

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 168-172 N. Clinton Street, 176-182 N. Clinton Street and 541-553 W. Lake Street are owned by 168 N. Clinton LLC, an Illinois limited liability company ("Developer"); and

WHEREAS, Developer proposes to assemble the portion of the alley to be vacated with Developer's other property and use it for parking; 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:

THAT PART OF THE EAST - WEST 10 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING LOTS 1 THROUGH 6, AND LYING NORTH OF AND ADJOINING THAT PART OF LOT 8, ALL INCLUSIVE, IN THE SUBDIVISION OF LOTS 1 AND 4 IN BLOCK 27 ORIGINAL TOWN OF CHICAGO IN SOUTH PART OF SECTION 9 TOWNSHIP 39 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED NOVEMBER 23, 1847 ANTE-FIRE, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 AFORESAID, THENCE NORTH 89 DEGREES 13 MINUTES 38 SECONDS ALONG THE SOUTH LINE OF LOTS 1 THROUGH 6 AFORESAID, ALSO BEING THE NORTH LINE OF SAID EAST-WEST PUBLIC ALLEY, 129.82 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 AFORESAID 10.00 FEET TO A POINT ON THE NORTH LINE OF LOT 8, ALSO BEING THE SOUTH LINE OF SAID EAST- WEST PUBLIC ALLEY; THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS ALONG THE NORTH LINE OF LOT 8 AFORESAID 129.81 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 00 DEGREES 09 MINUTES 37 SECONDS WEST 10.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1,298 SQUARE FEET OR 0.029 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 subserved by such vacation.

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

SECTION 3. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days of the City Council's passage of this ordinance and its related plat, Developer shall pay to the City Treasury of the City of Chicago, a quoted security deposit equal to the cost of Developer's work for public paving, curb, and related appurtenances in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices. Upon completion of work, a request for final field inspection and approval of Developers' 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 less any service fee.

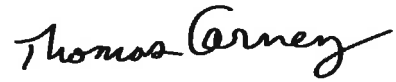
SECTION 4. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, Developer shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property 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 5. The vacation herein provided for is made under the express condition that Developer, and its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said vacation.

SECTION 6. 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, Developer 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 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 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 William Conway
Alderman, 34th Ward

CDOT File Number:

09-24-23-4069

"A"

SUBDIVISION OF LOTS 1 AND 4 IN BLOCK 27 ORIGINAL TOWN OF CHICAGO IN SOUTH PART OF SECTION 9-39-14 RECORDED NOVEMBER 23, 1947 ANTE-FIRE

"B"

ORIGINAL TOWN OF CHICAGO IN SOUTH PART OF SECTION 9-39-14 RECORDED MAY 29, 1897 ANTE-FIRE

"C"

SUBDIVISION OF LOTS 7 & 10 OF BLOCK 27 OF ORIGINAL TOWN OF CHICAGO RECORDED MARCH 14, 1872 DOCUMENT #17999

EXHIBIT "A"

PLAT OF VACATION

LEGAL DESCRIPTION:

THAT PART OF THE EAST - WEST 10 FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING LOTS 1 THROUGH 5, AND LYING NORTH OF AND ADJOINING THAT PART OF LOT 8 ALL INCLUSIVE, IN THE SUBDIVISION OF LOTS 1 AND 4 IN BLOCK 27 ORIGINAL TOWN OF CHICAGO IN SOUTH PART OF SECTION 9 TOWNSHIP 39 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED NOVEMBER 23, 1947 ANTE-FIRE AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 AFORESAID, THENCE NORTH 88 DEGREES 13 MINUTES 38 SECONDS ALONG THE SOUTH LINE OF LOTS 1 THROUGH 6 AFORESAID, ALSO BEING THE NORTH LINE OF SAID EAST-WEST PUBLIC ALLEY, 129.82 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6 AFORESAID 10.00 FEET TO A POINT ON THE NORTH LINE OF LOT 8 ALSO BEING THE SOUTH LINE OF SAID EAST-WEST PUBLIC ALLEY, THENCE SOUTH 89 DEGREES 13 MINUTES 38 SECONDS ALONG THE NORTH LINE OF LOT 8 AFORESAID 129.81 FEET TO THE NORTHEAST CORNER THEREOF, THENCE NORTH 00 DEGREES 09 MINUTES 37 SECONDS WEST 10.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1.298 SQUARE FEET OR 0.029 ACRES, MORE OR LESS

