

INTERGOVERNMENTAL VACATION & DEDICATION 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 owns the properties at 3615-3625 W. Chicago Avenue and 753-757 N. Monticello Avenue, Chicago, Illinois (the "City Land"); and

WHEREAS, Neighborhood Housing Services of Chicago, Inc., an Illinois not-for-profit corporation ("NHS"), owns the properties at 3601-3611 W. Chicago Avenue and 744-756 N. Central Park Avenue, Chicago, Illinois (the "NHS Land"); and

WHEREAS, pursuant to a separate ordinance ("Redevelopment Ordinance"), the City's Department of Planning and Development ("DPD"), along with NHS, propose to assemble the adjacent properties including the portion of the alley to be vacated, and convey the assembled parcels to The Ave SW LLC, an Illinois limited liability company ("Assignee"); and

WHEREAS, Assignee was identified as the "Borrower" in a "Bond Inducement Ordinance" introduced to City Council on March 20, 2024; and

WHEREAS, Assignee proposes to build a mixed-use development with affordable housing on the land NHS proposes to assemble, in accordance with the Bond Inducement Ordinance and the Redevelopment Ordinance; 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 public alley, and the dedication of a new public alley to serve the complex, as described below; now, therefore,

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

SECTION 1. Legal Descriptions

Dedication of: THE SOUTH 18.00 FEET OF LOT 6 IN MCAULEY'S SUBDIVISION OF BLOCK 1 OF W.J. MORTON'S SUBDIVISION, ANTE-FIRE, OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 2,144 SQUARE FEET, OR 0.044 ACRE, MORE OR LESS; as shaded and legally described by the words "**HEREBY DEDICATED**" on the plat of dedication hereto attached as **EXHIBIT A** (the "Dedication Area"), which plat for greater certainty is hereby made a part of this ordinance, be and the same is hereby accepted and opened to public use as the same is intended for public benefit and the public interest will be subserved by such dedication.

Vacation of: THAT PART OF A NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH RIGHT OF WAY OF W. CHICAGO AVENUE; LYING WEST OF AND ADJOINING THE WEST LINE OF LOTS 1, 2 AND 3 IN MCAULEY'S

SUBDIVISION OF BLOCK 1 OF W.J. MORTON'S SUBDIVISION, ANTE-FIRE, IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN; LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 5 IN MERRIMAN'S SUBDIVISION OF LOTS 44, 45, AND 46, ACCORDING TO THE PLAT THEREOF RECORDED MAY 3, 1985, AS DOCUMENT NUMBER 2212180, IN SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11; AND LYING NORTH OF AND ADJOINING THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 5 IN MERRIMAN'S SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1,255 SQUARE FEET, OR 0.029 ACRE, MORE OR LESS; as shaded and legally described by the words "**HEREBY VACATED**" on the plat of vacation hereto attached as **EXHIBIT B** (the "Vacation Area"), 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.

SECTION 2. The City hereby reserves for the benefit of Commonwealth Edison and AT&T/SBC and their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the alley herein vacated, with the right of ingress and egress. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison or AT&T/SBC facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved utilities. Any future Assignee-prompted relocation of facilities lying within the area being vacated will be accomplished by the respective utility, at the expense of the Assignee or its successors.

SECTION 3. The dedication for public way is accepted upon the express condition that the Assignee shall deposit, or cause to be deposited in the City Treasury of the City, a security deposit in the amount sufficient to defray the costs of removing paving and curb returns, and constructing the newly dedicated public alley, said alley being constructed according to the current version of the Chicago Department of Transportation *Regulations for Opening, Repair and Construction in the Public Way* and its appendices, and as agreed to by NHS in the attached Duty to Build Agreement as **EXHIBIT C**, hereby made a part of this ordinance. Request for final field inspection and approval of the Assignee's construction, shall be made to the CDOT Division of Infrastructure Management, Construction Compliance Unit, Room 905 City Hall prior to return of said security deposit.

