

97-O-05

AN ORDINANCE

**Vacating a Portion of Green Bay Road (a public street)
South of Emerson Street to An Abutting Owner**

WHEREAS, Ferris Homes, Inc. has requested the vacation of a portion of Green Bay Road in the City of Evanston, which is adjacent to part of PIN 11-19-111-014; and

WHEREAS, this portion of Green Bay Road south of Emerson Street is an unopened right-of-way; and

WHEREAS, this right-of-way serves no public purpose; and

WHEREAS, Ferris Homes, Inc. has entered into a contract to purchase 1228 Emerson Street, a portion of which lies west of and adjacent to the subject unopened right-of-way; and

WHEREAS, Ferris Homes, Inc. desires to construct landscaping, sidewalks and an off-street parking area in support of a 49-unit condominium development by acquiring the vacated property and incorporating it into 1228 Emerson Street; and

WHEREAS, Ferris Homes, Inc. will add the subject area into their lawn and do hereby agree to provide a high level of maintenance of the landscaping;

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

SECTION 1: That the certain portion of the public street (Green Bay Road) legally described as:

COMMENCING AT THE NORTHEAST CORNER OF THE 1228 EMERSON PARCEL; THENCE WEST ALONG THE NORTH LINE OF SAID PARCEL, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 60.00 FEET; THENCE SOUTH 33 DEGREES 22 MINUTES 37 SECONDS EAST, 21.69 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 54 DEGREES 01 MINUTES 13 SECONDS EAST,

54.22 FEET; THENCE SOUTH 37 DEGREES 25 MINUTES 48 SECONDS EAST, 63.26 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST,; THENCE NORTH 33 DEGREES 22 MINUTES 37 SECONDS WEST, 98.31 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

And depicted in the attached Plat of Vacation incorporated into this ordinance, is hereby vacated and closed, inasmuch as the corporate authorities of the City of Evanston have determined that the public interest will be served by the aforesaid vacation, provided that said vacation shall be subject to the following terms and conditions:

1. That said vacation shall be subject to the usual easements for public utilities, including, but not limited to, such rights-of-way, license and easement rights to such equipment as is presently installed and located on those portions of the public right-of-way hereby closed and the rights and ingress and egress for the maintenance, renewal and reconstruction thereof.
2. That said vacated property shall be conveyed to Ferris Homes, Inc. upon their payment to the City of Evanston the sum of \$25,000.00 and their acquisition of title to 1228 Emerson Street.
3. That in the event of litigation, Ferris Homes, Inc. will hold the City of Evanston harmless and defend it against any lawsuits resulting from the subject vacation.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: August 15, 2005

Adopted: August 15, 2005

Approved August 16, 2005
Lorraine H. Norton
Mayor

ATTEST:

Mary S. Morris
City Clerk

Approved as to form:
[Signature]
Corporation Counsel

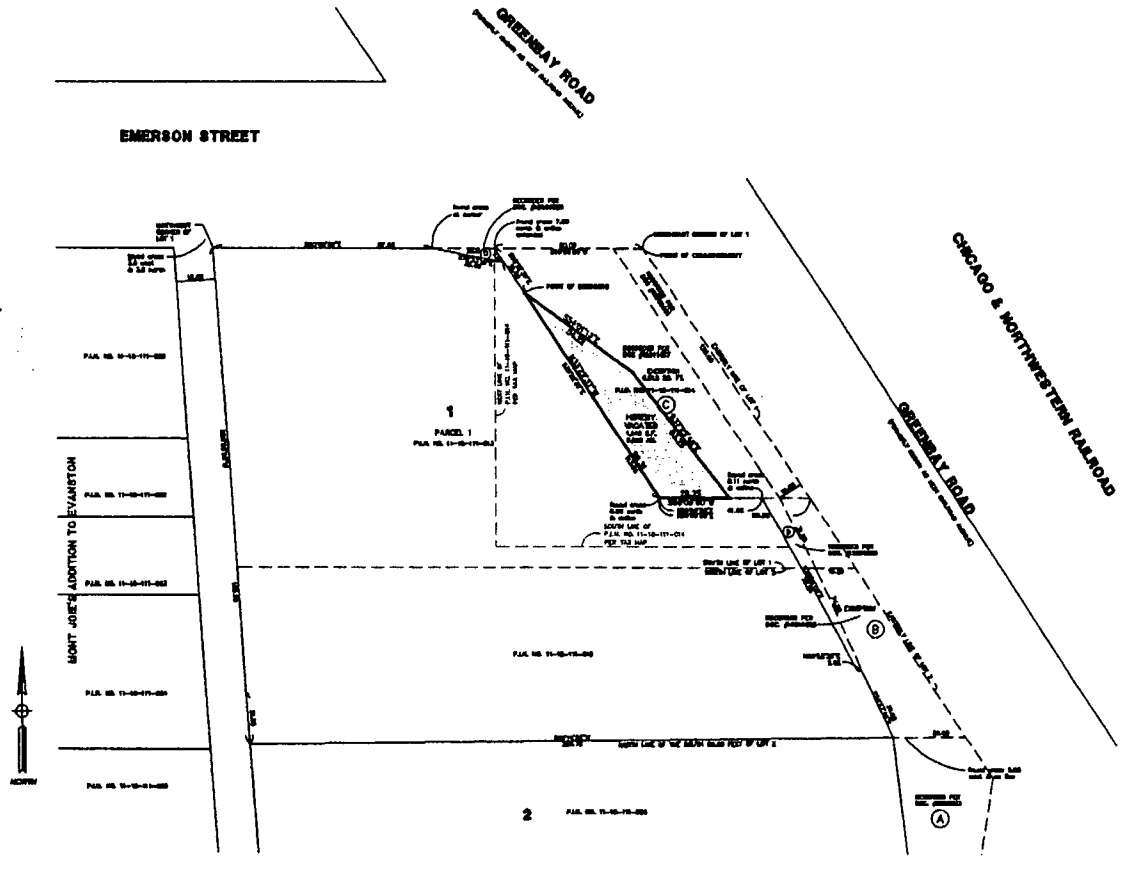
Ayes 8

Nays 0

PLAT OF VACATION

THAT PART OF LOT 1 (EXCEPT FROM SAID LOT 1) THE FOLLOWING TRACT BEGINNING AT THE NORTHEASTLY CORNER OF LOT 1 AND RUNNING SOUTHEASTERLY 188 FEET PARALLEL TO AND ALONG THE WESTERLY LINE OF THE PUBLIC WAY FORMERLY KNOWN AS BEECH BARRAGE AVENUE AND NOW KNOWN AS GREENWAY ROAD; THENCE WESTERLY 80 FEET PARALLEL TO THE NORTH LINE OF SAID LOT 1; THENCE NORTHEASTERLY PARALLEL TO THE WESTERLY LINE OF SAID BARRAGE AVENUE OR GREENWAY ROAD, 138.00 FEET; THENCE EASTERLY 80.00 FEET TO THE PLACE OF BEGINNING, ALL IN CIRCUIT COUNTY PARCELS OF LOTS 23 AND 28 IN COUNTY CLERK'S DIVISION OF UNIMPROVED LANDS IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE PORTION TAKEN UP FOR GREENWAY ROAD NOW SHOWN AS BEING ADJACENT IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTLY CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 80.00 FEET; THENCE SOUTH 23 DEGREES 23 MINUTES 00 SECONDS EAST, 21.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 84 DEGREES 00 MINUTES 13 SECONDS EAST, 51.52 FEET; THENCE SOUTH 87 DEGREES 28 MINUTES 48 SECONDS EAST, 43.29 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 22.58 FEET; THENCE NORTH 23 DEGREES 23 MINUTES 00 SECONDS WEST, 80.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.



