

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 properties at 1215-1247 S. Laflin Street and 1214-1246 S. Laflin Street, are owned by the Chicago Housing Authority, an Illinois municipal corporation ("CHA"); and

WHEREAS, CHA proposes to assemble the above-referenced properties with the public right of way that is to be vacated pursuant to this ordinance; and

WHEREAS, CHA's Board of Commissioners, on May 17, 2022, passed Resolution No. 2022-CHA-23, which authorizes its Chief Executive Officer or her designee to negotiate and enter into a long term lease with Chicago Fire Training Facility, LLC, a Delaware limited liability company ("Tenant") or its designee, for approximately 23.226 acres of land bounded approximately by W. Roosevelt Road, S. Ashland Avenue, W. 15th Street, and S. Loomis Street (the "Real Property"), which such Real Property includes the vacated public rights of way subject to this ordinance appearing and legally described on the plat of vacation ("Plat") attached as **Exhibit A**; and

WHEREAS, on March 9, 2023, CHA and Tenant entered into a lease ("Lease") for the Real Property; 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 street described below; now, therefore,

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

SECTION 1. The vacation of:

THAT PART OF S. LAFLIN STREET, 66.00 FOOT, PLUS, WIDE PUBLIC RIGHT OF WAY LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF THE FIRST EAST-WEST 16.00 FOOT WIDE PUBLIC ALLEY SOUTH OF W. ROOSEVELT ROAD, ALL INCLUSIVE IN SAMPSON & GREEN'S SUBDIVISION OF BLOCKS 2, 3, 4, 5, 6, 11, 12, 13 AND 14 IN SAMPSON & GREEN'S ADDITION TO CHICAGO IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED SEPTEMBER 2, 1853 AS DOCUMENT 44592, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAMUEL GONONSKY'S RESUBDIVISION, SAID NORTHEAST CORNER BEING ON THE WEST LINE OF SAID S. LAFLIN STREET; THENCE SOUTH 01 DEGREE 36 MINUTES 20 SECONDS EAST ALONG SAID WEST LINE, 263.82 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, EASTERLY, NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY ALONG THE SOUTHERLY AND EASTERLY LINE OF SAID S. LAFLIN STREET, BEING A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 69.00 FEET, A CHORD BEARING OF NORTH 66

DEGREES 35 MINUTES 40 SECONDS EAST, A CHORD LENGTH OF 128.13 FEET, AN ARC LENGTH OF 269.28 FEET TO A POINT OF TANGENCY; THENCE NORTH 45 DEGREES 12 MINUTES 20 SECONDS WEST TANGENT TO THE LAST DESCRIBED COURSE, BEING ALONG THE EASTERLY LINE OF SAID S. LAFLIN STREET, 58.01 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID S. LAFLIN STREET, BEING A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 47.00 FEET, A CHORD BEARING OF NORTH 23 DEGREES 24 MINUTES 20 SECONDS WEST, A CHORD LENGTH OF 34.91 FEET, AN ARC LENGTH OF 35.77 FEET TO A POINT OF TANGENCY; THENCE NORTH 01 DEGREE 36 MINUTES 20 SECONDS WEST ALONG THE EASTERLY LINE OF SAID S. LAFLIN STREET, 141.99 FEET TO THE SOUTH LINE OF THE PUBLIC ALLEY IN BLOCKS 3 AND 4 OF SAID SAMPSON & GREEN'S ADDITION, AT THE NORTHWEST CORNER OF LOT 26 IN SAID BLOCK 3; THENCE SOUTH 88 DEGREES 14 MINUTES 40 SECONDS WEST ALONG THE SOUTH LINE OF SAID PUBLIC ALLEY, 66.00 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 29,556 SQUARE FEET OR 0.678 ACRES, MORE OR LESS, as shaded and legally described by the words "HEREBY VACATED" on the Plat hereto attached as **EXHIBIT A, which drawing, 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. Public Water Mains: The City of Chicago hereby reserves for the Department of Water Management an easement ("Reservation Area") within the vacation area, lying north of the south line of W. Washburne Avenue as depicted on **EXHIBIT A** by the words "Easement Hereby Reserved for the Department of Water Management " for an existing eight inch (8") Water Department main and appurtenances thereto (one hydrant and valves), and for the installation of any additional water mains and appurtenances which in the future may be located in the street as herein vacated, and for the maintenance, renewal, and reconstruction of such facilities, with the right of ingress and egress at all times upon reasonable notice. It is further provided that the beneficiary of the area to be vacated, shall meet the requirements set forth in Section I (a-h) in the June 22, 2023 OUC letter VD 122131 attached as **Exhibit B-1**, and the Department of Water Management's August 18, 2023 OUC Involvement Letter ("OUC Involvement Letter") sent to Chicago Fire Training Facility, LLC ("Tenant") attached as **Exhibit B-2**. It is further provided that CHA and Tenant and each of their respective successors and assigns shall meet the requirements in OUC Letter VD-122131 and the OUC Involvement Letter.

CHA and Tenant acknowledge that the payment of fees, permitting, phasing and other obligations, as further clarified and detailed in the **EXHIBITS B-1 and B-2** hereto attached, must be completed prior to recording of this ordinance.

SECTION 3. Public Sewers: The CHA acknowledges that the twelve inch (12") sewer on W. Washburne Avenue, and the fifteen inch (15") overflow sewer on vacated W. Washburne, both of which are located within the right of way area herein vacated, shall become CHA's and its assignees' and successors' private property and maintenance responsibility, as beneficiary of the area to be vacated, private property and maintenance responsibility, said ownership terminating 147' east of the east line of S. Ashland Avenue, as also owned by the CHA. The beneficiary of the area to be vacated shall meet the requirements set forth in Section II (Items 1-4) in the June 22, 2023 OUC letter VD 122131 attached as **Exhibit B-1**. CHA must relocate, or cause to be relocated, the manhole currently located on W. Washburne at 82-feet east of the east line of S Ashland Ave to unvacated W. Washburne Avenue just outside the private area, said relocation work being done at CHA's sole expense as further described and detailed in **EXHIBIT B-1**. In the event that CHA or Tenant, or either of their successors or assigns wishes to abandon/modify or

install additional facilities, plans must be reviewed, approved and permitted by the Department of Water Management, Sewer Design Section prior to the commencement of any work. CHA shall provide the Department of Water Management, Sewer Design Section with as-built drawings submitted within forty-five (45) days of completion.

SECTION 4. The City reserves a perpetual easement for the Metropolitan Water Reclamation District, its successors or assigns, for facilities 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 Metropolitan Water Reclamation District shall have 24-hour access to the area to be vacated, that no buildings or other permanent structures shall be erected, or grade changed, on said easement herein reserved, or other use made of said area, which in the sole discretion and judgment of the respective 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 service facilities. It is further provided that the repair, renewal or replacement of any private materials, or private property damaged as a result of the Metropolitan Water Reclamation District exercising of its easement rights in the area to be vacated, be the sole expense and responsibility of CHA, its successors and assigns.

SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, CHA shall file or cause to be filed for recordation with the Office of the Cook County Clerk / Recordings Division a certified copy of this ordinance, together with the associated full-sized plat, as approved by the Department of Transportation's Superintendent of Maps and Plats.

SECTION 6. 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:



Thomas Carney
Acting Commissioner
Department of Transportation

Introduced By:

Honorable Jason Ervin
Alderman, 28th Ward

CDOT File Number:

20-28-23-4045
