

COMMERCIAL VACATION ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6 (a) of the 1970 Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the property at 654 W. 21st Street ("Property") is owned by 654 W. 21st Street, LLC, an Illinois limited liability company ("Developer"); and

WHEREAS, the Developer proposes to use the portions of the street remnant and alley to be vacated herein for accessory parking and loading for its adjacent building located on the Property; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacations of those portions of the public street and alley, described in the following ordinance; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Vacation of Street: THAT PART OF S. UNION AVENUE PUBLIC RIGHT OF WAY BY SUPERIOR COURT CONDEMNATION JUDGEMENT ORDER NO. 58-S-18538 ENTERED JULY 29, 1959, AND LYING WEST OF AND ADJOINING THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY BETWEEN S. RUBLE STREET AND S. UNION STREET IN BLOCK 38 IN CANAL TRUSTEES SUBDIVISION OF THE WEST HALF AND SO MUCH OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER RECORDED AUGUST 31, 1848 ANTE-FIRE IN SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECT OF THE NORTH LINE OF W. 21ST STREET ALSO BEING THE SOUTH LINE OF LOT 3 AND THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, THENCE NORTH 88 DEGREES 55 MINUTES 47 SECONDS WEST ALONG THE NORTH LINE OF W. 21ST STREET 20.23 FEET TO THE SOUTH LINE OF S. UNION AVENUE; THENCE NORTH 21 DEGREES 30 MINUTES 06 SECONDS EAST 56.72 FEET TO A POINT ON THE WEST LINE OF SAID NORTH-SOUTH 16 FOOT ALLEY; THENCE SOUTH 00 DEGREES 36 MINUTES 25 SECONDS WEST ALONG THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY 53.15 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING: 538 SQ. FT OR 0.012 ACRES MORE OR LESS, WITH A TOTAL AREA OF ABOVE DESCRIBED PARCELS BEING 1,721 SQ. FT. OR 0.039 ACRES MORE OR LESS; TOGETHER WITH

Vacation of Alley: THAT PART OF THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY DEDICATED BY ORDINANCE OF EXTENDING PUBLIC ALLEY

PASSED SEPTEMBER 10, 1888, ORDER OF POSSESSION DECEMBER 5, 1892, SUPERIOR COURT GENERAL NO. 119283, RECORDED SEPTEMBER 29, 1894 AS DOCUMENT NO. 2109586 IN BLOCK 38 IN CANAL TRUSTEES SUBDIVISION OF THE WEST HALF AND SO MUCH OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER RECORDED AUGUST 31, 1848 ANTE-FIRE, ALL IN SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECT OF THE NORTH LINE OF W. 21ST STREET AND THE EAST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY, THENCE NORTH 88 DEGREES 55 MINUTES 47 SECONDS WEST ALONG THE NORTH LINE OF W. 21ST STREET 16.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 00 DEGREES 36 MINUTES 25 SECONDS EAST ALONG THE WEST LINE OF SAID PUBLIC ALLEY 53.15 FEET TO THE SOUTH LINE OF S. UNION AVENUE; THENCE NORTH 21 DEGREES 30 MINUTES 06 SECONDS EAST 40.18 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3 EXTENDED WEST; THENCE SOUTH 88 DEGREES 55 MINUTES 35 SECONDS EAST ALONG THE WESTERLY EXTENSION OF LOT 3 AFORESAID 1.67 FEET TO A POINT ON THE EAST LINE OF SAID NORTH-SOUTH 16 FOOT PUBLIC ALLEY; THENCE SOUTH 00 DEGREES 36 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF SAID PUBLIC ALLEY 90.80 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING: 1,183 SQ. FT OR 0.027 ACRES MORE OR LESS, as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as **EXHIBIT A**, which plat for greater clarity, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same are no longer required for public use and the public interest will be subserved by such vacations.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T, their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the street remnant and alley herein vacated, with the right of ingress and egress at all times. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of said facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved aforementioned utilities. Any future Developer-prompted relocation of facilities lying within the areas being vacated shall be accomplished by the involved utility, and be completed at the expense of the Developer, its successors or assigns.

SECTION 3. The vacations herein provided for are made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of the public street and alley hereby vacated, the sum One Hundred Fifteen Thousand dollars (\$ **115,000.00**), which sum in the judgment of this body will be equal to such benefits.

SECTION 4. The vacations herein provided for are made under the express condition that the Developer, its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacations.

SECTION 5. The vacations herein provided for are further made upon 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 Cook County Clerk/Recordings Division, Illinois a fully stamp approved, certified copy of this ordinance, together with the similarly approved associated full sized plat as authorized by the Superintendent of Maps and Plats.

