

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 properties at 6201-6253 W. Foster Avenue and 6200-6258 W. Higgins Avenue, Chicago, Illinois, are owned by 6200 Higgins LLC ("Owner"); and

WHEREAS, Owner has plans to sell the property for the development of a Sprouts Farmers Market grocery store; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of the public alleys described below; now therefore,

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

SECTION 1. VACATION OF: THE SOUTH 17.00 FEET OF THE NORTH 50.00 FEET OF THE EAST-WEST RIGHT OF WAY OF W. FOSTER AVENUE IN THE NORTHEAST QUARTER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN; SAID EAST-WEST RIGHT OF WAY LYING NORTH OF AND ADJOINING THE SOUTH RIGHT OF WAY LINE OF SAID W. FOSTER AVENUE; LYING EAST OF AND ADJOINING THE NORTHERLY RIGHT OF WAY OF W. HIGGINS AVENUE AND LYING WEST OF AND ADJOINING A LINE 33.00 FEET WEST OF AND PARALLEL OF THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 8, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 9,761 SQUARE FEET OR 0.224 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 is no longer required for public use and the public interest will be subserved by such vacation. For recording purposes, the property index numbers and addresses of the properties adjacent to the to-be-vacated public right of way, are attached hereto as **EXHIBIT B** and incorporated by this reference.

SECTION 2. The vacation herein provided for is further made upon the express condition that the owner shall comply with all the conditions set forth in the Department of Water Management letter dated October 2nd, 2025, and attached hereto as **Exhibit C**.

SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, 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 public alleys hereby vacated the sum of three hundred sixty-five thousand dollars (\$ 365,000), which sum in the judgment of this body will be equal to such benefits.

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

SECTION 5. The vacation herein provided for is further made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Developer shall file or cause to be filed for recordation with the Office of the Clerk of Cook County, Illinois, Recordings Division, 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 vacations shall take effect and be in force from and after recording of the published ordinance and approved plat.

Vacation Approved:

A handwritten signature in cursive script, appearing to read "Craig Turner", written over a horizontal line.

Craig Turner
Acting Commissioner of
Transportation

Introduced by:

A handwritten signature in cursive script, appearing to read "James M. Gardiner", written over a horizontal line.

Honorable James M. Gardiner
Alderman, 45th Ward

CDOT File Number:

08-45-25-4107