

11/15/94
11/21/94

128-O-94

AN ORDINANCE

Vacating a Portion of the Alley System
North of Greenwood Street
and East of Wesley Avenue

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the East/West portion of the alley system located north of
Greenwood Street, east of Wesley Avenue, legally described as follows:

ALL THAT PART OF THE 20 FEET EAST - WEST ALLEY IN THE BLOCK 46
IN THE VILLAGE OF EVANSTON, A SUBDIVISION IN THE EAST 1/2 OF
THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13
EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS,

as cross-hatched and indicated by the words, "Hereby Vacated", on the plat hereto attached
as Exhibit A, and made a part of this Ordinance, is hereby vacated and closed, inasmuch
as the Corporate Authorities of the City of Evanston, by three-fourths of all Aldermen then
holding office, have determined that the best interests of the public will be served by the
aforesaid vacation.

SECTION 2: Robert K. Bush, petitioner, who shall receive the benefits of this
vacation, shall pay to the City of Evanston the sum of Three Thousand Dollars (\$3000.00)
in consideration for said vacation and shall record this Ordinance, with the Agreement
Pertaining to an Alley Proposed for Vacation, attached hereto as Exhibit B, containing the
notarized signatures of petitioner and the owners of 1421 Wesley Avenue and 1316 Lake

Street, at his own expense with the Office of the Cook County Recorder as a condition to its effectiveness.

SECTION 3: The City of Evanston hereby reserves to itself, and to all public utilities owning public service facilities, rights of way, license, and easement rights to equipment presently installed and located on those portions of the public way hereby closed, and further reserves the right of ingress and egress for the maintenance, renewal, and reconstruction thereof.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

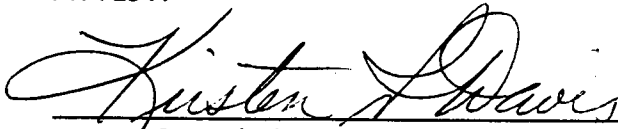
Introduced: December 12, 1994

Adopted: January 9, 1994⁵

Approved: January 12 1994⁵

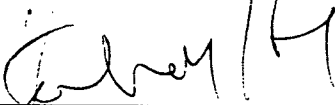
Lorraine H. Norton
Mayor

ATTEST:



City Clerk

Approved as to form:



Corporation Counsel

**AGREEMENT PERTAINING TO AN
ALLEY PROPOSED FOR VACATION**

**(220-Foot East/West Alley Abutting Property
Commonly Known as 1415 Wesley Avenue, 1421 Wesley Avenue
and 1316 Lake Street, Evanston, Illinois)**

AGREEMENT, made this 22nd day of July 1994, By and Between
ROBERT K. BUSH and GAIL BUSH, his wife, ("BUSH") G. THOMAS GOODNIGHT
and E. LYNN GOODNIGHT, his wife, ("GOODNIGHT") and PATRICK M. McFADDEN
and ELAINE M. FRANGEDAKIS, his wife, ("McFADDEN").

W I T N E S S E T H:

WHEREAS, BUSH, GOODNIGHT and McFADDEN have proposed to the City
of Evanston that a 220-foot long, 20-foot wide east/west alley in the
block bounded in part by Lake Street on the north, Wesley Avenue on
the west, and Greenwood Avenue on the south, be vacated; and

WHEREAS, each of BUSH, GOODNIGHT and McFADDEN own real estate
abutting the alley as follows:

BUSH: The North 45 feet of Lots 10, 11 and 12 in Block
46 in the City of Evanston commonly known as
1415 Wesley Avenue
PIN #10-13-424-006

GOODNIGHT: Lots 8 and 9 (except the North 150 feet of said
Lots 8 and 9) in Block 46 in the City of
Evanston commonly known as 1421 Wesley Avenue
PIN #10-13-424-005

McFADDEN: Lot 7 in Block 46 in the City of Evanston
commonly known as 1316 Lake Street
PIN #10-13-424-003

; and

EXHIBIT B

WHEREAS, BUSH, GOODNIGHT and McFADDEN have determined that, upon the recording of an alley vacation ordinance adopted by the Evanston City Council, the south half of the alley will be owned by BUSH and the north half will be owned in part by GOODNIGHT and in part by McFADDEN; and

WHEREAS, if the alley is vacated, the parties hereto intend to do the following:

- (1) BUSH intends to convey the east 30 feet of the south half of the alley to McFADDEN;
- (2) McFADDEN intends to convey the west 47.17 feet of the east 73.17 feet of the north half of the vacated alley to BUSH;
- (3) GOODNIGHT intends to convey the west 147.34 feet of the north half of the vacated alley to BUSH;
- (4) BUSH intends to grant to GOODNIGHT and BUSH a joint use easement in perpetuity for ingress and egress to and from Wesley Avenue and their respective properties over, upon and across the west 50 feet of the north and south sides of the vacated alley; and

WHEREAS, there will be attached hereto a survey of the alley identifying and legally describing the parcels to be conveyed when completed.

