

EXHIBIT D



CITY OF CHICAGO

DEPARTMENT OF WATER MANAGEMENT

February 22, 2024

City of Chicago
Department of Transportation
Division of Project Development / PUBLIC WAY
2 N. LaSalle Street, Suite 950
Chicago, IL 60602-2570

Attn: Mr. Jai Kalayil
Deputy Commissioner

Re: Proposed Alley Vacation and Opening Ordinance
20th Ward
For: Taft Stettinius & Hollister LLP

REVISED

Alley Vacation and Opening in the block bounded by S Calumet Avenue, E 60th Street, S King Drive, and E 61st Street.

OUC File No. VD-123012

M&P Project No. 15-20-23-4052

Water Atlas Page 482

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Dear Mr. Kalayil:

This letter supersedes the previous version of this letter dated November 3, 2023.

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

I) The Department of Water Management - Water Section

There are no water facilities within the limits of the area proposed for vacation and opening. Therefore, the Water Section has no objection to the proposed vacation and opening.

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.

II) The Department of Water Management - Sewer Section

I. Alley Vacation: Based on the sewer records the following public sewers and associated structures are present within the areas proposed for vacation:

1. There is an 8-inch public sewer and appurtenances in North-South alley east of S Calumet Ave from approximately 250 feet north of E 61st St to approximately 220 feet north of E 61st St, bounded by E Calumet Ave to the west and S Dr Martin Luther King Drive to the east.

2. There is an 8-inch public sewer and appurtenances in East-West alley south of E 60th St from S Martin Luther King Dr to approximately 200 feet west of S Martin Luther King Dr, bounded by E 60th St to the North and E 61st St to the south.

II. **Alley Opening:** Based on the sewer records there are no public sewers and appurtenances within the proposed East-West Alley Opening, North of 61st Street from S Calumet Ave to the north-south alley east of S Calumet, Bounded by E 60th St to the North, E 61st St to the south, S Calumet Ave to the West and S Martin Luther King Dr to the East.

III. **Alley Opening and Vacation Requirements:** The Sewer Section has no objection to the proposed opening and vacation, provided the following are part of the ordinance:

1. The sewers and appurtenances in (I.1) and (I.2) are solely serving the beneficiary, the beneficiary must assume ownership of these sewer facilities.
2. These sewer facilities will be the private property of the beneficiary. The beneficiary must assume all liability for these facilities and be responsible for all maintenance and repairs for their reuse.
3. If and when the existing private main sewers and appurtenances are abandoned, the abandonment plans must meet the Department of Water Management, Sewer Design Section's requirements. Any sewers to be abandoned must be plugged at the mainline connection.
4. Based on topographical survey, the remaining portion of the existing public alley that will not be vacated is draining north towards the area proposed to be vacated. To facilitate proper drainage, the beneficiary must install new sewer infrastructure as needed for both the remaining portion of the existing public alley and the proposed alley opening.
5. An insurance deposit is required from the beneficiary in case the beneficiary is unable to successfully complete the construction of the drainage requirements to the area. The deposit allows the Department of Water Management (DWM) Sewer Section to finalize any remaining work. The specified deposit for the Sewer section is set at \$136,619.01 and must be forwarded to the Department of Water Management. These estimates are based on current rates for labor, materials, equipment and overhead charges, but actual costs will be billed to the beneficiary upon DWM's completion of the work.

A certified check, payable to the City of Chicago, must be hand delivered to the Department of buildings, Plumbing Permit and Plan Section, 121 North LaSalle Street, Room 906, Chicago, Illinois, 60602, 312-744-7060, with a copy of this memo.

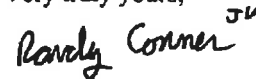
6. A copy of the deposit receipt must be sent to Alexander Huynh at alexander.huynh@cityofchicago.org and Anupam Verma at Anupam.verma@cityofchicago.org
7. Private structures are not allowed in the public right of way without an ordinance established by the City Council. Existing private structures must be relocated into private property, abandoned or established through a City Council ordinance.
8. It is the owner's / developer's responsibility to provide proper drainage for the areas affected by the opening and vacation. When the final plans are available, the owner's / developer's engineering staff must discuss those plans with Sewer Section

Engineering Personnel. The plans must be submitted through the OUC-EFP review process.

9. Please be advised that any underground sewer work, including the public main sewers and sewer structures associated with the proposed openings, must be submitted for review and installed at the expense of the beneficiary. 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.
10. 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.
11. Please be advised that any development creating more than 7,500 sq-ft of at grade impervious surface or disturbs a land area more than 15,000 sq-ft shall be subject to the regulated development requirements of DWM's Stormwater Regulations and must go through DOB Stormwater review.

If there are any questions regarding the sewer facilities, contact Alexander Huynh at 312-744-4420 and Anupam Verma at 312-744-4420.

Very truly yours,

A handwritten signature in black ink that reads "Randy Conner" followed by a small flourish.

Randy Conner
Commissioner