

## **INTERGOVERNMENTAL 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 City by and through its Department of Fleet and Facilities Management and its Department of Planning and Development entered into an Agreement for the Sale and Redevelopment of Land and Improvements (the "Agreement") dated December 15, 2017, with 1685 N. Throop, LLC, a Delaware limited liability company (the "Throop Developer"), and 6705 S. Wentworth, LLC, a Delaware limited liability company (the "Wentworth Developer"); and

WHEREAS, The Agreement was recorded on February 21, 2018, as Document 1805206211; and

WHEREAS, Pursuant to the Agreement, the City sold the real property and improvements located at 6705-6857 S. Wentworth Avenue, Chicago, Illinois, Property Index Numbers 20-21-402-036-0000 and 20-21-407-027-0000 (the "Wentworth Property") to the Wentworth Developer for One Million Three Hundred Thousand and No/100 Dollars (\$1,300,000.00); and

WHEREAS, The sale of land in a different location to the Throop Developer is not the subject of this ordinance; and

WHEREAS, At the time of sale to the Wentworth Developer, the Wentworth Property was subject to a 40 foot east/west public right of way (the "Right of Way"), extending across the block bounded by W. Marquette Road, S. Wentworth Avenue, S. Perry Avenue and W. 68th Street; and

WHEREAS, The Wentworth Developer objected to the Right of Way in accordance with its title review rights under the Agreement, and the City agreed to vacate the Right of Way at no cost to the Wentworth Developer in order to cure the objection, as permitted under the Agreement; and

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

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

### **SECTION 1. Legal Description**

The vacation of:

**THE EAST-WEST PUBLIC RIGHT-OF-WAY AS DEDICATED BY DEED TO THE CITY OF CHICAGO RECORDED AUGUST 27, 1970 AS DOCUMENT NUMBER #21249441 AND**

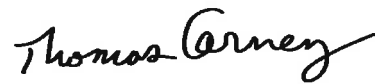
**DESCRIBED AS: A TRACT OF LAND 40.00 FEET IN WIDTH IN LOTS 7 AND 8 IN EVA R. PERRY'S RESUBDIVISION OF THE WEST 1/3 OF LOT 1 OF E. D. TAYLOR'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 28, 1880 AS DOCUMENT 274279, THE NORTH LINE OF SAID TRACT OF LAND BEING A LINE DRAWN 314.00 FEET (MEASURED PERPENDICULARLY) SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOT 1 IN THE AFORESAID EVA R. PERRY'S RESUBDIVISION, THE EAST LINE OF SAID TRACT OF LAND BEING THE EAST LINE OF SAID LOTS 7 AND 8, AND THE WEST LINE THEREOF BEING A LINE DRAWN 6.50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS 7 AND 8, ALL IN COOK COUNTY, ILLINOIS, AREA: 6,725 SQUARE FEET OR 0.1544 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 above legal descriptions are reproduced in **EXHIBIT B** attached hereto and incorporated herein, and the addresses and property index numbers (PINs) of the affected properties are set forth in **EXHIBIT C** attached hereto and incorporated herein.**

SECTION 2. The City of Chicago hereby reserves an easement over the area herein vacated for existing Department of Water Management ("DWM") sewer and associated sewer structures, and for the installation of any additional sewers, as now located, or which in the future may be located in the street herein vacated, and for the maintenance, renewal and reconstruction of such facilities. It is also provided that, the City shall have 24 hour access to the area to be vacated, that no buildings, permanent structures, or trees shall be erected upon or over said easement herein reserved, or other use made of said area, which in the sole discretion of the respective municipal officials having control of the aforesaid service facilities, would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the construction of additional municipally-owned service facilities, without a written release of easement through the DWM. It is further provided that any Developer-prompted adjustments to the area herein vacated be submitted to the DWM for review and express written approval prior to construction. Any repair, renewal or replacement of private improvements, or private property damaged within the vacation area as a result of the DWM exercising its easement rights shall be repaired/replaced at the sole expense of the Developer, its successors and assigns.

SECTION 3. 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, the DPD 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 4. 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 the recording of the published ordinance and approved plat.