NOW, THEREFORE, in consideration of the vacation of the alley and the sum of TEN DOLLARS (\$10.00) exchanged by and between the parties hereto and each of them, and the mutual promises and covenants herein set forth, BUSH, GOODNIGHT and McFADDEN agree as follows:

(a) The foregoing recitals are incorporated herein by this reference;

(b) The survey to be attached will be Exhibit A;

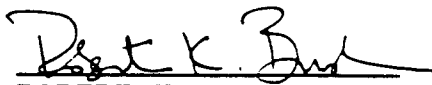
(c) If the alley is vacated, BUSH, GOODNIGHT and McFADDEN within sixty days thereafter will do the things enumerated in Paragraphs 1, 2, 3 and 4 stated above;

(d) Exhibit B which will be attached when completed is the joint use easement described in Paragraph 4 above;

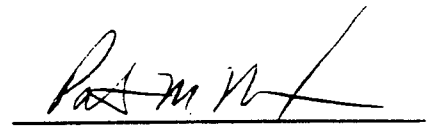
(e) BUSH shall pay costs associated with perfecting this Agreement including charges imposed by the City of Evanston, survey cost, cost of preparing and recording documents, tax division petition to be filed with Cook County Assessor, and real estate transfer taxes;


(f) Deeds, transfer declarations and other documentation submitted by BUSH to GOODNIGHT and McFADDEN for signatures and recording in the Recorder's Office or otherwise are subject to approval of GOODNIGHT and McFADDEN and their respective counsel.

WITNESS the hands and seals of the parties hereto the date stated above.


