

EXHIBIT C
DEPARTMENT OF WATER MANAGEMENT LETTER

[Attached]



CITY OF CHICAGO



DEPARTMENT OF WATER MANAGEMENT

September 17, 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 Vacation Ordinance
32nd Ward
For: Dykema Gossett, PLLC

Vacation within the block bounded by W Dickens Ave, N Kingsbury St, and the North Branch of the Chicago River.

OUC File No. VD-137440

M&P Project No. 32-32-26-4138A
Water Atlas Pages 186 and 204
Sewer Atlas Pages 40-1-19 and 40-1-20

Dear Ms. Curry:

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

I) DWM - Water Section

The following water mains are within the limits of the areas proposed for vacation:

- a. Approximately 360 linear feet of 12-inch water main and appurtenances located within the current N Dominick Street between W Dickens Avenue and W McLean Avenue.
- b. Approximately 360 linear feet of 12-inch water main and appurtenances located within the vacated W McLean Avenue between N Southport Avenue and N Dominick Street.
- c. Approximately 330 linear feet of 8-inch water main and appurtenances located within the vacated W Armitage Avenue between N Southport Avenue and the dead end to the west.

These water mains and appurtenances must be abandoned before the vacations can be approved.

The estimated cost to abandon the above-mentioned mains and appurtenances is **\$64,900.00**. Please note that this estimate is based on current rates for labor (regular time), material, equipment and overhead charges, but actual costs will be submitted for payment upon completion of the work. DWM's scope of involvement in the water main abandonment includes excavation/OSHA shoring, backfilling/compaction, traffic control, pipe work, valve operations, engineering design services, and water quality services. DWM shall leave a concrete cap for the work performed at the intersection of N Dominick Street and W Dickens Avenue. DWM will backfill to the surface with our standard backfill at the other locations.

Additionally, the water mains being abandoned have not been fully amortized. The total fixed unamortized cost for these existing water main abandonments is **\$107,618.78**. If the developer proceeds with the new water main installation within the development in a reasonable time (not to exceed one (1) year after the date of this letter), the unamortized costs shall be applied to the deposit required from the developer for the CDWM work. The unamortized costs established at the time of this letter are final and shall not be recalculated. If the development does not occur within a reasonable time, or if the proposed vacations and dedications change, or if the developer changes before the new water main installation has been completed, the unamortized costs shall be retained by DWM and shall not be refunded or applied to any future deposits.

See the attached letter dated September 2, 2026 for further details and instructions for making the deposits.

Once the water mains have been abandoned, the Water Section will have no facilities within the limits of the vacations and has no objections to the proposed vacations. However, the abandonment work must be completed before the vacation ordinance can be recorded.

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. 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

The proposed vacation for VD-137440 consists of seven (7) public right-of-way parcels located along N. Throop Street and W. Armitage Avenue between W. Dickens Avenue, W. Cortland Street, and the North Branch of the Chicago River:

Parcel V1: Part of N. Throop Street and W. Armitage Avenue

Parcel V2: Part of W. Armitage west of N. Southport Avenue

Parcel V3: Part of W. Armitage Avenue extending west to the North Branch of the Chicago River

Parcel V4: Part of N. Throop Street

Parcel V5: Part of N. Throop Street

Parcel V6: Part of N. Throop Street north of W. Cortland Street

Parcel V7: Part of N. Throop Street south of W. Cortland Street extending to the North Branch of the Chicago River

Based on sewer records, the following public sewers and associated structures are present within and adjacent to the area proposed for vacation:

- a) **A 12-inch lined sewer on W. Armitage Avenue within Parcels V1 and V2.** There is an existing sewer reservation over the vacated McLean (Document No. 94014634)

- b) **A 24-inch and 27-inch sewer and outfall structure, CSO 070, on W. Armitage Avenue discharging westerly into the North Branch of the Chicago River within parcel V3.** There is an existing sewer reservation - 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.
- c) **A 12-inch sewer within Parcel V4.** There is an existing sewer reservation - 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.
- d) **There are no public sewers located in Parcel(s) V5, V6, and V7.**

The proposed vacation, CDOT #32-32-26-3138A, is associated with and shall be considered in conjunction with the dedication and resubdivision identified as CDOT #32-32-26-318B. The Sewer Section will approve the proposed vacation, provided the following are part of the vacation ordinance:

1. The public sewer mains in (a), (b), and (c) serve properties along N. Throop Street, W. Armitage Avenue, and upstream tributary areas. These sewer mains must be retained and maintained until the new relocated sewer is built by the beneficiary of the vacated public ROW and accepted by the city as part of sewer relocation work into new dedicated public ROW.
2. The public sewer and appurtenances in (a) shall be abandoned and sealed and shall not be privatized or converted to a private sewer facility. Once the sewer abandonment in (a) is complete, the existing reservation on parcels V1 and V2 must be requested to DWM to be released.
3. The sewer in (a) was lined in 1995 and is not fully amortized. The estimated unamortized cost for lining is \$29,053.00. A certified check in the amount of \$29,053.00, payable to the City of Chicago, must be hand delivered to the Department of Buildings, 121 North LaSalle Street, Room 906, Chicago, Illinois, 60602, with a copy of this letter.
4. There must be a reservation over the entire width and length of the area proposed for vacation across parcels V3 and V4, for the existing public sewer main.
5. **The Sewer Section requires a minimum of forty (40) feet of vertical clearance from ground level for the entire width and length of the reservation to provide access to construction machinery that would be necessary in the event of a break or if maintenance or relocation were required in the future.**
6. No temporary or permanent buildings or other structures shall be erected upon or over the area where the reservation is required.
7. The DWM must have continuous 24-hour access without any obstructions like fences or bollards to the area where the reservation is required.
8. It is the beneficiary's responsibility to maintain proper drainage in the areas where the reservation is required.
9. All proposed plans for improvements within the reservation must be submitted to Office of Underground Coordination (OUC) for review and approved by the DWM – Sewer Section prior to construction.

10. Prior to abandonment of the sewer and associated structure(s) in (b), the beneficiary must provide hydraulic modeling reports to the DWM Sewer Section for review and approval. The hydraulic model must demonstrate that the proposed sewer relocation work into new dedicated public ROW will adequately accommodate existing tributary flows, and the abandonment will not adversely impact the existing public sewer system.
11. If and when the existing public sewer mains and associated structures in (a), (b), and (c) are to be abandoned and sealed they will be removed at the expense of the Beneficiary, and performed in accordance with the standard procedures of the DWM, Sewer Section.
12. The beneficiary of the proposed vacation will be responsible for the repair, renewal or replacement of any physical improvements on the reservation area which may be damaged in connection with the maintenance and repair, or replacement of the sewer facilities and appurtenances.
13. Any adjustments to the Sewer Section's facilities within the reservation must be paid by the beneficiary.
14. Within the area of proposed reservation, the beneficiary and their successors will be responsible for all removals, relocation and restoration of any and all private utilities and any surface appurtenances needed to facilitate the maintenance, repair or replacement of the sewer in the reservation. These private utilities must be removed promptly upon request from the DWM. These private utilities must be removed promptly upon request from the DWM. These private utilities include but are not limited to infrastructure related to water services, stormwater, sanitary, gas, telecommunications, electrical, etc.
15. The DWM shall not be responsible for any damage to any private utilities or surface appurtenances crossing the reservations.
16. Reservations within the area to be vacated may be released upon completion and acceptance by City as part of sewer relocation work to be constructed by the beneficiary into new dedicated public ROW.
17. 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 Anupam Verma at 312-742-7108.

Very truly yours,


Randy Conner
Commissioner



CITY OF CHICAGO

DEPARTMENT OF WATER MANAGEMENT

September 2, 2026

Foundry Park Properties KP7, LLC
14 W Superior Street
Chicago, IL 60654

Attention: Doug Metzger
Project Coordinator

**SUBJECT: Proposed Foundry Park Development
Water Main Abandonments
N Dominick Street – W Dickens Avenue to W McLean Avenue
W McLean Avenue – N Southport Avenue to N Dominick Street
W Armitage Avenue – N Southport Avenue to Dead End West
BES Project No. 26-04:060
OUC File No: VD-137440
OUC File No: VD-137445**

Mr. Metzger:

This correspondence is in response to an email request to accommodate the proposed street vacations and dedications, for the subject project. Foundry Park Properties KP7, LLC shall submit final engineering plans for the overall project to the Chicago Department of Water Management (CDWM) for review and approval prior to the start of construction. Upon review of the final engineering plans, additional CDWM involvement may be required in the overall project, resulting in additional costs to Foundry Park Properties KP7, LLC.

The Department of Water Management - Water Section

To accommodate the proposed street vacations and dedications for the development, the CDWM shall abandon the following existing water mains, which will require the associated work described below:

- Approximately 360 linear feet of the existing 12-inch water main located within the current N Dominick Street between W Dickens Avenue and W McLean Avenue, including the removal of one (1) fire hydrant.
- Approximately 360 linear feet the existing 12-inch water main located within the current W McLean Avenue between N Southport Avenue and N Dominick Street, including the removal of two (2) fire hydrants and the abandonment of one (1) valve basin.
- Approximately 330 linear feet of the existing 8-inch water main located within the current W Armitage Avenue between N Southport Avenue and the dead end to the west, including the removal of one (1) fire hydrant and the abandonment of two (2) valve basins.

The estimated cost to perform the above-mentioned work is **\$64,900.00**. Please note that this estimate is based on current rates for labor (regular time), material, equipment and overhead charges, but actual costs will be submitted for payment upon completion of the work. CDWM's scope of involvement in the water main abandonment includes excavation/OSHA shoring,

backfilling/compaction, traffic control, pipe work, valve operations, engineering design services, and water quality services. DWM shall leave a concrete cap for the work performed at the intersection of N Dominick Street and W Dickens Avenue. DWM will backfill to the surface with our standard backfill at the other locations.