Vacation Approved:



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Thomas Carney  
Commissioner  
Department of Transportation

Introduced By:

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Honorable William Hall  
Alderman, 6th Ward

CDOT File Number:

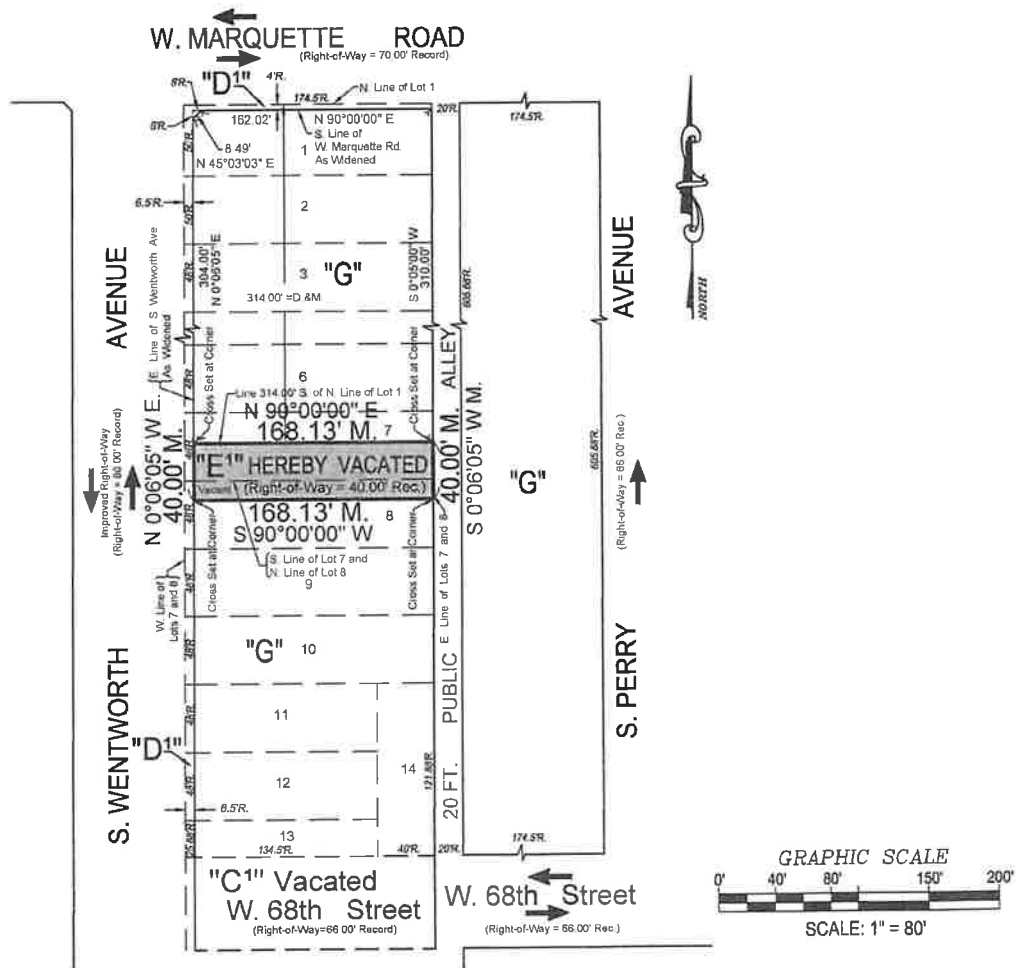
21-06-23-4058

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# EXHIBIT "A" PLAT OF VACATION

## LEGAL DESCRIPTION:

THE EAST-WEST PUBLIC RIGHT-OF-WAY AS DEDICATED BY DEED TO THE CITY OF CHICAGO RECORDED AUGUST 27, 1970 AS DOCUMENT NUMBER #21249441 AND DESCRIBED AS: A TRACT OF LAND 40.00 FEET IN WIDTH IN LOTS 7 AND 8 IN EVA R. PERRY'S RESUBDIVISION OF THE WEST 1/3 OF LOT 1 OF E. D. TAYLOR'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 28, 1880 AS DOCUMENT 274279, THE NORTH LINE OF SAID TRACT OF LAND BEING A LINE DRAWN 314.00 FEET (MEASURED PERPENDICULARLY) SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOT 1 IN THE AFORESAID EVA R. PERRY'S RESUBDIVISION, THE EAST LINE OF SAID TRACT OF LAND BEING THE EAST LINE OF SAID LOTS 7 AND 8, AND THE WEST LINE THEREOF BEING A LINE DRAWN 6.50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS 7 AND 8, ALL IN COOK COUNTY, ILLINOIS.  
AREA: 6,725 SQUARE FEET OR 0.1544 ACRES MORE OR LESS



### LEGEND:

- TRAFFIC FLOW →
- = UNDERLYING LOT LINES
- = PROPERTY LINE
- = PUBLIC ALLEY & STREET
- = STREET AND ALLEY TAKING

### ABBREVIATIONS:

- R. = RECORD
- D. = DEED
- M. = MEASURED
- N. = NORTH
- S. = SOUTH
- W. = WEST
- E. = EAST

### ZONING INFORMATION:

THE PROPERTY IS LOCATED IN ZONE RS-3 - RESIDENTIAL SINGLE-UNIT (DETACHED HOUSE) DISTRICT PER CITY OF CHICAGO ZONING CODE CURRENT THROUGH COUNCIL JOURNAL OF APRIL 1, 2024