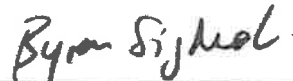
SECTION 6. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after recording of the published ordinance and approved plat.

Vacation Approved:



Thomas Carney
Acting Commssioner
Department of Transportation

Introduced by:



Honorable Byron Sigcho-Lopez
Alderman, 25th Ward

CDOT File Number:

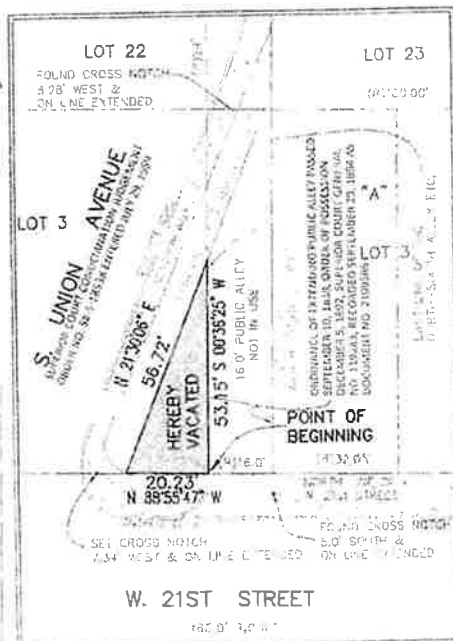
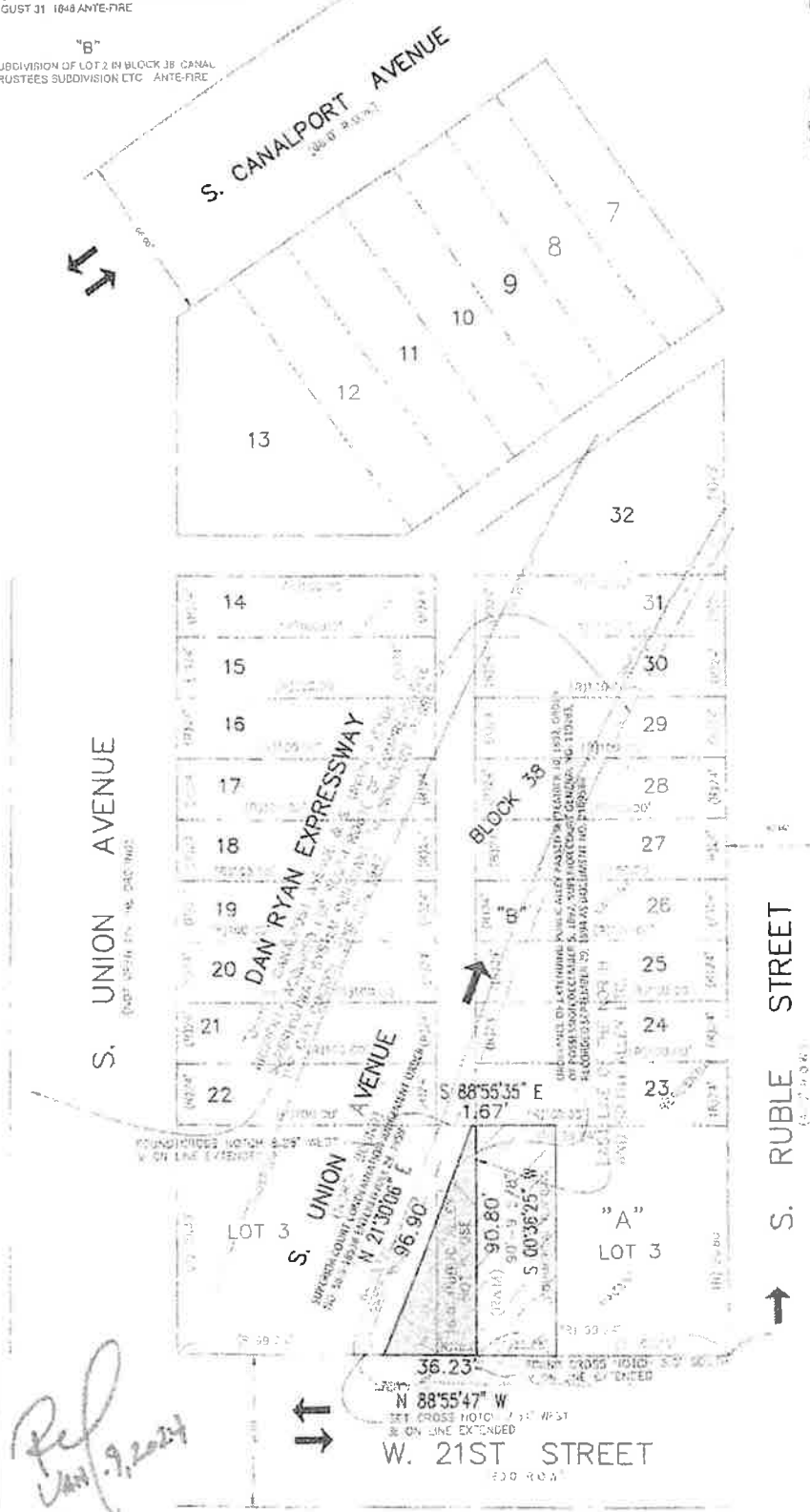
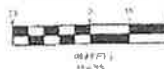
21-11-23-4031

