

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 1301-1309 W. Concord Street and 1646-1654 N. Throop Street are owned by 1650 N. Throop, LLC, an Illinois limited liability company ("Owner One"); and

WHEREAS, the properties at 1311-1329 W. Concord Street and 1624-1642 N. Throop Street are owned by 1321 W. Concord, LLC, an Illinois limited liability company ("Owner Two"); and

WHEREAS Owner One and Owner Two are related business entities (together, the "Developer"); and

WHEREAS, the Developer proposes to use the portion of the alley to be vacated herein for inclusion in a new commercial 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 subserved is such as to warrant the vacation of that portion of the public alley, described below; now therefore,

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

SECTION 1.

VACATION OF:

THE NORTHEASTERLY - SOUTHWESTERLY 12 FOOT WIDE PUBLIC ALLEY BEING PART OF LOTS 57 AND 58, ALL INCLUSIVE, IN THE SUBDIVISION OF BLOCKS 17, 18, 20, 21 (EXCEPT LOTS 1, 6, 12, 38, 39, 40, 41 OF SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 29, 31, 32 & 33-40-14 (BY TRUSTEES OF CHICAGO LAND CO.) RECORDED OCTOBER 22, 1856, ANTE-FIRE, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 57, THENCE SOUTH 29 DEGREES 24 MINUTES 18 SECONDS EAST ALONG THE EASTERLY LINE OF LOT 57 AFORESAID 11.81 FEET; THENCE CONTINUING ALONG THE EAST LINE OF LOT 57 AFORESAID SOUTH 01 DEGREES 50 MINUTES 46 SECONDS EAST 82.38 FEET TO THE NORTHERLY LINE OF SAID ALLEY, BEING A LINE 6 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 57, BEING ALSO

THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 02 MINUTES 41 SECONDS WEST ALONG SAID PARALLEL LINE 71.99 FEET TO THE WESTERLY LINE OF SAID ALLEY; THENCE SOUTH 30 DEGREES 00 MINUTES 23 SECONDS WEST ALONG SAID WESTERLY LINE 58.19 FEET TO THE WESTERLY LINE OF SAID LOT 58; THENCE SOUTH 29 DEGREES 40 MINUTES 33 SECONDS EAST ALONG SAID WESTERLY LINE 6.96 FEET TO THE SOUTHWEST CORNER OF SAID LOT 58; THENCE NORTH 84 DEGREES 05 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF LOT 58 AFORESAID 7.41 FEET TO THE EAST LINE OF SAID ALLEY; THENCE NORTH 30 DEGREES 00 MINUTES 23 SECONDS EAST ALONG SAID EAST LINE 51.49 FEET TO THE SOUTH LINE OF SAID ALLEY, BEING A LINE 6 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF LOT 57 AFORESAID; THENCE NORTH 82 DEGREES 02 MINUTES 41 SECONDS EAST ALONG SAID PARALLEL LINE 64.85 FEET TO THE EAST LINE OF SAID LOT 58, ALSO BEING ON THE RIGHT OF WAY OF N. THROOP STREET; THENCE NORTH 01 DEGREES 50 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF THAT PART OF LOTS 57 AND 58 AFORESAID 12.07 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. SAID ABOVE DESCRIBED PARCEL CONTAINING 1,503 SQUARE FEET OR 0.034 ACRES, MORE OR LESS, as shaded and identified 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.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and its 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 facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without an express written release of easement by the utility. Any future Developer-prompted relocation of facilities lying within the area being vacated will be accomplished by the involved utility, and be completed at the expense of the Developer, its successors or assigns.

SECTION 3. 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 said part of public alley hereby vacated the sum _____ dollars (\$ _____), which sum in the judgment of this body will be equal to such benefits.

