

EXHIBIT E
DWM Letter

[Attached]



CITY OF CHICAGO

DEPARTMENT OF WATER MANAGEMENT

October 6, 2026

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

Attn: Ms. Jameelah Curry
Deputy Commissioner

Re: Proposed Resubdivision Ordinance
32nd Ward

For: Dykema Gossett, PLLC

Resubdivision in the block bounded by W Dickens Ave, N Kingsbury St, N Elston Ave, and the North Branch of the Chicago River. Dedications of portions of N Throop, N Southport, W Cortland(widening), and an alley.

OUC File No. VD-137445

REVISED

M&P Project No. 32-32-26-4138B

Water Atlas Page 282

Sewer Atlas Page 39-2-41

Dear Ms. Curry:

This letter is in response to your inquiry concerning the proposed resubdivision and dedications. After reviewing our records, the Department of Water Management (DWM) has determined the following:

I) DWM - Water Section

The water mains to be abandoned described in the proposed vacations under VD-137440 are also within the limits of the proposed dedications.

There is also approximately 750 linear feet of 12-inch water main and appurtenances located within the vacated N Southport Avenue between W Cortland Street and N Kingsbury Street. The water main is located within a combination of current ROW, easements and reservations over previously vacated streets. The water main must be retained.

Since the proposed dedications are returning the vacated ROW to public ROW, DWM has no objection to the dedications and subdivision. Any DWM easements or reservations for water facilities within the proposed dedications shall merge with the dedications and terminate, but only within the areas proposed for dedication.

Reservations and easements for water facilities within the area west of the west line of proposed N Southport Avenue and south of the south line of W Dickens Avenue may be released once the water mains have been abandoned as per VD-137440. The Commissioner of the DWM has the authority to release the reservations and easements without an ordinance approved by the City Council.

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) **DWM - Sewer Section**

Based on the Exhibit "A" – New Lots & Dedications, the proposed Foundry Park Resubdivision, multiple parcels are proposed for dedication generally by W. Dickens Avenue, N. Kingsbury Street, N. Elston Avenue, and the North Branch of the Chicago River.

- a) **N. Throop Street Dedication:** The area proposed for dedication establishes the realigned public ROW for N. Throop Street, consisting of two (2) parcels, extends southward from W. Dickens Avenue into the western portion of the resubdivision and situated along the reconfigured Throop Street alignment. The first parcel extends from east of Lot 59 southeast 287.77 feet to Lot 49. The second parcel extends from east of Lot 47 southeast 265.43 feet and east 32.96 feet to Lot 40.
- b) **North-South Public Alley Dedication:** The area proposed for dedication establishes a 16-foot-wide public north-south alley, consisting of two (2) parcels, extending southward from W. Dickens Avenue to N. Throop Street. The first parcel, situated between Lots 1, 2, and 4, extends from south edge of W. Dickens 221.79 feet south. The second parcel, situated between Lots 3, 4, and 5, extends from approximately 284 feet south of the south edge of W. Dickens Avenue 156.52 feet south.
- c) **N. Southport Avenue Dedication:** The area proposed for dedication establishes the realigned public ROW for N. Southport Avenue, consisting of three (3) parcels, extending north-south from W. Dickens Avenue south to W. Cortland Street. The first parcel, east of Lot 4, extends from W. Dickens Avenue south 289.79 feet. The second parcel, situated between Lots 4, 5, 6, 10, and 40, extends from the intersection of N. Kingsbury Street and N. Southport south 707.18 feet. The third parcel, east of Lot 40, extends from W. Cortland Street north 173.81 feet.
- d) **W. Cortland Street Widening:** The area proposed for dedication consists of three (3) parcels, running east-west along both the north and south margins of existing W. Cortland Street, extending eastward from N. Southport Avenue to N. Kingsbury Street. The first parcel, north of Lots 26 and 25, extends from the eastern edge of Lot 27 105.04 feet east. The second parcel, north of Lots 16, 17, 19, 20, and 25, extends from N. Kingsbury Street 668.39 feet west. The third parcel, south of Lots 11, 12, and 14, extends from N. Kingsbury Street 689.19 feet west.

The proposed dedication and resubdivision, CDOT #32-32-26-4138B, is associated with and shall be considered in conjunction with the vacation identified as CDOT #32-32-26-3138A. The Sewer Section has no objection to the proposed resubdivision and dedication, provided the following are part of the resubdivision and dedication ordinance:

- 1) Based on sewer atlas records, there is existing public sewer infrastructure located within and adjacent to the proposed dedication areas of W. Cortland Street, N. Throop Street, W. Dickens Avenue, and N. Southport Avenue and connecting ROWs. These public sewer mains and appurtenances must be rebuilt and reconstructed in accordance with sewer design plans prepared by the development team and submitted to the DWM Sewer Section for review and approval.

- 2) Any existing sewer easement reservations previously retained by the City under prior vacation ordinances (refer to recorded Documents No. 2313113135, 2313113136, 2313113137, 2313113138 for heretofore vacated portions of N. Throop Street, W. Armitage Avenue, W. McLean Avenue, and N. Southport Avenue) within the resubdivided property will be extinguished upon the recording of this dedication plat and the completion and City acceptance of the newly rebuilt sewer infrastructure within the dedicated public rights-of-way.
- 3) Any existing public sewer mains not slated for relocation or abandonment must be retained and protected. In addition, the Sewer Section requires a minimum of forty (40) feet of vertical clearance from ground level over all active public sewers to remain and to provide access for construction machinery that would be necessary in the event of a break or if maintenance or relocation were required in the future.
- 4) Existing private sewers in the areas to be dedicated will be sealed and removed at the expense of the beneficiary, in accordance with the standard procedures of the DWM, Sewer Section.
- 5) If and when the existing private main sewers and appurtenances are abandoned, the abandonment plans must meet the DWM, Sewer Design Section's requirements.
- 6) Private structures are not allowed 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.
- 7) It is the owner's / developer's responsibility to provide proper drainage in the areas to be dedicated. 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.
- 8) Consistent with SO2026-0027166 which authorizes a "Redevelopment Agreement" ("RDA") in substantially the same form as the attached Exhibit A of the substitute ordinance, the costs to construct and install public sewer infrastructure within the dedicated rights-of-way will be funded and/or reimbursed from City TIF funds as set forth in the RDA, which includes "sewer utilities" within the defined "Roadways" infrastructure. If the developer fails or is unable to complete the sewer installations, the City may complete the public improvements and pay the costs out of remaining City funds with the Developer obligated to keep the Project in balance under Section 4.07(g) and to reimburse the City for any reasonable costs and expenses exceeding the available City funds under Section 7.05.
- 9) Please be advised that any underground sewer work, including the public main sewers and sewer structures associated with the proposed dedications, 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 DWM only, after physical and videotape inspection approved by the DWM.
- 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 DWM for record purposes within 30 days of completion.

If there are any questions regarding the sewer facilities, contact Anupam Verma at 312-742-7108.

Very truly yours,

Randy Conner. JV

Randy Conner
Commissioner