SECTION 4. NHS and Assignee acknowledge financial responsibility for certain development-related work to be completed on Department of Water Management ("DWM") facilities within the Dedication Area and the Vacation Area, as set forth in **EXHIBIT D** attached hereto and incorporated herein, as an express condition of the City's acceptance of the Dedication Area and City's vacation of the Vacation Area.

Specifically, NHS and Assignee acknowledge the presence of an eight inch (8") DWM public sewer within the Vacation Area, and their responsibility to relocate said sewer at their sole expense into the Dedication Area as ultimately connected to the existing fifteen inch (15") public sewer in N. Central Park Avenue, all in accordance and further detailed in DWM correspondence dated April 24, 2024, hereto attached as **EXHIBIT E**, and incorporated herein. No private sewers or water services may remain in the Dedication Area. Final acceptance of the

new sewer is subject to as-built drawing approval, video approval and City Council action. After sewer relocation, NHS or Assignee may opt to abandon remaining appurtenances within the Vacation Area. All remaining structures in the Vacation Area shall become NHS's or Assignee's private property and maintenance responsibility. All work must be reviewed, approved and permitted by the Department of Water Management, Sewer Design Section, prior commencement. The Developer shall provide the Department of Water Management, Sewer Design Section with as-built drawings submitted within 30 days of completion.

SECTION 5. The vacation herein provided for is made under the condition that NHS, Assignee, and each of their successors and assigns, shall hold harmless, indemnify and defend the City from all claims related to the vacation herein contemplated.

SECTION 6. The vacation and dedication herein provided for are further made upon the express condition that within two hundred seventy (270) days after the passage of this ordinance, NHS or Assignee 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 of dedication and plat of vacation, each as authorized by the Superintendent of Maps and Plats.

SECTION 7. This ordinance shall take effect and be in force from and after its passage and publication. The vacation and dedication each shall take effect and be in force from and after the recording of the published ordinance and the approved plat of dedication and plat of vacation, respectively.

Attachments:

Exhibit A – Plat of Dedication

Exhibit B – Plat of Vacation

Exhibit C – Duty to Build Agreement

Exhibit D – Financial Responsibility

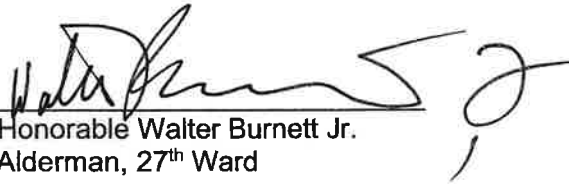
Exhibit E – Correspondence Regarding Sewer Relocation

Vacation Approved and Dedication Accepted:



Thomas Carney
Commissioner
Department of Transportation

Introduced By:



Honorable Walter Burnett Jr.
Alderman, 27th Ward

CDOT File Number:

11-27-23-4034

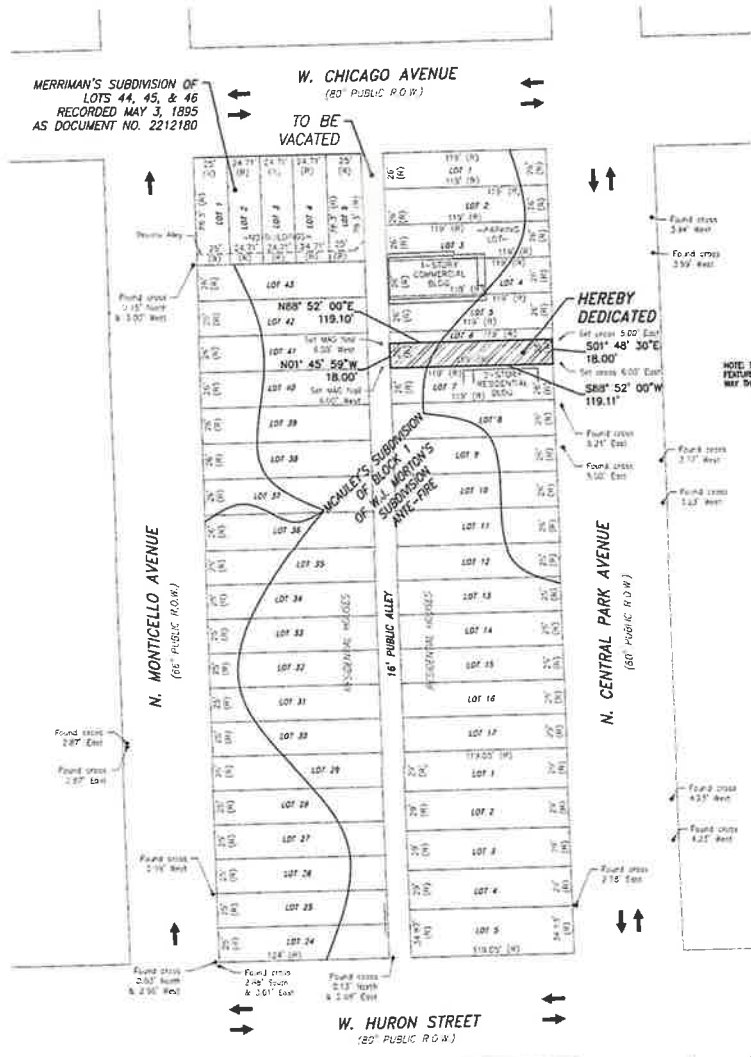
EXHIBIT "A" PLAT OF DEDICATION

AFFECTED PLATS:
18-11-107-038 LOTS 1-6
(742-796 N. CENTRAL PARK AVE.)



- LEGEND AND ABBREVIATIONS:**
- PROPERTY LINE
 - TO BE VACATED
 - HEREBY DEDICATED
 - TRAFFIC DIRECTION
 - FOUND MONUMENT
 - SET IRON ROD/PIPE
 - SET WAC NAIL
 - SET FOUND DIRT CROSS
 - RECORD DIMENSION
 - MEASURED DIMENSION

LEGAL DESCRIPTION:
THE SOUTH 18.00 FEET OF LOT 8 IN MCAULEY'S SUBDIVISION OF BLOCK 1 OF W.J. MORTON'S SUBDIVISION, NITE-FIRE, OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS, AND MORE DETACHED PARCELS, CONTAINING 2.14 SQUARE FEET, OR 0.044 ACRE, MORE OR LESS.



NOTE: THERE ARE NO BUILDING STRUCTURES OR APPOINTMENT FEATURES OR MARKS THEREON IN THE AREAS OF THE PLAT THAT ARE BEING HEREBY DEDICATED.

OWNERS CERTIFICATE
STATE OF ILLINOIS, JSS
COUNTY OF COOK, JSS
Neighborhood Housing Services of Chicago, Inc., an Illinois not-for-profit corporation, hereby certifies that it is the owner of the property described hereon and as such owner has caused said property to be surveyed for the purpose of dedication of a public way as shown and depicted on plat hereon in witness whereof said President of Affordable Housing, Inc., a non-profit corporation of Illinois, has caused this certificate to be signed by its duly authorized managing member on its behalf on this _____ day of _____, A.D. 20____.

By: _____ Attest: _____
(Title) (Title)

NOTARY CERTIFICATE
STATE OF ILLINOIS, JSS
COUNTY OF COOK)
I, _____, a Notary Public in and for said county, in the state aforesaid, do hereby certify that _____, one personally known to me to be as such owner(s), appeared before me this day in person and acknowledged that he/she/they signed and delivered the plat of his/her/their as their own free and voluntary act for the uses and purposes therein set forth.
Given under my hand and Notarial Seal
This _____ day of _____, A.D. 20____.