SECTION 4. 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 5. 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 Developer 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 plats as approved by the 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:



Gia Biagi
Commissioner of Transportation

Introduced by:



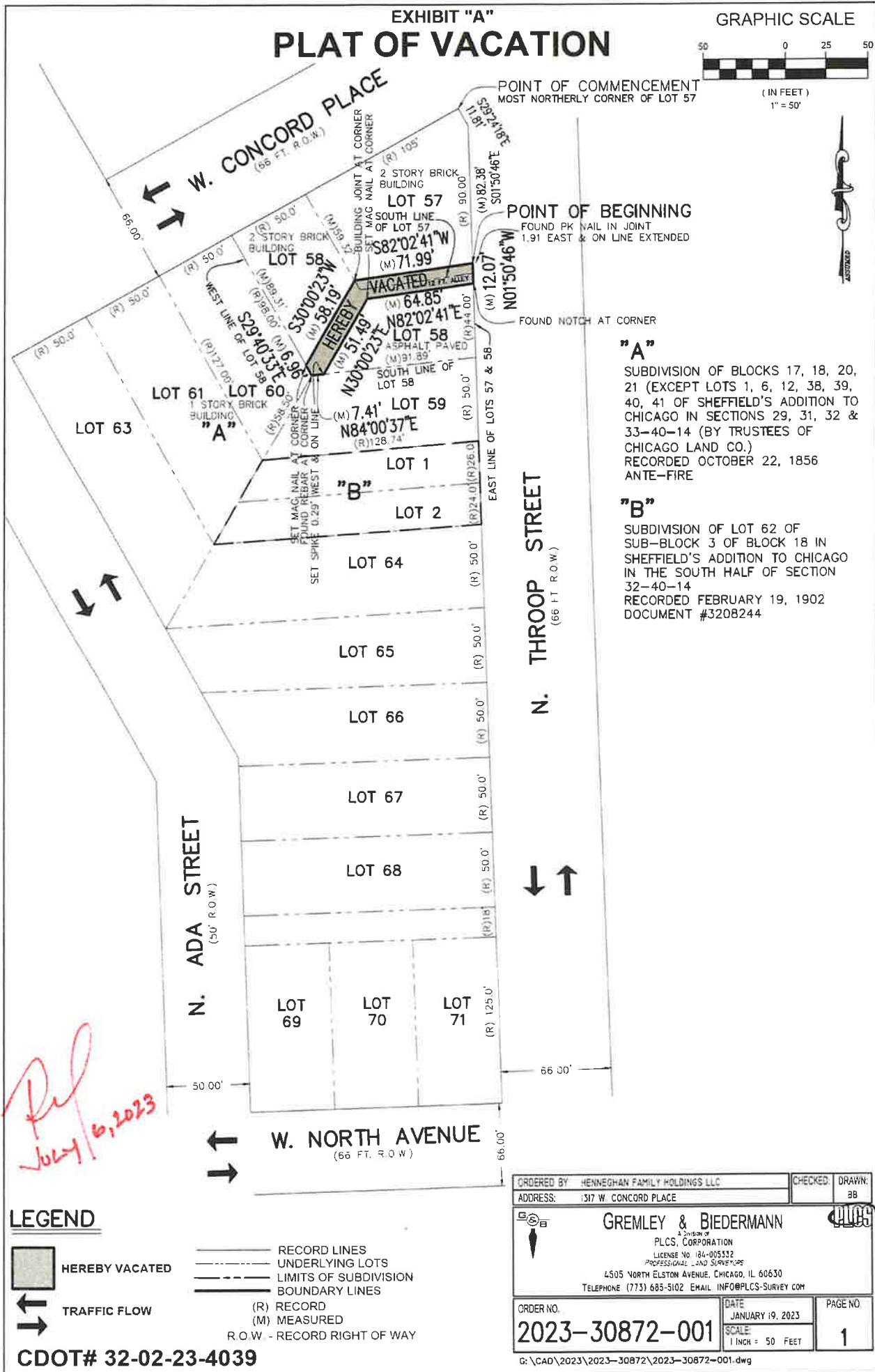
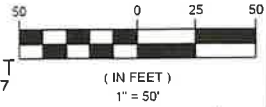
Honorable Brian Hopkins
Alderman, 2nd Ward

