

COMMERCIAL 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 2203-2229 S. Grove Street are owned by 465 Cermak LLC, an Illinois limited liability company ("Developer"); and

WHEREAS, the properties at approximately 2208-2226 S. Canal Street are owned by Illinois Central Railroad Company ("Railroad"); and

WHEREAS the Railroad has quitclaimed to the Developer, all of its interests in the alley adjacent to its property; and

WHEREAS, the Developer proposes to use the portion of the alley herein vacated for construction of a parking garage to serve their new mixed use development; and

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

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

SECTION 1. VACATION OF:

THAT PART OF THE NORTHERLY-SOUTHERLY 12 FOOT WIDE PUBLIC ALLEY, IN PART, LYING EAST OF AND ADJOINING THE EASTERLY LINES OF LOTS 47 THROUGH 56, LYING WEST OF AND ADJOINING THE WESTERLY LINE OF LOTS 57 THROUGH 65 AND WEST OF AND ADJOINING THE WEST RIGHT OF WAY OF S. CANAL STREET, ALL INCLUSIVE, IN CRANE'S SUBDIVISION PER DOCUMENT NO. 48342 BEING A SUBDIVISION IN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28 (ANTE-FIRE), TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 47 IN SAID CRANE'S SUBDIVISION; THENCE NORTH 88 DEGREES 27 MINUTES 43 SECONDS EAST ALONG THE SOUTH LINE OF LOTS 43 AND THAT PART OF LOT 42 TO THE WEST LINE OF S. CANAL STREET PER DOCUMENT NO. 5188254, DATED MAY 19TH, 1913, A DISTANCE OF 15.94 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 06 SECONDS WEST ALONG SAID WEST LINE, 12.01 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 43 SECONDS WEST ALONG SAID WEST LINE AND CONTINUING ALONG THE NORTH LINE OF LOT 65 IN SAID CRANE'S SUBDIVISION, 7.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 65; THENCE SOUTH 24 DEGREES 18 MINUTES 29 SECONDS WEST ALONG THE NORTHWEST LINE OF

LOTS 65 THRU 57 (INCLUSIVE) AND THE EXTENSION OF SAID NORTHWEST LINE, 237.15 FEET TO THE NORTHEAST LINE OF LOT 1 IN BLOCK 4 OF SOUTH BRANCH ADDITION TO CHICAGO PER DOCUMENT NO. 40312; THENCE NORTH 67 DEGREES 16 MINUTES 28 SECONDS WEST ALONG SAID NORTHEAST LINE, 12.00 FEET TO THE SOUTHEAST CORNER OF LOT 56 IN SAID CRANE'S SUBDIVISION; THENCE NORTH 24 DEGREES 18 MINUTES 29 SECONDS EAST ALONG THE SOUTHEAST LINE OF LOTS 56 THRU 47 (INCLUSIVE), 245.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, TOTAL AREA IN SAID ABOVE PARCEL DESCRIBED BEING 3,036 SQUARE FEET OR 0.070 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 served by such vacation.

SECTION 2. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property ~~abutting~~ ^{abutting} said part of public alley hereby vacated the sum **One Hundred Sixty-Five Thousand** dollars (**\$165,000.00**), which sum in the judgment of this body will be equal to such benefits.

SECTION 3. The vacation herein provided for is made under the express condition that the Developer, its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

SECTION 4. Additionally the vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall file or cause to be filed for recordation with the Office of the Cook County Clerk/ Recordings Division, Illinois a certified copy of this ordinance, together with the associated full sized plats as approved by the Superintendent of Maps and Plats.

SECTION 5. 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 recording of the published ordinance and approved plat.

Vacation Approved:



Thomas Carney
Acting Commissioner of Transportation

Introduced by:



Honorable Nicole Lee
Alderman, 11th Ward

CDOT File Number:

28-11-23-4050

Organizational Chart

465 Cermak LLC