ROBERT K. BUSH


G. THOMAS GOODNIGHT


PATRICK M. McFADDEN


GAIL BUSH


E. LYNN GOODNIGHT


ELAINE M. FRANGEDAKIS

REG/w/BUSH/ALLEY.AGR
7/21/94

PLAT OF VACATION

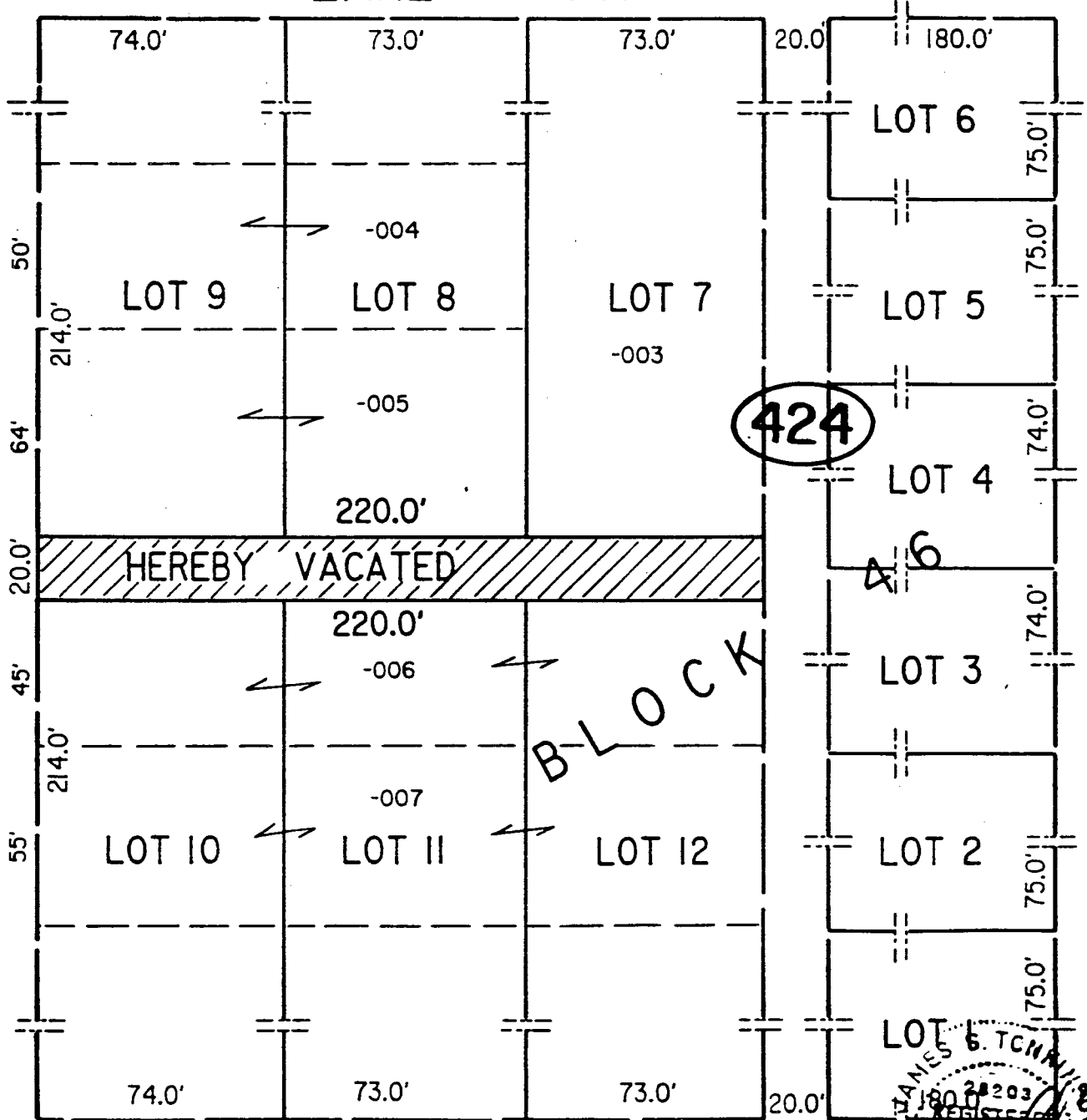
OF

ALL THAT PART OF THE 20 FEET EAST - WEST ALLEY IN THE BLOCK 46 IN THE VILLAGE OF EVANSTON, A SUBDIVISION IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS.

