, 2022

JACOB & HEFNER ASSOCIATES

UNOFFICIAL COPY

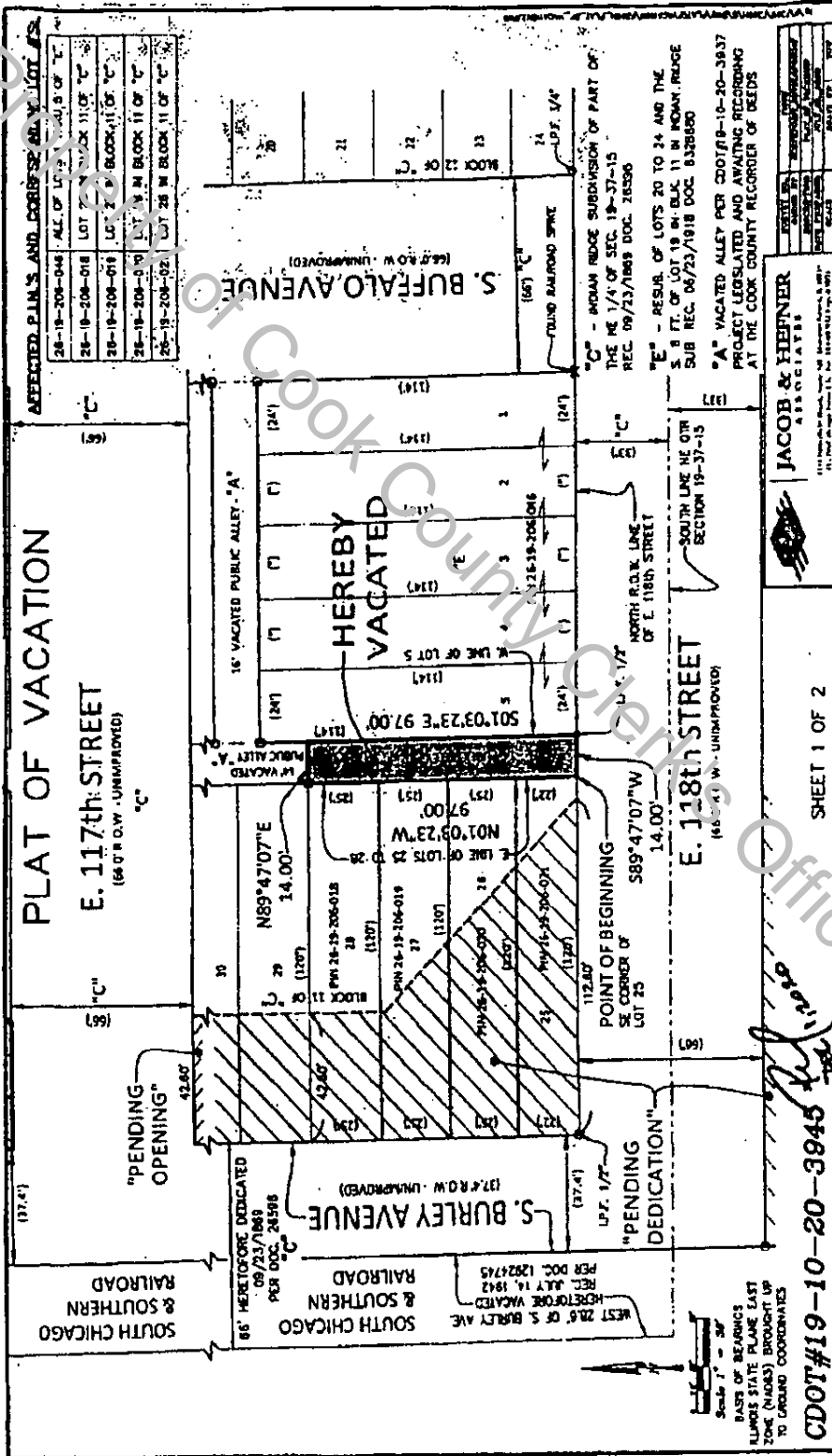
2/26/2021

REPORTS OF COMMITTEES

28031

Exhibit "C".

Plat Of Vacation.
(Page 1 of 2)



UNOFFICIAL COPY

EXHIBIT B

Legal Description of Subject Premises

THAT PART OF THE NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY WITHIN BLOCK 11 AS DEDICATED WITHIN INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF LOT 25 IN BLOCK 11 IN SAID INDIAN RIDGE SUBDIVISION, ALSO BEING ON THE NORTH RIGHT OF WAY OF E. 118th STREET; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST (BASIS OF BEARINGS – ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE EASTERN LINES OF LOTS 25 THROUGH 28 INCLUSIVE IN SAID BLOCK 11, A DISTANCE OF 97.00 FEET TO THE NORTHEASTERN CORNER OF SAID LOT 28, ALSO BEING AND ABUTTING THE SOUTHERN TERMINUS OF VACATED ALLEY PER CDOT#19-10-20-3937 PROJECT LEGISLATED AND AWAITING RECORDING AT THE COOK COUNTY RECORDER OF DEEDS; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG SAID SOUTHERN TERMINUS LINE 14.00 FEET TO A POINT ON THE WESTERN LINE OF LOT 5 OF THE RE-SUBDIVISION OF LOTS 20 TO 24 AND THE SOUTH 8 FEET OF LOT 19 IN BLOCK 11 IN INDIAN RIDGE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1918, AS DOCUMENT NUMBER 6328680; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG THE WESTERN LINE OF SAID LOT 5, A DISTANCE OF 97.00 FEET TO THE SOUTHWESTERN CORNER OF SAID LOT 5, ALSO ON SAID NORTH RIGHT OF WAY OF E. 118th STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY 14.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1,358 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

No applicable PINs – Document affects vacated right-of-way adjacent to:

11601-11659 S. Burley Avenue,
11705-11759 S. Burley Avenue, and
11801-12159 S. Burley Avenue, Chicago, Illinois 60617

26-19-206-021