Notary Public: _____

- GENERAL NOTES:**
- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
 - ALL BEARINGS AND DISTANCES ARE BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (2011 ADJUSTMENT), GPS DERIVED.
 - NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENT.
 - FIELD WORK COMPLETED JUNE 28, 2022.
 - BOTH PLAT 18-11-107-001 AND PLAT 18-11-107-036 ARE ZONED B1-2 COMMUNITY SHOPPING DISTRICT.

STATE OF ILLINOIS
COUNTY OF COOK
TERRA ENGINEERING, LTD., ILLINOIS PROFESSIONAL DESIGN FIRM 184-003610, HEREBY CERTIFY THAT THE PROPERTY HEREON DESCRIBED WAS SURVEYED UNDER THE DIRECT SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
GIVEN UNDER MY HAND AND SEAL IN CHICAGO, ILLINOIS, THIS 3rd DAY OF APRIL, 2024.
Thomas C. Bushong
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3747
LICENSE EXPIRATION 11-30-2024



CHICAGO DEPARTMENT OF FINANCE
COOK COUNTY

CHICAGO DEPARTMENT OF TRANSPORTATION

PREPARED for:
PRESERVATION OF AFFORDABLE HOUSING, INC.
ONE N. LA Salle STREET, SUITE 1300
CHICAGO, IL 60601
MAIL to:
TERRA ENGINEERING, LTD.
225 W. Ohio STREET, 4th FLOOR
CHICAGO, IL 60654
CDOT#11-27-23-4034

Ref April 4, 2024

#	Date	Description
1	04-03-24	Issued

TERRA ENGINEERING LTD.
225 W. Ohio Street
4th Floor
Chicago, IL 60654
TEL (312) 487-0123
FAX (312) 487-0220
www.terraengneer.com
ILLINOIS PROFESSIONAL DESIGN FIRM 184-003610

Project Information
PROJECT # 22-198
DRAWN BY: MAW
CHECKED BY: LAG
APPROVED BY: TEB
CLIENT: PRESERVATION OF AFFORDABLE HOUSING INC. 1 N. LA SALLE ST. SUITE 1300 CHICAGO, IL 60601

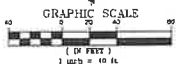
ALLEY IN MCAULEY'S SUBDIVISION OF BLOCK 1 OF W.J. MORTON'S SUBDIVISION OF THE E. 1/2 OF THE NW 1/4 OF SECTION 11-39-13

EXHIBIT "B" PLAT OF VACATION

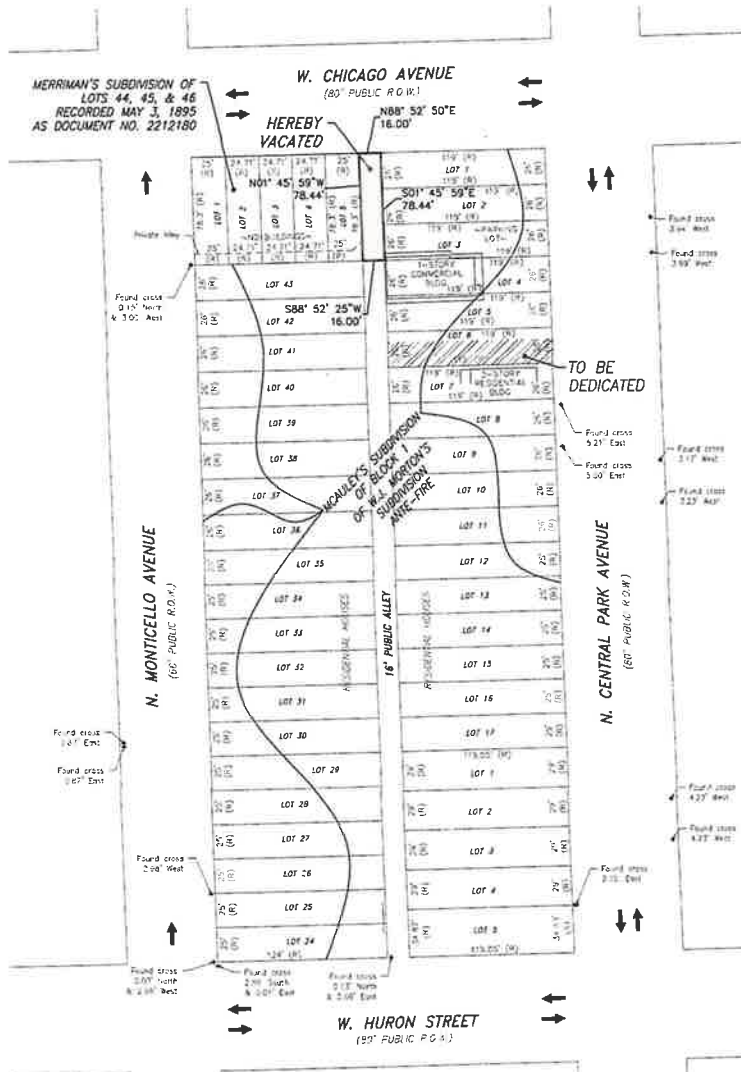
ADJACENT PARCELS	LOTS
16-11-107-001	LOTS 1-5 (3015-3025 W. CHICAGO AVE.)
16-11-107-036	LOTS 1-8 (143-158 N. CENTRAL PARK AVE.)