LAKE STREET

WESLEY AVENUE

ASBURY AVENUE



424

HEREBY VACATED

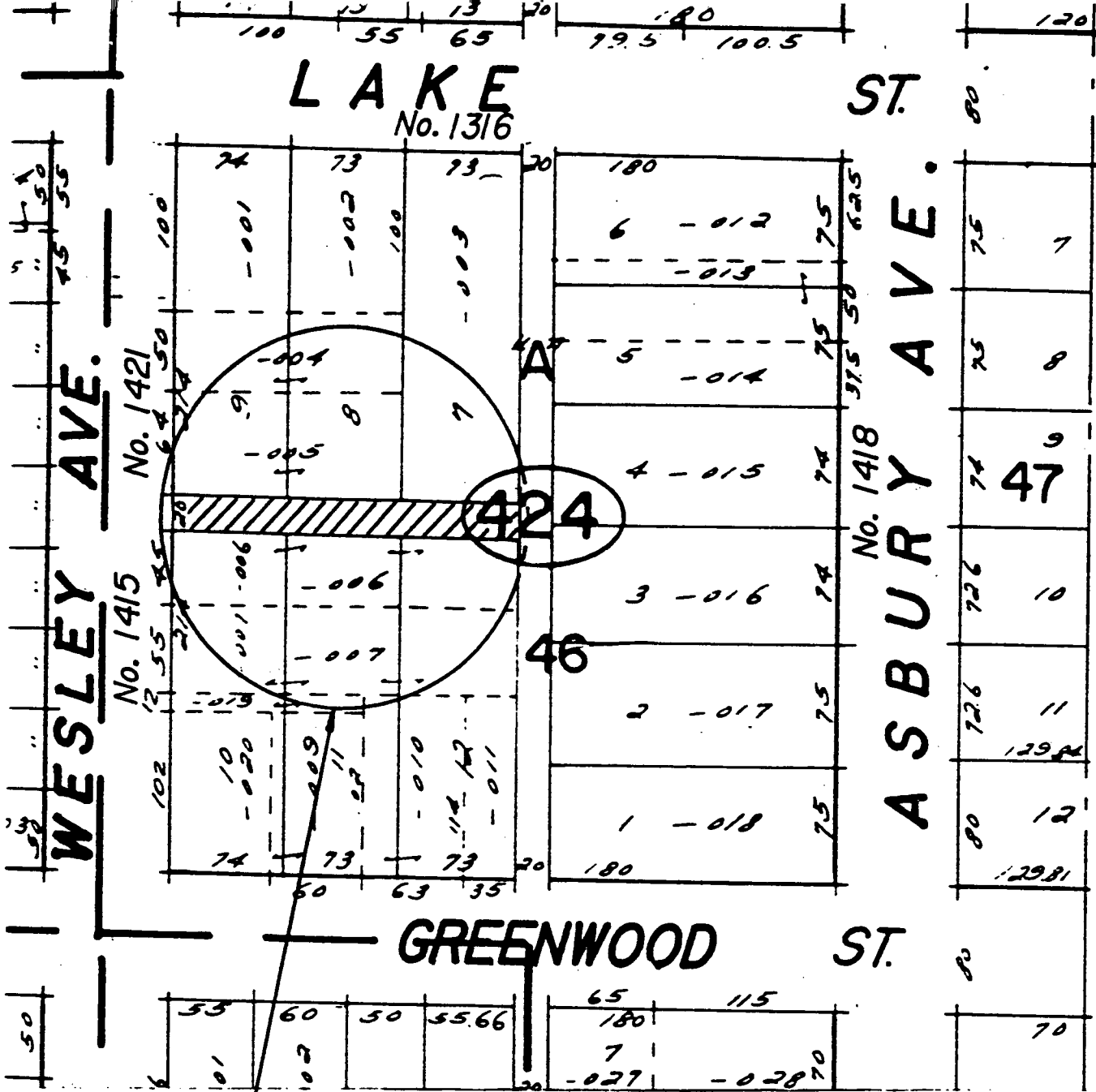
BLOCK

JAMES B. TCH...
 180.0' 28203
 REGISTERED
 PROFESSIONAL
 ENGINEER
 OF
 ILLINOIS

SCALE: 1" = 50.0'

