

TRANS

**ORDINANCE
FOR RELEASE OF
USE RESTRICTION COVENANT**

WHEREAS, on July 15, 1924 the City Council of the City of Chicago ("City Council") passed a certain ordinance (referred to herein as the "Vacation Ordinance"), which ordinance provided for an alley vacation ("Vacation") of all of a portion of the north-south 16 foot wide public alley in the block bounded by S. Lake Park Avenue, E. 29th Street, E. 30th Street and S. Ellis Avenue (vacated) ("Subject Property") to Michael Reese Hospital (a charitable corporation of Illinois); and

WHEREAS, the Vacation Ordinance was filed for record August 7, 1924 with the Office of the Cook County Recorder of Deeds as Document Number 8542308, and is attached hereto as **EXHIBIT A**; and

WHEREAS, Section 2 of the Vacation Ordinance provided that the use of the Subject Property be conditioned and restricted to "educational, religious or charitable purposes" ("Restrictive Use Covenant"); and

WHEREAS, Section 2 of the Vacation Ordinance stipulates that in the event that the land not be used for the stated purposes, it "shall become null and void, and the ordinance shall be for naught held."; and

WHEREAS the City, only upon approval of the City Council may require compensation and lift the Restrictive Covenant; and

WHEREAS, the City of Chicago ("the City") acquired all of the Michael Reese Hospital site and is the current beneficial titleholder of the vacated Subject Property subject to the Restrictive Use Covenant, thus negating the need for compensation; and

WHEREAS, the City, by and through its Department of Planning and Development ("Department of Planning") intends to assemble the Subject Property and surroundings for commercial development and has requested a release of the Restrictive Use Covenant under current CDOT File Number 27-04-23-4053A; and

WHEREAS, the City Council, upon due investigation and consideration, has determined that the public interest now warrants a release of the Use Restriction reserved in Section 2 of the Vacation Ordinance; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. The release of the Restrictive Use Covenant herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Department of Planning or its assign, shall file or cause to be filed in the Cook County Clerk / Recordings Division a certified copy of this ordinance, along with the below described release document.

SECTION 3. The Commissioner of the Chicago Department of Transportation is hereby authorized to execute, subject to the approval of the Corporation Counsel, a Release of Restrictive Use Covenant, in substantially the form attached as **EXHIBIT B**, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Restrictive Use Covenant, with such changes, deletions and insertions as shall be approved by the persons executing said covenant.

SECTION 4. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall take effect upon its passage and approval.

Release of Restrictive Use Covenant
Approved:

Thomas Carney
Acting Commissioner
Chicago Department of Transportation

Introduced By:

A handwritten signature in black ink, appearing to read "Lamont J. Robinson". The signature is fluid and cursive, with the first name "Lamont" being the most prominent part.

Honorable Lamont Robinson
Alderman, 4th Ward

CDOT File:

27-04-23-4053

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Approved:



Thomas Carney
Acting Commissioner
Department of Transportation

Introduced By:

Honorable Lamont Robinson
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CDOT File:

27-04-23-4053