LEGAL DESCRIPTION:

THAT PART OF A NORTH-SOUTH 16 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH RIGHT OF WAY OF W. CHICAGO AVENUE LYING WEST OF AND ADJOINING THE WEST LINE OF LOTS 1, 2 AND 3 IN MCALEY'S SUBDIVISION OF BLOCK 1 OF W.J. MORTON'S SUBDIVISION, N/4E-T/4E, IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 5 IN MERRIMAN'S SUBDIVISION OF LOTS 44, 45, AND 46, ACCORDING TO THE PLAT THEREBY RECORDED MAP 3, 1895, AS DOCUMENT NUMBER 2212180, IN SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11, AND LYING NORTH OF AND ADJOINING THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3 IN MERRIMAN'S SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1.355 SQUARE FEET, OR 0.029 ACRE, MORE OR LESS.



- LEGEND AND ABBREVIATIONS:**
- PROPERTY LINE
 - - - TO BE VACATED
 - ▨ HEREBY DEDICATED
 - ← TRAFFIC DIRECTION
 - FOUND MARK
 - SET POINT ROAD/PIPE
 - SET MARK
 - SET FOUND OUT CROSS
 - (R) RECORD DIMENSION
 - (M) MEASURED DIMENSION



- GENERAL NOTES:**
1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
 2. ALL BEARINGS AND DISTANCES ARE BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (2011 ADJUSTMENT), GRS DERIVED.
 3. NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENT.
 4. FIELD WORK COMPLETED JUNE 28, 2022.
 5. BOTH P.L.M. 16-11-107-001 AND P.L.M. 16-11-107-036 ARE ZONED B3-2, COMMUNITY SHOPPING DISTRICT.

STATE OF ILLINOIS
COUNTY OF COOK

WE, TERRA ENGINEERING, LTD., ILLINOIS PROFESSIONAL DESIGN FIRM 184-003516, HEREBY CERTIFY THAT THE PROPERTY HEREIN DESCRIBED WAS SURVEYED UNDER THE DIRECT SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND THAT THE PROFESSIONAL SERVICE CONTAINS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL IN CHICAGO, ILLINOIS, THIS 3RD DAY OF APRIL, 2024.