"A"
CANAL TRUSTEES SUBDIVISION OF THE WEST
HALF OF SECTION 21-38-14 AND SO MUCH OF
SOUTH-EAST QUARTER AS LIES WEST OF THE
SOUTH BRANCH OF CHICAGO RIVER RECORDED
AUGUST 31 1848 ANTE-FIRE

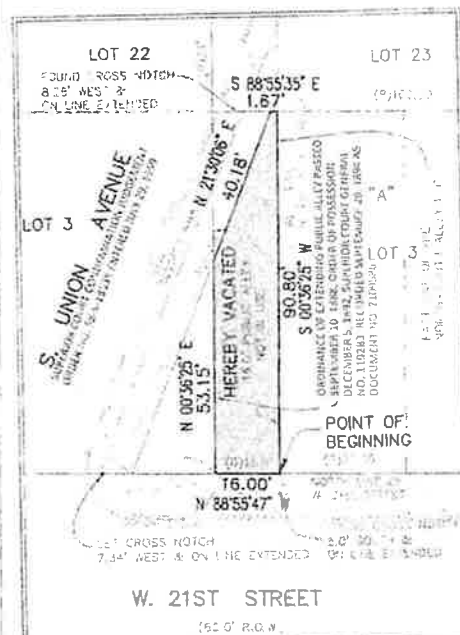
"B"
SUBDIVISION OF LOT 2 IN BLOCK 38 CANAL
TRUSTEES SUBDIVISION CTC ANTE-FIRE

EXHIBIT "A" PLAT OF VACATION

GRAPHIC SCALE



DETAIL: STREET VACATION
SCALE: 1"=20'



DETAIL: ALLEY VACATION
SCALE: 1"=20'

LEGEND

- HEREBY VACATED
- RECORD LINES
- UNDERLYING LOTS
- BOUNDARY LINES
- RECORD (M) MEASURED
- BUILDING FOOTPRINT
- R.O.W. - RECORD RIGHT OF WAY

CDOT# 21-11-23-4031

DESIGNED BY GREGORY & BIEDERMANN	CHECKED BY GREGORY & BIEDERMANN
DATE 2022-30787-001	SCALE 1 OF 2

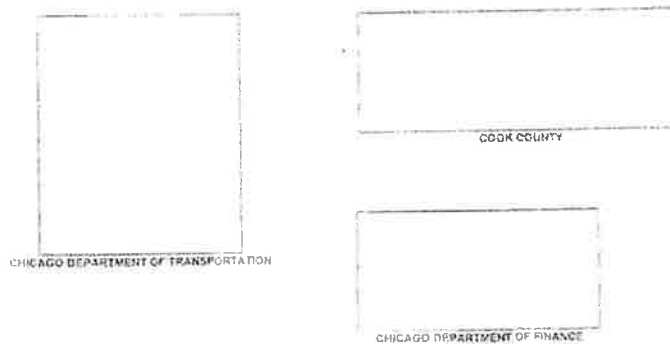
EXHIBIT "A"
PLAT OF VACATION

AFFECTED PINS:
17-21-321-023-0000 PART OF LOT 3
17-21-321-023-0000 PART OF LOT 3
17-21-321-023-0000 LOT 2
17-21-321-023-0000 LOT 2

LEGAL DESCRIPTION:

THAT PART OF THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY DEDICATED BY ORDINANCE OF EXTENDING PUBLIC ALLEY PASSED SEPTEMBER 20, 1888, ORDER OF POSSESSION DECEMBER 5, 1892, SUPERIOR COURT GENERAL NO. 119283, RECORDED SEPTEMBER 29, 1894 AS DOCUMENT NO. 2109586 IN BLOCK 38 IN CANAL TRUSTEES SUBDIVISION OF THE WEST HALF AND SO MUCH OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER RECORDED AUGUST 31, 1848 ANTE-FIRE, ALL IN SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECT OF THE NORTH LINE OF W. 21ST STREET AND THE EAST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 88 DEGREES 55 MINUTES 47 SECONDS WEST ALONG THE NORTH LINE OF W. 21ST STREET 16.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 00 DEGREES 36 MINUTES 25 SECONDS EAST ALONG THE WEST LINE OF SAID PUBLIC ALLEY 53.15 FEET TO THE SOUTH LINE OF S. UNION AVENUE; THENCE NORTH 21 DEGREES 30 MINUTES 06 SECONDS EAST 40.18 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3 EXTENDED WEST; THENCE SOUTH 88 DEGREES 55 MINUTES 35 SECONDS EAST ALONG THE WESTERLY EXTENSION OF LOT 3 AFORESAID 1.67 FEET TO A POINT ON THE EAST LINE OF SAID NORTH-SOUTH 16 FOOT PUBLIC ALLEY; THENCE SOUTH 00 DEGREES 36 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF SAID PUBLIC ALLEY 90.80 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING: 1,193 SQ. FT. OR 0.027 ACRES MORE OR LESS

TOGETHER WITH:
THAT PART OF S. UNION AVENUE PUBLIC RIGHT OF WAY BY SUPERIOR COURT CONDEMNATION JUDGEMENT ORDER NO. 58-S-18538 ENTERED JULY 29, 1959, AND LYING WEST OF AND ADJOINING THE NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY BETWEEN S. RUBLE STREET AND S. UNION STREET IN BLOCK 38 IN CANAL TRUSTEES SUBDIVISION OF THE WEST HALF AND SO MUCH OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER RECORDED AUGUST 31, 1848 ANTE-FIRE IN SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECT OF THE NORTH LINE OF W. 21ST STREET ALSO BEING THE SOUTH LINE OF LOT 3 AND THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH 88 DEGREES 55 MINUTES 47 SECONDS WEST ALONG THE NORTH LINE OF W. 21ST STREET 20.23 FEET TO THE SOUTH LINE OF S. UNION AVENUE; THENCE NORTH 21 DEGREES 30 MINUTES 06 SECONDS EAST 55.72 FEET TO A POINT ON THE WEST LINE OF SAID NORTH-SOUTH 16 FOOT ALLEY; THENCE SOUTH 00 DEGREES 36 MINUTES 25 SECONDS WEST ALONG THE WEST LINE OF SAID NORTH-SOUTH PUBLIC ALLEY 53.15 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING: 538 SQ. FT. OR 0.012 ACRES MORE OR LESS, WITH A TOTAL AREA OF ABOVE DESCRIBED PARCELS BEING 1,721 SQ. FT. OR 0.039 ACRES MORE OR LESS



SURVEY PREPARED FOR / AND MAIL TO:

MICHAEL EDGAR & ASSOCIATES
854 W. 21ST STREET
CHICAGO, IL 60616

SURVEYORS NOTES:

SURVEYOR'S LICENSE EXP. 11/15 November 20, 2024
DESIGN FIRM LICENSE EXPIRES APRIL 29, 2025

ZONING: M2-4.1 LIGHT INDUSTRIAL DISTRICT

FIELD MEASUREMENTS COMPLETED ON: DECEMBER 7, 2022

Note (R) & (M) denotes Record and Measured distances respectively.

Distances are marked on plat and shown parts thereof. Compare all points BEFORE building any structure at which point any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to relevant deed, deed contract, title policy and local building code regulations.

Except for building footprints, improvements omitted at clients request.

All dimensions shall be assumed by non-measurement from this plat.

Unless otherwise noted herein the Bearing, Bearing, Elevation Datum and Coordinates Referenced are ASSIGNED.

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LEGEND

- HEREBY VACATED
- RECORD LINES
- UNDERLYING LOT'S
- BOUNDARY LINES
- (R) RECORD
- (M) MEASURED
- R.O.W. - RECORD RIGHT OF WAY
- BUILDING
- FOOTPRINT HATCH

CDOT# 21-11-23-4031

SURVEYOR'S CERTIFICATE

State of Illinois
County of Cook

I, GREGORY J. BISCHMANN, INC. hereby certify that we have surveyed the above described property and that this plat and report is a correct representation of said survey conducted in accordance with the minimum standards for a boundary survey.

Field measurements completed on DECEMBER 7, 2022.

Signed on JANUARY 3, 2024

[Signature]

Professional Pinus and Survey No. 2022

DATE: 01/03/2024	FILE: 21-11-23-4031	PROJECT: 21-11-23-4031
Grewley & Bischmann, Inc.		
1111 North Dearborn Street, Suite 1000, Chicago, IL 60610		
Phone: (773) 442-1000 Fax: (773) 442-1001		
2022-30787-001	2 of 2	