State of Illinois)
County of Cook)
Approved this _____ day of _____ A.D. 20____
Signed: _____
City Collector, Evanston, IL

State of Illinois)
County of Cook)
Plat of vacation approved by the Zoning Administrator of the City of Evanston,
Cook County, Illinois,
on this _____ day of _____ A.D. 20____
Signed: _____
Zoning Administrator

I, Kent A. Nagel, Illinois Professional Land Surveyor No. 3410, do hereby
certify that I have prepared this plat hereon drawn from previous plat and
to record this plat and provide this surveyor a recorded copy of same.
Dated this _____ day of _____ A.D. 20____

Illinois Professional Land Surveyor

State of Illinois)
County of Cook)
Approved this _____ day of _____ A.D. 20____
Signed: _____
Director of Public Works, Evanston, IL

State of Illinois)
County of Cook)
Approved by the President and Board of Trustees of the City of Evanston,
Illinois, this _____ day of _____ A.D. 20____
Attest: _____ By: _____
City Clerk President

State of Illinois)
County of Cook)
I, Kent A. Nagel, Illinois Professional Land Surveyor No. 3410, do hereby
certify that I have prepared this plat hereon drawn from previous plat and
records for vacation purposes as above shown.
Dated this _____ day of _____ A.D. 20____

Illinois Professional Land Surveyor

ALL DISTANCES IN FEET AND DECIMAL
FRACTIONS THEREOF, ARE SUBJECT TO
BE ADJUSTED FROM SURVEY
CONFORMING TO THE STATE PLAT ACT
AND TO THE CITY OF EVANSTON PLAT
ACT.

- A. GIFT CLAIM TO CITY OF EVANSTON DOCUMENT 880828 BOOK 380-383, RECORDED NOVEMBER 23, 1987.
- B. GIFT CLAIM TO CITY OF EVANSTON DOCUMENT 1081868 BOOK 380A PAGE 128-131, RECORDED JANUARY 2, 1994.
- C. WARRANTY DEED TO CITY OF EVANSTON DOCUMENT 1081467 BOOK 308A PAGE 66-67, RECORDED MAY 13, 1994.
- D. GIFT CLAIM TO CITY OF EVANSTON DOCUMENT 1080788 BOOK 680-685 PAGE 118-121, RECORDED DECEMBER 28, 1994.

DATE REVISION: 06/29/05
DATE REVISION: 05/24/05
DATE PREPARED: 06/08/04

PROJECT NO.
2078

**PLAT OF VACATION
FERRIS CONDOMINIUMS
GREENWAY ROAD & EMERSON STREET
EVANSTON, ILLINOIS**

CONSULTING, INC.
INTEGRATION & GEOSON
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS
200 WASHINGTON DRIVE WHEELING ILLINOIS 60090 PH. (815) 219-1122 FAX (815) 219-1177

DESIGNED BY: FERRIS BOEHR
FIELD CHECK: N/A
FIELD WORK: N/A

DRAFTING: BRM
SCALE: 1"=30'

NOTE: Only those Building Line Restrictions
or Easements shown on a Recorded
Subdivision Plat are shown hereon unless
the description ordered to be surveyed
contains a proper description of the
required building lines or easements.



Record of Public Hearing
Vacation of a portion of Green Bay Road and Dedication of a portion of
1228 Emerson Street

Meeting was opened at 6:30 P.M. by John Burke, Director of Transportation. An attendance sheet was distributed to allow those present to sign in. Mr. Burke started the meeting by quoting the Illinois Municipal Code which describes the vacation procedure and the need for a public hearing. He stated that an Ordinance will be prepared and introduced to the City Council on August 15, 2005. The notice of the hearing was published in the Chicago Tribune to meet legal requirements and courtesy notifications were hand delivered to adjoining and nearby property owners.

There was no opposition to the vacation or dedication in written letter or verbally.

The developer requested that the Ordinance be introduced and approved at the same meeting to allow the developer to proceed with the demolition.

Mr. Nagar asked for the owner of record. The attorney for the developer Dan Shapiro & developer Drew Ferris indicated that it is Ferris Homes Inc./Ferris@Evanston L.L.C

Mr. Burke asked for any further comments. Without further discussion the meeting was concluded at 6:45 P.M.

Respectfully Submitted by;

Sat Nagar, P.E.
Senior Engineer