CITY OF EVANSTON
ENGINEERING DIVISION
JUNE 1, 1994

GREENWOOD STREET



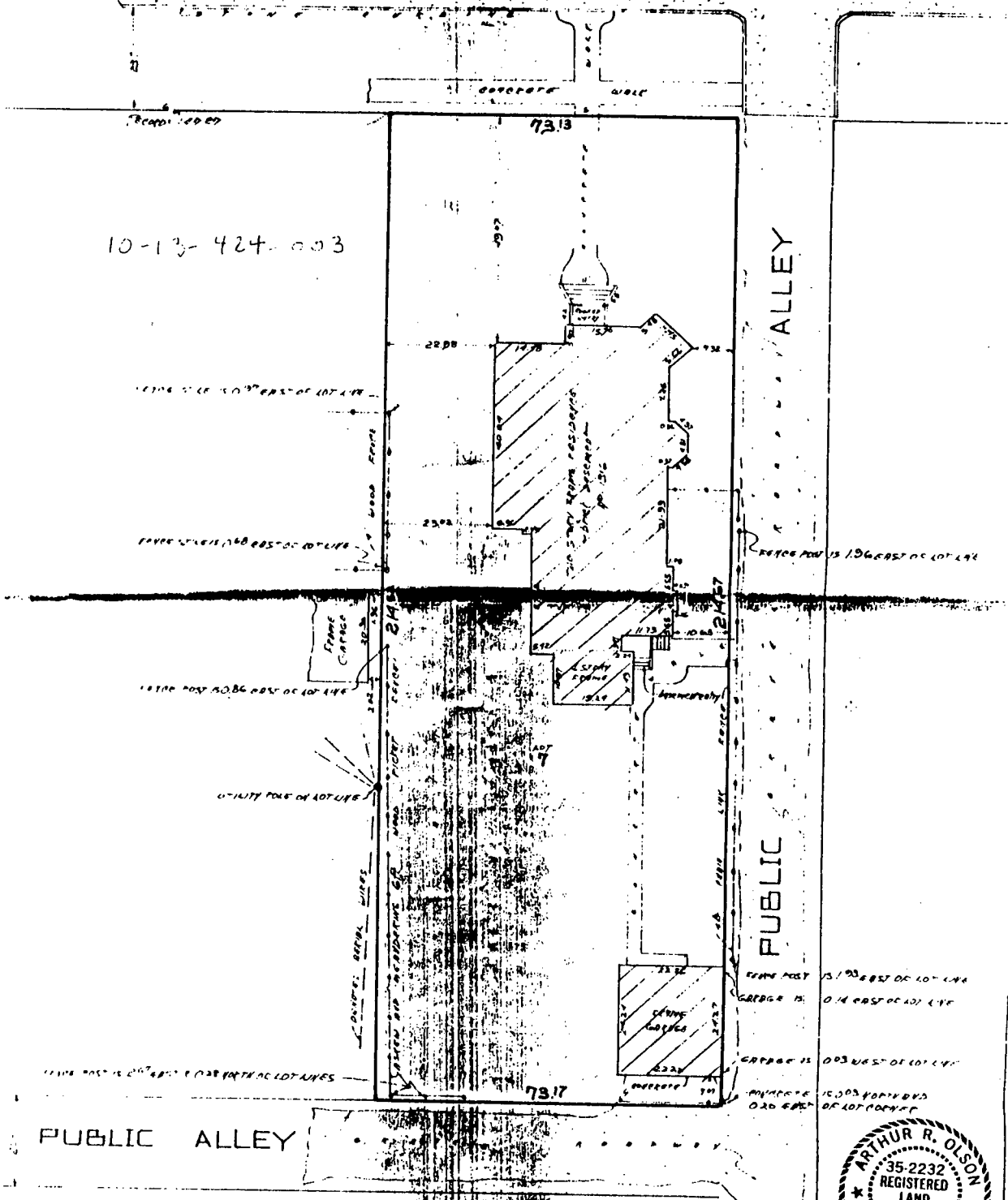
PROPOSED ALLEY VACATION

Plat of Survey

Lot 7 in Block 46 in "EVANSTON", in the East half of the Southeast quarter of Section 13, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as No. 1316 Lake Street, Evanston, Illinois.

LAKE STREET



10-13-424-003



All points must be compared on the ground and with one another before building and any discrepancy be reported immediately to this firm. Easements or other building restrictions refer to your deed, abstract, or municipal ordinances. Distances or angles herein to be assumed by calling distances herein are in feet and decimal parts thereof. Any information relative to elevations herein are taken from available records. THIS PLAT IS NOT TRANSFERABLE.

State of Illinois County of Cook SS
 WE, North Shore Survey, Ltd., do hereby certify that we have surveyed the lots as described in the above caption in accordance with official records and/or previous surveys and that the plat hereon drawn is a correct representation of said survey.

Arthur R. Olson
 REGISTERED ILLINOIS LAND SURVEYOR No. 35-2232

NORTH SHORE SURVEY, LTD.





PLAT OF SURVEY

WITH ANSEN

1st Grade Professional Land Surveyor's Association

B. H. SUHR & COMPANY

ESTABLISHED IN 1911

1416 SHERMAN AVENUE, EVANSTON, ILLINOIS 60201

(AREA CODE 708) EVANSTON TELEPHONE 864-6315

JACO TELEPHONE 273-5315

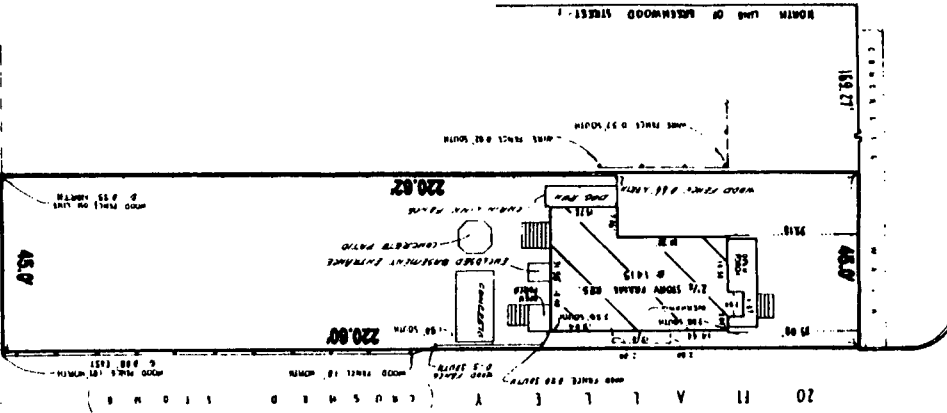
91 PAGE 676
 MRS. GAIL BUSH
 FED BY

ORDER NO 91-676

FOR

The North 45 N. of Lots 10, 11, & 12 in Block 46 in Evanston, in Cook County, Illinois, in the Southeast quarter of Section 13, Township 41 North, Range 13, East of the Third Principal Meridian.

Commonly known as: **MRS. WEBLEY AVENUE, EVANSTON, ILLINOIS**



STATE OF ILLINOIS, COUNTY OF COOK, I
 EVANSTON, MAY 31, 1991

By *[Signature]*
 B. H. SUHR & COMPANY
 EVANSTON, ILLINOIS

Compare the description in this plat with past deed, abstract or certificate of title, also compare all parties between building by date, and
 Building lines are shown only where they are so recorded in the map. Order to past deed or abstract.
 This survey has been made for the use in connection with a mortgage loan transaction of First State Trust and is not to be used for
 any other purpose.
 Discrepancies are shown in feet and decimal parts thereof. No dimensions to be measured by this survey.