CDOT File Number:

32-02-23-4039

EXHIBIT "A" PLAT OF VACATION

GRAPHIC SCALE



"A"
SUBDIVISION OF BLOCKS 17, 18, 20, 21 (EXCEPT LOTS 1, 6, 12, 38, 39, 40, 41 OF SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 29, 31, 32 & 33-40-14 (BY TRUSTEES OF CHICAGO LAND CO.) RECORDED OCTOBER 22, 1856 ANTE-FIRE

"B"
SUBDIVISION OF LOT 62 OF SUB-BLOCK 3 OF BLOCK 18 IN SHEFFIELD'S ADDITION TO CHICAGO IN THE SOUTH HALF OF SECTION 32-40-14 RECORDED FEBRUARY 19, 1902 DOCUMENT #3208244

Red signature
July 6, 2023

LEGEND

- HEREBY VACATED
- RECORD LINES
- UNDERLYING LOTS
- LIMITS OF SUBDIVISION
- BOUNDARY LINES
- (R) RECORD
- (M) MEASURED
- R.O.W. - RECORD RIGHT OF WAY
- TRAFFIC FLOW

CDOT# 32-02-23-4039

ORDERED BY: HENNEGHAN FAMILY HOLDINGS LLC	CHECKED:	DRAWN: 3B
ADDRESS: 1317 W. CONCORD PLACE		
ORDER NO. 2023-30872-001	DATE: JANUARY 19, 2023	PAGE NO. 1
SCALE: 1 INCH = 50 FEET		

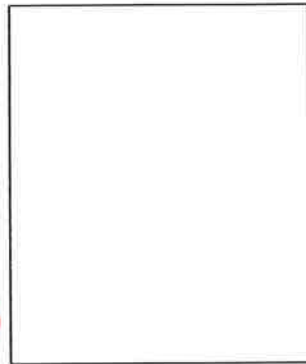
EXHIBIT "A" PLAT OF VACATION

AFFECTED PINS:
14-32-319-006 - LOT 57
14-32-319-007 - LOT 58
14-32-319-026 - LOT 60

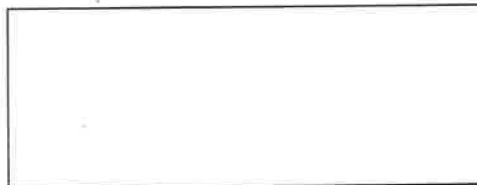
LEGAL DESCRIPTION:

THE NORTHEASTERLY - SOUTHWESTERLY 12 FOOT WIDE PUBLIC ALLEY BEING PART OF LOTS 57 AND 58, ALL INCLUSIVE, IN THE SUBDIVISION OF BLOCKS 17, 18, 20, 21 (EXCEPT LOTS 1, 6, 12, 38, 39, 40, 41 OF SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 29, 31, 32 & 33-40-14 (BY TRUSTEES OF CHICAGO LAND CO.) RECORDED OCTOBER 22, 1856, ANTE-FIRE, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 57, THENCE SOUTH 29 DEGREES 24 MINUTES 18 SECONDS EAST ALONG THE EASTERLY LINE OF LOT 57 AFORESAID 11.81 FEET; THENCE CONTINUING ALONG THE EAST LINE OF LOT 57 AFORESAID SOUTH 01 DEGREES 50 MINUTES 46 SECONDS EAST 82.38 FEET TO THE NORTHERLY LINE OF SAID ALLEY, BEING A LINE 6 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 57, BEING ALSO THE **POINT OF BEGINNING**; THENCE SOUTH 82 DEGREES 02 MINUTES 41 SECONDS WEST ALONG SAID PARALLEL LINE 71.99 FEET TO THE WESTERLY LINE OF SAID ALLEY; THENCE SOUTH 30 DEGREES 00 MINUTES 23 SECONDS WEST ALONG SAID WESTERLY LINE 58.19 FEET TO THE WESTERLY LINE OF SAID LOT 58; THENCE SOUTH 29 DEGREES 40 MINUTES 33 SECONDS EAST ALONG SAID WESTERLY LINE 6.96 FEET TO THE SOUTHWEST CORNER OF SAID LOT 58; THENCE NORTH 84 DEGREES 05 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF LOT 58 AFORESAID 7.41 FEET TO THE EAST LINE OF SAID ALLEY; THENCE NORTH 30 DEGREES 00 MINUTES 23 SECONDS EAST ALONG SAID EAST LINE 51.49 FEET TO THE SOUTH LINE OF SAID ALLEY, BEING A LINE 6 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF LOT 57 AFORESAID; THENCE NORTH 82 DEGREES 02 MINUTES 41 SECONDS EAST ALONG SAID PARALLEL LINE 64.85 FEET TO THE EAST LINE OF SAID LOT 58, ALSO BEING ON THE RIGHT OF WAY OF N. THROOP STREET; THENCE NORTH 01 DEGREES 50 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF THAT PART OF LOTS 57 AND 58 AFORESAID 12.07 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. SAID ABOVE DESCRIBED PARCEL CONTAINING 1,503 SQUARE FEET OR 0.034 ACRES, MORE OR LESS.

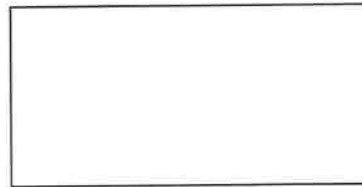
RF
July 6, 2023



CHICAGO DEPARTMENT OF TRANSPORTATION



COOK COUNTY



CHICAGO DEPARTMENT OF FINANCE

SURVEY PREPARED FOR / AND MAIL TO:

Heneghan Family Holdings LLC
1321 W. Concord Pl.
Chicago IL. 60642

SURVEYORS NOTES:

SURVEYOR'S LICENSE EXPIRES November 30, 2024
DESIGN FIRM LICENSE EXPIRES APRIL 30, 2023

ZONING: PLANNED DEVELOPMENT 1438

FIELD MEASUREMENTS COMPLETED ON JANUARY 19, 2023

Note (R) & (M) denotes Record and Measured distances respectively

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.

Except for building foot prints improvements omitted at clients request.

NO dimensions shall be assumed by scale measurement upon this plat.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

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CDOT# 32-02-23-4039

SURVEYOR'S CERTIFICATE

State of Illinois
County of Cook)ss

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 62° Fahrenheit. This professional service conforms to the current Illinois minimum standards for a boundary survey.

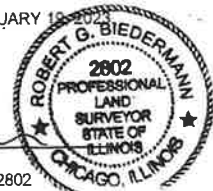
Field measurements completed on JANUARY 19, 2023

Signed on JULY 5, 2023.

By:

Robert G. Biedermann

Professional Illinois Land Surveyor No. 2802



ORDERED BY: HENNEGHAN FAMILY HOLDINGS LLC	CHECKED	DRAWN: BB
ADDRESS: 1317 W CONCORD PLACE		
GREMLEY & BIEDERMANN <small>A.S. & A.S. OF</small> PLCS CORPORATION <small>LICENSE NO. 184-005332</small> <small>PROFESSIONAL LAND SURVEYORS</small> 4505 NORTH ELSTON AVENUE CHICAGO, IL 60630 <small>TELEPHONE: (773) 685-5102 EMAIL: INFO@PLCS-SURVEY.COM</small>		
ORDER NO. 2023-30872-001	DATE JANUARY 19, 2023	PAGE NO. 2
SCALE 1 INCH = FEET		