Thomas E. Salsgamer
THOMAS E. SALS GAMER, ILLINOIS LAND SURVEYOR NO. 3142
LICENSE EXPIRATION 11-30-2024

CHICAGO DEPARTMENT OF FINANCE

COOK COUNTY

CHICAGO DEPARTMENT OF TRANSPORTATION

PREPARED FOR:
PRESERVATION OF AFFORDABLE HOUSING, INC.
ONE N. LA Salle STREET, SUITE 1300
CHICAGO, IL 60601

MAIL TO:
TERRA ENGINEERING, LTD.
225 W. Ohio STREET, 4TH FLOOR
CHICAGO, IL 60654

CDOT#11-27-23-4034

Red signature and date:
April 11, 2024

#	Date	Description
1	04-03-24	Issued

TERRA ENGINEERING LTD.

225 W. Ohio Street
4th Floor
Chicago, IL 60654
www.terraengineering.com

TEL (312) 467-0123
FAX (312) 467-0220

Project Information
PROJECT # 22-194
DRAWN BY MAW
CHECKED BY LAG
APPROVED BY TEB
CLIENT
PRESERVATION OF AFFORDABLE HOUSING, INC.
ONE N. LA SALLE ST. SUITE 1300
CHICAGO, IL 60601

ALLEY IN MCALEY'S SUBDIVISION OF BLOCK 1 OF W.J. MORTON'S SUBDIVISION OF THE E. 1/2 OF THE NW 1/4 OF SECTION 11-39-13

EXHIBIT C



Neighborhood Housing Services
of Chicago, Inc.

1279 N Milwaukee Ave. 4th Floor
Chicago, IL 60622
773-329-4111
nhschicago.org



DUTY TO BUILD AGREEMENT FOR CREATION OF NEW PUBLIC STREET/ALLEY

In support of my current application with the Chicago Department of Transportation's Public Way Unit, for a dedication of my private property for new public way, I hereby state that I am the owner or authorized agent of the applicant company, and as such I have the authority to agree to the below express terms of the dedication.

PLEASE INITIAL AGREEMENT:

AS

I am aware that I am responsible for the construction of all public and private rights of way (streets, alleys, etc) described on the Plat of Subdivision/Dedication associated with unique

CDOT FILE: 11-27-23-4034

AS

I further understand that all rights of way being dedicated must be built to standard City specifications as detailed in the most current version of CDOT's Regulation for Openings, Construction and Repair in the Public Way; with lighting in the public way designed and approved in accordance with the CDOT Electrical Design Standards both of which are shown at the CDOT Maps and Plats website.

AS

Lastly, I understand that construction security deposits and other project-specific payments will be required to assure that infrastructure being dedicated to the City is done correctly. Inspections will be conducted by the City upon completion of all public work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards.

Signature: [Handwritten Signature]

Date: 09/06/2022

Printed name: Anthony Simpkins Title: President and CEO

Organization: Neighborhood Housing Services of Chicago

Address with Zip: 1279 N. Milwaukee Avenue, 4th Floor, Chicago, IL 60622

Phone / Fax: (773) 329-4164

Email: asimpkins@nhschicago.org

NOTARY: [Handwritten Signature]
Notary Public

Date: 9-6-22

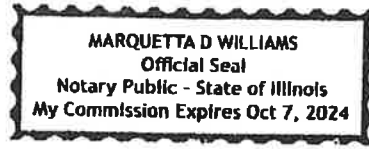


EXHIBIT D



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

March 15, 2024

Randy Conner
Commissioner
Department of Water Management
1000 East Ohio Street
Chicago, IL 60611

SUBJECT: Chicago Department of Planning and Development Funding for
3601-25 W Chicago Avenue (The Ave) OUC#: VD- 120765

Dear Commissioner Conner,

Please be advised that The Department of Planning and Development (DPD) will be the principal support for 3601-25 W Chicago Avenue, Mixed-use Development at W Chicago Avenue & N Central Park Avenue. As such, DPD will commit to build the proposed sewer work and has sufficient capital funding to satisfy the preliminary plan to address DWM Sewer Section requirements at the proposed site.

Specifically, DPD has committed funding that will cover the expenses detailed in the referenced Sewer Cost Estimate for the construction of the Sewer Section requirements. Should the joint developers, KMW Communities and POAH-Inc. fail to complete the project per the Sewer Section requirements, DPD will provide the funding for Chicago Department of Water Management to address all deficiencies.