AFFECTED PINS: 17-09-323-004-0000 LOT 7 17-09-323-005-0000 LOTS 1, 2, 3, 4, 5 & 8 17-09-323-006-0000 LOTS 8, 9 & 10

GRAPHIC SCALE



W. LAKE STREET (80 FT. R.O.W.)



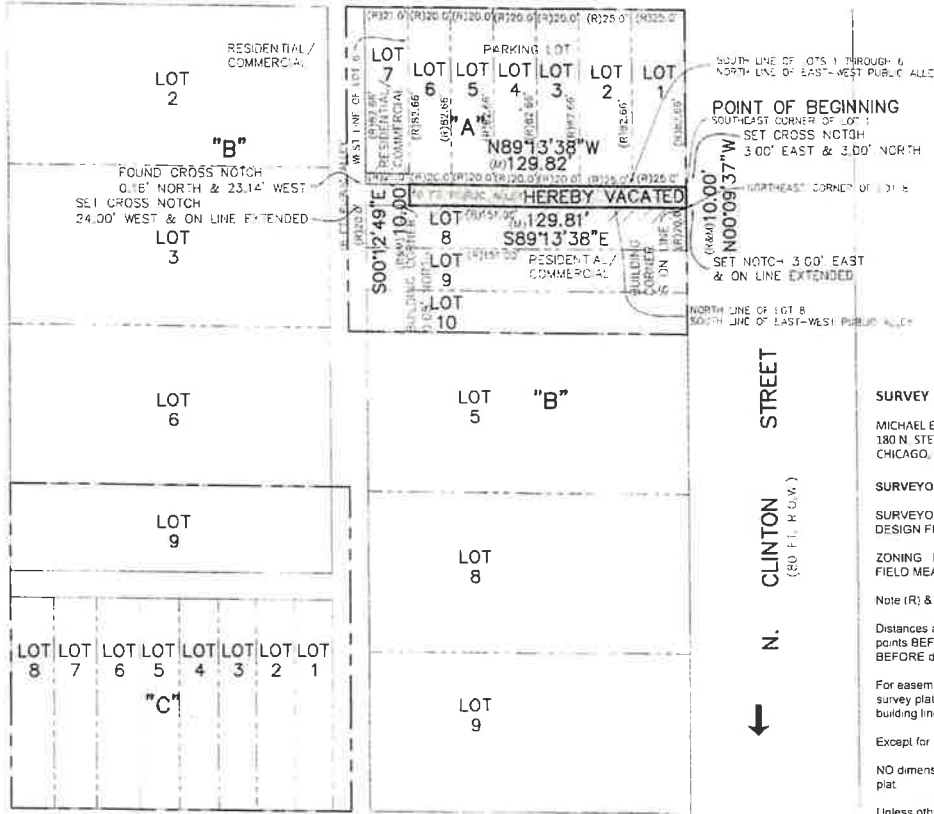
N. JEFFERSON STREET (50 FT. R.O.W.)



CLINTON STREET (50 FT. R.O.W.)



W. RANDOLPH STREET (80 FT. R.O.W.)



SURVEY PREPARED FOR / AND MAIL TO:

MICHAEL EZGUR 180 N STETSON AVENUE STE 3500 CHICAGO, IL 60601

SURVEYORS NOTES:

SURVEYOR'S LICENSE EXPIRES November 30, 2024 DESIGN FIRM LICENSE EXPIRES APRIL 20, 2025 ZONING DX-7 - DOWNTOWN MIXED-USE DISTRICT FIELD MEASUREMENTS COMPLETED ON OCTOBER 3, 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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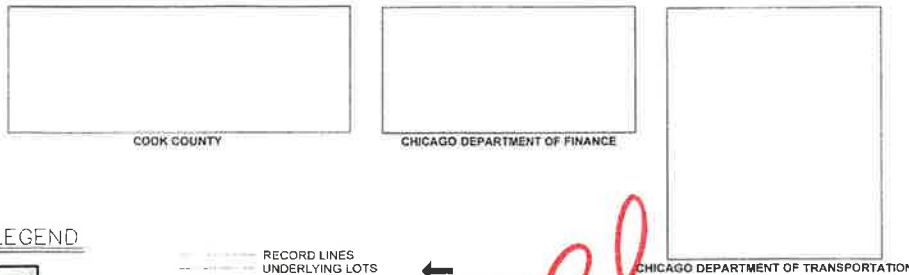
STATE OF ILLINOIS COUNTY OF COOK

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 OCTOBER 3, 2023

SIGNED ON MARCH 7, 2024

BY [Signature] PROFESSIONAL ILLINOIS LAND SURVEYOR NO 2802



LEGEND

- HEREBY VACATED (shaded box)
BUILDING FOOTPRINT HATCH (hatched box)
RECORD LINES (dashed line)
UNDERLYING LOTS (dotted line)
BOUNDARY LINES (solid line)
SUBDIVISION LINES (long dashed line)
(R) RECORD (M) MEASURED R.O.W. - RECORD RIGHT OF WAY
TRAFFIC FLOW (arrows)

Red handwritten note: 'Ref MARCH 7, 2024' with arrows pointing to the legend.

CDOT# 09-34-23-4069

Order form for Gremlay & Biedermann, Inc. including order number 2023-31536-001, date OCTOBER 3, 2023, and scale 1" = 40'.