Additionally, the following existing water mains are not fully amortized:

- 12-inch water main in N Dominick Street from W Dickens Avenue to W McLean Avenue
- 12-inch water main in W McLean Avenue from N Dominick Street to N Southport Avenue
- 8-inch water main in W Armitage Avenue from N Southport Avenue to North Branch of the Chicago River

The total fixed unamortized cost for these existing water main abandonments is **\$107,618.78**. If the developer proceeds with the new water main installation within the development in a reasonable time (not to exceed one (1) year after the date of this letter), the unamortized costs shall be applied to the deposit required from the developer for the CDWM work. The unamortized costs established at the time of this letter are final and shall not be recalculated. If the development does not occur within a reasonable time, or if the proposed vacations and dedications change, or if the developer changes before the new water main installation has been completed, the unamortized costs shall be retained by CDWM and shall not be refunded or applied to any future deposits.

Two (2) certified checks in the amounts of **\$64,900.00** and **\$107,618.78** 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, with a copy of this letter.

This Department always requires unrestricted access to its facilities. Should the CDWM require access to its facilities, it will not be responsible for any costs, expenses or work for restoration of the proposed street improvements (beyond typical pavement, sidewalk, and hydroseed restoration), including but not limited to, special features, planters, landscaping or structures.

There are various water mains and appurtenances within the limits of this project. All proposed underground facilities must be installed in such a manner to provide the following required clearances: The minimum vertical clearance (edge-to-edge) from all water mains is 18 inches. For feeder mains (water mains 16 inches and larger), the minimum horizontal clearance (edge-to-edge) is five (5) feet, and for grid mains (water mains less than 16 inches), the minimum horizontal clearance (edge-to-edge) is three (3) feet. No proposed above ground facility (tree, planter box, light pole, etc.) can be closer than five (5) feet (edge-to-edge) from a water main or closer than three (3) feet (edge-to-edge) from a water service. Should the CDWM require access to its facilities, CDWM shall not be responsible for the costs and expenses to remove or support any above ground structures adjacent to its facilities.

Any traffic and pedestrian protection structures such as canopies, scaffolding, jersey walls, construction barricades, etc., which are located within 10 feet of water main facilities will restrict this Department's continuous access to its facilities for maintenance or repair work. Therefore, should this Department require access to its existing facilities, Foundry Park Properties KP7, LLC will be responsible for either removing the traffic and pedestrian protection structures or performing any necessary excavation required to provide this Department safe access to its existing facilities within 24-hour notice. Traffic and pedestrian protection structures must be installed to allow for complete accessibility to all CDWM facilities, including fire hydrants, valve basins, sewer manholes, and catch basins.

All new sewer installations or reused sewers must meet IEPA separation requirements for water and sewer pipes. All proposed/replaced or reused sewer laterals from catch basins/inlets, sewer mains, and private drains (collectively known as "sewer facilities") that are parallel to water mains, services

or fire hydrant leads (collectively known as "water facilities") that are less than 18 inches below the water facility and have less than 10 feet of horizontal separation from the outside edge of the water facility must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. Additionally, all sewer facilities that cross perpendicularly below water facilities with less than 18 inches vertical separation must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. If any sewer facility crosses perpendicularly above a water facility, then the sewer facility shall be at least 18 inches above the water facility, and the sewer facility must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. Sewer laterals that require ductile iron/water main quality pipe shall be ductile iron/water main quality pipe from the catch basin to a point 10 feet beyond the edge of the water facility.

If construction requires the use of water from a City fire hydrant, or adjustments or repairs are required to any City sewer facilities in proximity to the project site, permits must be obtained from the Department of Water Management, Water and Sewer Sections.

Under new State of Illinois requirements, partial lead service line replacements are not allowed. Therefore, if your project requires lead service line replacements (or if this replacement is triggered by repair work undertaken as part of your project) this work will be performed by CDWM (or by CDWM contractors). The CDWM costs for this replacement shall be assigned to the applicant as part of your project costs.

Extreme caution is to be taken to ensure that no facility owned and maintained by this Department is damaged during construction. If damage occurs to any facilities, Foundry Park Properties KP7, LLC will be held responsible for the cost of repairing or replacing them.

Please note that the details described above are valid for 90 days from the date of this letter, after which time, Foundry Park Properties KP7, LLC will be responsible for re-submitting plans to this Department for review and revision of the estimate of cost, as needed. ***Failure to comply with the provisions in this correspondence may result in additional expenses to the proposed project to verify that all work conforms to CDWM's standards.***

If there are any questions regarding the water facilities, please contact Bureau of Engineering Services at 312-744-5070.

Sincerely,



Randy Conner
Commissioner

VN