If you have any questions, please contact Ernest Bellamy. They can be reached at 312-744-4461 or ernest.bellamy@cityofchicago.org.

Sincerely,

Ciere Boatright
Commissioner

Enclosures: Preliminary Plan for (3601-25 W Chicago Ave)
Sewer Cost Estimate for (3601-25 W Chicago Ave)

EXHIBIT E



CITY OF CHICAGO



DEPARTMENT OF WATER MANAGEMENT

April 24, 2023

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 Dedication Ordinance
27th Ward
For: Department of Planning and Development

**Alley Vacation and Dedication in the block bounded by Monticello Ave -
Chicago Avenue - Central Park Avenue - Huron Street.**

OUC File No. VD-120765
M&P Project No. 11-27-23-4034
Water Atlas Page 245
Sewer Atlas Page 39-3-55

Dear Mr. Kalayil:

This letter is in response to your inquiry concerning the proposed alley vacation and dedication. 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 alley vacation and dedication. Therefore, the Water Section has no objection to the proposed alley vacation and dedication.

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

Per plat of vacation and dedication, there is one (1) partial alley proposed for vacation and one (1) parcel proposed for dedication.

Alley Vacation: Based on sewer records, there is an 8-inch public sewer flowing north and entering the proposed area to be vacated. The 8-inch sewer is serving the 16-foot-wide public alley just south and upstream of the area to be vacated. To approve the proposed alley vacation, the following conditions must be met:

- a. The beneficiary of the vacated alley must relocate the existing eight-inch (8") public sewer main from the proposed area to be vacated to the proposed east-west public

alley, connecting to the existing fifteen-inch (15") sewer in N Central Park Avenue;
and

- b. The 8-inch sewer relocation work, including design and construction, must be coordinated with, and approved by the Department of Water Management-Sewer Section; and
- c. After Item (a) is completed, the remaining sewer, sewer structures, and appurtenances located within the limits of the proposed area to be vacated, may be abandoned in accordance with DWM-Sewer Section requirements; and
- d. If the sewer described in Item (c) is not abandoned, the beneficiary of the vacated alley must assume ownership of the sewer and be responsible for all repairs and maintenance associated with the sewer; and
- e. The maintenance and ownership responsibilities of the new public main sewer on the proposed east-west public alley will be accepted by the Department of Water Management only after physical and videotape inspections have been reviewed and approved by the Sewer Section; and
- f. The beneficiary of the vacated alley must obtain all permits necessary for the work described above; and
- g. Extreme caution is to be taken to ensure that no facility owned and maintained by DWM is damaged during construction. If damage occurs to any facilities, the beneficiary of the vacated alley will be held responsible for the cost of repairing or replacing them; and
- h. All the work described above shall be at the sole cost and expense of the beneficiary of the vacated alley as the owner of the proposed area to be vacated.

Parcel proposed for Dedication: Based on sewer records there are no City sewer facilities within the limits of the area proposed for dedication. The Sewer Section has no objection to the proposed alley dedication, provided the following are part of the dedication ordinance:

1. 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 Department of Water Management, Sewer Section.
2. 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.
3. 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.
4. It is the beneficiary of the vacated alley's responsibility to provide proper drainage in the areas to be dedicated including the 8-inch sewer relocation work. When the final plans are available, the owner's / beneficiary of the vacated alley's engineering staff must discuss those plans with Sewer Section Engineering Personnel. The plans must be submitted through the OUC-EFP review process.
5. 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 Department of Water Management only after receiving, reviewing, and approving the construction as-built drawings and videotaped inspection of the new sewer main.

6. 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.

If there are any questions regarding the sewer facilities, contact Anupam Verma at Anupam.Verma@CityofChicago.org.

Very truly yours,



Andrea R.H. Cheng, Ph.D., P.E.
Commissioner