HEREBY VACATED:

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CDOT# 21-06-23-4058

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THIS INSTRUMENT PREPARED BY:

**NATIONAL SURVEY SERVICE, INC.**  
**PROFESSIONAL LAND SURVEYORS**  
 30 S. MICHIGAN AVENUE, SUITE 200 CHICAGO, ILLINOIS 60603  
 WWW.NATIONALSURVEYSERVICE.COM  
 TEL: 312-630-9480 mraimondi@nationalsurveyservice.com FAX: 312-630-9484

EXHIBIT "A"  
PLAT OF VACATION

AFFECTED P.I.N.'S:

20-21-402-036 LOT 7 & 8

6729 - 6739 S. WENTWORTH AVENUE

SUBDIVISION LEGEND:

"G"

EVA R. PERRY'S RESUBDIVISION OF THE WEST 1/3 OF LOT 1 OF E. D. TAYLOR'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 28, 1880 AS DOCUMENT 274279

"C1"

VACATED BY ORDINANCE PASSED JULY 1, 1970. RECORDED AUGUST 5, 1970 AS DOCUMENT 21229485

"D1"

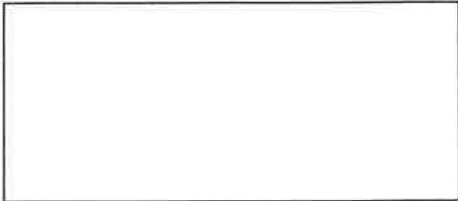
OPENED BY RESOLUTION OF THE CITY COUNCIL PASSED JULY 1, 1970 RECORDED AUGUST 5, 1970 AS DOCUMENT 21229487

"E1"

DEED TO THE CITY OF CHICAGO FOR PUBLIC WAY. RECORDED AUGUST 27, 1970 AS DOCUMENT 21249441



CITY - DEPARTMENT OF FINANCE



COOK COUNTY

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

SURVEYOR NOTES:

1. ALL DISTANCES AND BEARINGS SHOWN HEREON ARE MEASURED UNLESS SHOWN OTHERWISE.
2. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
3. NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
4. BEARING BASIS IS ASSUMED.

I, MICHAEL D. RAIMONDI, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON FOR THE PURPOSE OF VACATING THE SAME AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION THEREOF. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 62° FAHRENHEIT. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. THE FIELD WORK WAS COMPLETED ON AUGUST 14, 2017

CHICAGO, ILLINOIS, MAY 24, 2024 A.D.

BY Michael D. Raimondi

MICHAEL D. RAIMONDI

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2993



MY LICENSE EXPIRES 11/30/2024

MAIL TO AND PREPARED FOR:

CITY OF CHICAGO  
DPD  
121 N. LASALLE ST.  
ROOM 1003  
CHICAGO, IL. 60602

THIS INSTRUMENT PREPARED BY:

NATIONAL SURVEY SERVICE, INC.  
PROFESSIONAL LAND SURVEYORS  
30 S. MICHIGAN AVENUE, SUITE 200 CHICAGO, ILLINOIS 60603  
WWW.NATIONALSURVEYSERVICE.COM  
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CDOT# 21-06-23-4058

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*Handwritten signature and date: Raimondi 5/24/2024*

## EXHIBIT B

### Legal Description

THE EAST-WEST PUBLIC RIGHT-OF-WAY AS DEDICATED BY DEED TO THE CITY OF CHICAGO RECORDED AUGUST 27, 1970 AS DOCUMENT NUMBER #21249441 AND DESCRIBED AS: A TRACT OF LAND 40.00 FEET IN WIDTH IN LOTS 7 AND 8 IN EVA R. PERRY'S RESUBDIVISION OF THE WEST 1/3 OF LOT 1 OF E. D. TAYLOR'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 28, 1880 AS DOCUMENT 274279, THE NORTH LINE OF SAID TRACT OF LAND BEING A LINE DRAWN 314.00 FEET (MEASURED PERPENDICULARLY) SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOT 1 IN THE AFORESAID EVA R. PERRY'S RESUBDIVISION, THE EAST LINE OF SAID TRACT OF LAND BEING THE EAST LINE OF SAID LOTS 7 AND 8, AND THE WEST LINE THEREOF BEING A LINE DRAWN 6.50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS 7 AND 8, ALL IN COOK COUNTY, ILLINOIS, AREA: 6,725 SQUARE FEET OR 0.1544 ACRES MORE OR LESS.

## **EXHIBIT C**

### **Associated PIN and Address Ranges**

PIN: 20-21-402-036-0000

**Addresses:**

6701-6729 S. Wentworth Aveue  
6735-6771 S. Wentworth Avenue,  
in Chicago, Illinois 60621